

TOWN OF BETHANY
REGULAR TOWN BOARD MEETING
12 MAY 2014

Deputy Supervisor Wenhold opened the May 12, 2014 Regular Town Board Meeting at 7:00 p.m. with a Moment of Silence followed by the Pledge of Allegiance.

Town Officials in Attendance were:

Walter Wenhold, Councilman	Susan Neer, Councilwoman
Edward Pietrzykowski, Councilman	Dan Adams, Councilman
Debbie Douglas, Town Clerk	Thomas Douglas, CEO/ZEO
Bill Shea, Town Justice	Linda Schmidt, Town Historian
Thomas McBride, Town Justice	
Paul Fleming, Highway Superintendent	

Attendees to the Meeting were:

Don Schmidt	Tom Foss
Mary F Pietrzykowski	Dennis Pietrzykowski
Carl Hyde Jr.	Barb Czworka
Gregg Torrey, Genesee County Legislature	

Finances

Deputy Supervisor Wenhold presented the finances for April 2014.

General Savings		\$1,065,357.47
915 Savings	\$	302,089.20
Highway Savings	\$	33,218.52
Highway Fund Misc. Savings	\$	859.72
Capital Project Highway	\$	69,445.35
AP/PR Account	\$	18,486.32
Trust & Agency Account	\$	4,632.75
Petty Cash	\$	250.00
Justice Savings	\$	27,020.00
Total		\$ 1,521,359.33

Revenues Received		
Debbie Douglas, Town Clerk	\$	1,280.75
Debbie Douglas, Tax Collector	\$	3,411.46
Debbie Douglas, Tax Collector	\$	250.00
Time Warner	\$	6,880.91
EASCO Brokerage	\$	130.15
County of Genesee	\$	47,990.62
County of Genesee	\$	116,299.63
Bethany Justice – William Shea	\$	1,710.00
Bethany Justice – Thomas McBride	\$	3,078.00

Total Revenue	\$	181,031.52
Total Revenue & Interest	\$	181,139.35

Town Clerk Report – Debbie Douglas

- Presented the Minutes of the April 14, 2014 Regular Town Board Meeting.

A motion was made by Councilwoman Pietrzykowski and seconded by Councilwoman Neer to approve the Minutes of the April 14, 2014 Regular Town Board Meeting. The motion passed with All In Favor.

- Noted that information concerning the budget process schedule was provided to the Board members to aid them in preparing the budget.
- A copy of the county-wide town salaries was also provided to the board.

Condolence Cards

- Condolence cards were received from National Grid (Laurie Masten) and the Town of LeRoy.

CEO/ZEO Report – Tom Douglas

- Issued a permit for a generator.
- Received driveway plans for a single family dwelling on Bethany Center Road that is 100 yards off of the road. Will be meeting with the Fire Chief to go over the plans to be sure that it meet his requirements.
- Issued permit for a single family dwelling on Silver Road. They will begin building the barn shortly.
- Issued a permit for an addition on Bethany Center Road.
- Working on a fireworks permit for Lei-Ti Campgrounds.
- Gary DeVoe on Molasses Hill Road is finishing the second residence.
- Road review will begin shortly.
- Rolling Hills Asylum will be proceeding with an application to hold concerts.

Highway Superintendent Report – Paul Fleming

- Patching roads.
- Cleaning trucks and equipment from winter.
- Chasis for new truck was delivered to the dealer last Thursday and the body will be delivered tomorrow. Will be assembled and delivered to the town in approximately 2 weeks.
- Will begin blacktopping next week if the weather holds. Will need to rent a roller for the job.
- Town may want to look at purchasing a small roller. By eliminating the cost of renting it would pay for itself in a few years.
- A backhoe should also be considered as the town is without one and it is needed to replace pipes. Stafford has offered to loan their's for the immediate need.

Board Committee Reports**Councilman Wenhold**

- Senior Meals traveled to Olean for a meal. Appoximately 15 people are attending at this point.
- Planning Board met on May 1, 2014.
 - o Site Plan for the communication tower was approved with modifications suggested by the County Planning Board.
 - o A land separation application for Scott and Carol Merrill was approved.

Councilwoman Neer

- Still waiting to hear the decision of the Inter-Community Medical Building Committee concerning the sale of the building.

