

**TOWN OF BETHANY**  
**REGULAR TOWN BOARD MEETING**  
**14 JULY 2014**

Supervisor Pietrzykowski opened the July 14, 2014 Regular Town Board Meeting at 7:00 p.m. with Councilman Fluker leading in the Pledge of Allegiance followed by a moment of silence.

Town Officials in Attendance were:

Edward Pietrzykowski, Supervisor	Walter Wenhold, Councilman
Susan Neer, Councilwoman	Jeffrey Fluker, Councilman
Debbie Douglas, Town Clerk	Bill Shea, Town Justice
Linda Schmidt, Town Historian	Tom Douglas, CEO/ZEO
Paul Fleming, Highway Superintendent	

Town Officials Absent were:

Dan Adams, Councilman

Attendees to the Meeting were:

Don Schmidt	Carl Hyde Jr.
Maelynn Hyde	Bradley Polle
Bill Gick	Elaine Shell
Robert Reyes	Ramon Cipriano
Tom Foss	Will Hakes
Barb Hakes	Barb Czworka
Gerald Shea	Denise Vereecken
Heather Briggs, CPA, The Bonadio Group	
Gregg Torrey, Genesee County Legislature	

**Finances**

Supervisor Pietrzykowski presented the finances for June 2014.

General Savings	\$	705,330.71
915 Savings	\$	302,129.59
Highway Savings	\$	224,257.19
Highway Fund Misc. Savings	\$	859.75
Capital Project Highway	\$	69,451.15
AP/PR Account	\$	9,933.01
Trust & Agency Account	\$	4,302.31
Petty Cash	\$	250.00
Justice Savings	\$	28,531.81
Total		\$ 1,345,045.52
Revenues Received		
Debbie Douglas, Town Clerk	\$	2,488.25
Genesee County Treasurer	\$	6,471.08
EASCO Brokerage	\$	111.32
Stanley Staba	\$	303.00
Bethany Justice – William Shea	\$	1,165.00
Bethany Justice – Thomas McBride	\$	1,588.00
Total Revenue		\$ 12,126.65

Total Revenue & Interest           \$   12,226.37

**Town Clerk Report – Debbie Douglas**

- Presented the Minutes of the June 9, 2014 Regular Town Board Meeting.

A motion was made by Councilwoman Neer and seconded by Councilman Wenhold to approve the Minutes of the June 9, 2014 Regular Town Board Meeting as presented. The motion passed with All In Favor.

- Presented the Minutes of the June 23, 2014 Town Board Workshop.

A motion was made by Councilman Wenhold and seconded by Councilman Fluker to approve the Minutes of the June 23, 2014 Town Board Workshop as presented. The motion passed with All In Favor.

- Received a thank you note from Linda Jackett stating that she appreciated the time and service of the Board and Town employee's. A new mailbox was installed for her after she brought to the Board's attention the fact that her box gets hit several times per year by the snowplow.

**ZEO/CEO Report – Tom Douglas**

- Provided the Board with the report of permits issued for the year thus far.
- One violation in Linden for an unpermitted structure. Violation notice has been sent.
- Working with the Town Attorney concerning a pond/Special Use Permit violation. The pond was an existing non-compliant use when the Town's Zoning Law was enacted in 1985. The owner enlarged the pond without the proper Special Use Permit. A notice of violation was sent along with several options for remedying the violation.
- Also working with the Town Attorney concerning a violation for an outdoor recreational use.

**Highway Superintendent Report – Paul Fleming**

- Oiled and stoned 3.5 miles of road.
- Mowing of roadsides continues.
- Working on the expansion of a driveway on McLernon Road.
- The electrical work has been completed for the new baler.

**Justice Report – Bill Shea**

- The number of tickets has increased a little.
- The JCAP grant applications will be due by end of September. Will get quotes together for the grant application.

**Historian Report – Linda Schmidt**

- The historians of Genesee County have exhibits set up at the County Fair.

**Board Committee Reports**

**Councilman Wenhold**

- Senior Meals are going well.
- Planning Board did not meet in July.