- Schedules for Pavilion and Alexander recreation programs have not been received yet.

OLD BUSINESS

Transfer Station – Update

Resolution #18-2014 Purchase of Baler for Transfer Station – Approval of

WHEREAS, Councilman Pietrzykowski has provided information and options for the purchase of a baler for the Transfer Station that would replace the small baler; and

WHEREAS, the Board determined that the best and least expensive option is as follows:

Reconditioned MSI Model VB-6030HD Vertical Downstroke Baler		
Bale size:	60"x30"x48"	
Motor:	15 hp, three phase	
Cylinder:	6" bore	
Price:	FOB Quakertown, PA	\$6950.00
Delivery & Installation		<u>\$1660.00</u>
Total		\$8610.00

WHEREAS, an electrical upgrade will be required before the installation of the baler, and

WHEREAS, two estimates for the electrical upgrade were received as follows:

Elite Controls	\$1044.00
Marcy Electric	\$ 982.00

WHEREAS, Marcy Electric was the lowest estimate, now on

MOTION of Councilman Adams which was duly seconded by Councilwoman Neer, be it

RESOLVED that the Bethany Town Board approves the purchase of the Reconditioned MSI Model VB-6030HD Vertical Downstroke Baler delivered and installed in the amount of \$8610.00, and be it further

RESOLVED that Marcy Electric install the necessary electrical upgrade at a cost of \$982.00, and be it further

RESOLVED that the Town will pay 50% of the purchase price and installation of the baler (\$4305.00) with the remainder paid upon completion of installation.

The motion passed with the following Roll Call Vote:

Councilman Wenhold – Yes	Councilwoman Neer – Yes
Councilman Adams – Yes	Councilman Pietrzykowski – Yes

Adjournment

- Deputy Supervisor Wenhold adjourned the meeting briefly from 7:25 – 7:26 to confer with Gregg Torrey, Bethany Republican Committee Chair.

Recommendation- Bethany Republican Committee

- After returning from the adjournment, Deputy Supervisor Wenhold reported that the Bethany Republican Committee had held interviews for the Town Supervisor and Town Council.
- The committee recommends Councilman Edward Pietrzykowski to fill the vacant Town Supervisor seat and Jeffrey Fluker to fill the Town Council seat that would be vacated by Councilman Pietrzykowski.

Resolution #19-2014 Resignation of Councilman Pietrzykowski – Acceptance of

WHEREAS, the Bethany Republican Committee has recommended that Councilman Edward Pietrzykowski fill the vacant seat of Town Supervisor, and

WHEREAS, Councilman Pietrzykowski has submitted a letter of resignation to the Town Board, now

ON MOTION OF Councilwoman Neer which was duly seconded by Councilman Wenhold, be it

RESOLVED that the Bethany Town Board hereby accepts the resignation of Councilman Edward Pietrzykowski from the Bethany Town Board.

The motion passed with the following Roll Call Vote:

Councilman Wenhold – Yes	Councilwoman Neer – Yes
Councilman Pietrzykowski – Abstain	Councilman Adams – Yes

Resolution #20-2014 Appointment to Vacant Town Supervisor Position – Approval of

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, the untimely death of Supervisor Gayton created a vacancy in office as defined by § 30 of the Public Officer’s Law; and

WHEREAS, in accordance with § 64 of Town Law, whenever a vacancy occurs, the Town Board or a majority of the members thereof may appoint a qualified person to fill the vacancy; and

WHEREAS, in accordance with § 38 of Public Officers Law, if the vacancy occurs in an elective office, the officer appointed shall fill the vacancy until the commencement of the political year next succeeding the first annual election after the happening of the vacancy; and

WHEREAS, the Town Board finds Edward Pietrzykowski to be qualified to fill the vacancy of Supervisor of the Town of Bethany.

NOW ON MOTION OF Councilwoman Neer which has been duly seconded by Councilman Adams, be it

RESOLVED, by the Town Board of the Town of Bethany, hereby appoints Edward Pietrzykowski as Supervisor of the Town of Bethany until the commencement of the calendar year next succeeding the first annual election at which the vacancy may be filled.

The motion passed with the following Roll Call Vote:

Councilman Wenhold – Yes	Councilwoman Neer – Yes
--------------------------	-------------------------

Councilman Pietrzykowski – Abstain

Councilman Adams – Yes

Resolution #21-2014 Resignation of Planning Board Member – Acceptance of

WHEREAS, the Bethany Republican Committee has recommended that Planning Board Member Jeffrey Fluker fill the vacant seat on the Bethany Town Board created by the appointment of Councilman Pietrzykowski to the Town Supervisor position, and

WHEREAS, Jeffrey Fluker has submitted his resignation from the Town of Bethany Planning Board to the Town Board, now

ON MOTION OF Councilman Adams which was duly seconded by Councilwoman Neer, be it

RESOLVED that the Bethany Town Board hereby accepts the resignation of Jeffrey Fluker from the Bethany Planning Board.

The motion passed with the following Roll Call Vote:

Supervisor Pietrzykowski – Yes
Councilwoman Neer – Yes

Councilman Wenhold – Yes
Councilman Adams – Yes

Resolution #22-2014 Appoint to Vacant Town Board Position – Approval of

WHEREAS, the untimely death of Supervisor Gayton created a vacancy in office as defined by § 30 of the Public Officer’s Law; and

WHEREAS, the Town Board appointed Councilman Pietrzykowski to fill the Supervisor position creating a vacancy on the Town Board, and

WHEREAS, in accordance with § 64 of Town Law, whenever a vacancy occurs, the Town Board or a majority of the members thereof may appoint a qualified person to fill the vacancy; and

WHEREAS, in accordance with § 38 of Public Officers Law, if the vacancy occurs in an elective office, the officer appointed shall fill the vacancy until the commencement of the political year next succeeding the first annual election after the happening of the vacancy; and

WHEREAS, the Town Board finds Jeffrey Fluker to be qualified to fill the vacancy of Town Council Member of the Town of Bethany.

NOW ON MOTION OF Councilman Wenhold which has been duly seconded by Councilwoman Neer, be it

RESOLVED, by the Town Board of the Town of Bethany, hereby appoints Jeffrey Fluker as Town Council Member of the Town of Bethany until the commencement of the calendar year next succeeding the first annual election at which the vacancy may be filled.

The motion passed with the following Roll Call Vote:

Supervisor Pietrzykowski – Yes
Councilwoman Neer – Yes

Councilman Wenhold – Yes
Councilman Adams – Yes

Swearing in of Newly Appointed Officials

- Justice Shea performed the swearing in for the newly appointed Town Supervisor Edward Pietrzykowski and Town Board Member Jeffrey Fluker at 7:40 p.m.

Union Contract Negotiations – Update

- Brian Dickman has contacted Councilman Wenhold and offered to meet on May 28 or 30. These dates do not work for the Board members.
- Councilman Wenhold will ask Mr. Dickman if it would be convenient for him to meet on June 8, 2014 after the regular Town Board meeting.

Water District #2 – Update

- Carl Hyde Jr. reported that he spoke with Eric Weiss who informed him that they are still working on getting the surveys in from the Town of Stafford residents.

NEW BUSINESS

Vacant Planning Board Seat

- Need to advertise for a person to fill the vacant Planning Board position created by Jeff Fluker's resignation.
- The secretary/alternate position is also still vacant. This will be advertised as well.

Hall Use Contract – Fire Department

- An old copy of the hall use contract that was never signed was provided to the Board.
- They will be meeting with the Fire Department to the usage of the hall.

Warrant

- The Board approved payment of the bills as follows:

	<u>Prepaid</u>	<u>Total</u>
General Fund	\$ 1,386.80	\$ 3,499.96
Highway Fund	\$ 0.00	\$ 2,865.30
Water Fund	\$ 0.00	\$ 00.00
Justice Fund	\$ 3,098.00	\$ 3,098.00

Reading of the Minutes – Suspension of

A motion was made by Councilwoman Neer and seconded by Councilman Fluker to suspend the Reading of the Minutes. The motion passed with All In Favor.

Adjournment

A motion was made by Councilman Fluker and seconded by Councilman Adams to adjourn the meeting at 8:07 p.m. The motion passed with All In Favor.

BY ORDER OF THE
BETHANY TOWN BOARD
DATED: May 14, 2014

Respectfully Submitted,

Debbie L. Douglas
Bethany Town Clerk