**Councilman Fluker**

- Things are going well at the Fire Department.

**Councilwoman Neer**

- No word on the sale of the Intercommunity Medical Building yet.

## **OLD BUSINESS**

### **Transfer Station – Update**

- Baler will be installed on August 7 and 8.
- Highway employees will begin insulating the building in the fall.

### **Union Contract Negotiations – Update**

- A letter to the Union has been drafted and approved by the Town Attorney.
- It will be sent to the Union with the request to meet during the Town Board Workshop to be held on August 25<sup>th</sup> at 7:00p.m.

### **Comprehensive Plan – Update**

- Remains tabled until the attorney has finished reviewing it.

### **2015 Ford F450 with Air Flo Dump Body – Delivery of**

- The new truck was delivered approximately three weeks ago.

### **Kitchen Use Contract with Fire Department**

- Still in negotiation with the Fire Department.

### **Annual Audit – September**

- The audit has been postponed until September to give the new bookkeeper a chance to get acclimated.

### **Old Town Hall – Update**

- The purchase option Western New York Landmark Society for the sale of the Old Town Hall needs to be updated and signed so that marketing can begin.
- Former Councilman Bill Gick has agreed to continue to chair the Old Town Hall Committee and help with the marketing and sale.

### **Radio Contract with Genesee County**

- The signing of this contract will be put off until the issues with the radio system are worked out.
- The signal is poor and it has been reported that trucks at emergency scenes cannot speak to each other and the responders have to run back and forth between the trucks to talk to each other. Signal is also lost in buildings putting lives in danger.
- The signal goes to Canada which upsets the officials in Canada.
- The County is withholding final payment until these issues are worked out per Legislator Torrey.
- 3 new antenna are being installed and when they go online it is hoped that this will resolve the problems.
- The Fire Department was required to replace the mics at their own cost with larger ones because the originals were too small to handle with gloved hands.
- Legislator Torrey will relay the Town Board and the Fire Department's displeasure with the radio system to the County Legislature.

### **Resolution #27-2014 Generator Maintenance Contract - Elite Controls**

**WHEREAS**, there is a need for the generator at the Community Center to have routine maintenance performed to ensure that it is functioning properly; and

**WHEREAS**, Elite Controls has provided pricing for the maintenance as follows: one-year contract at \$375.00 per year or two-year contract at \$650.00 per year; and now

On **MOTION** of Councilman Fluker duly seconded by Councilwoman Neer the Board authorizes Supervisor Pietrzykowski to enter into a two-year contract for

maintenance of the generator at the Bethany Community Center in the amount of \$650.00.

The motion passed with the following Roll Call Vote:

Supervisor Pietrzykowski – Yes	Councilman Wenhold – Yes
Councilwoman Neer – Yes	Councilman Adams – Absent
Councilman Fluker - Yes	

## **NEW BUSINESS**

### **New Property Tax Freeze Program**

- The Property Tax Freeze Program is connected to the 2% Tax Cap.
- This program was included in the State Budget and has not been entirely defined at this time.

### **Resolution #28-2014 Surplus Equipment (2003 Chevrolet Pickup – Declaration of**

**WHEREAS**, the 2003 Chevrolet Silverado Pickup (Vin # 1GCHK24UX3E245658) has been replaced by a 2015 Ford F450 with dump body, and

**WHEREAS**, the 2003 Chevrolet Silverado is no longer of use (the rearend has gone out of it) or needed by the Town, now, therefore, on

**MOTION** of Councilman Wenhold duly seconded by Councilwoman Neer, be it

**RESOLVED**, that the 2003 Chevrolet Silverado Pickup (VIN # 1GCHK24UX3E245658) is declared excess equipment and will be sent to auction at Teitsworth Auctions as soon as possible.

The motion passed with the following Roll Call Vote:

Supervisor Pietrzykowski – Yes	Councilman Wenhold – Yes
Councilwoman Neer – Yes	Councilman Adams – Absent
Councilman Fluker - Yes	

### **Resolution #29-2014 Agriculture and Farmland Protection Plan Update – Letter of Support**

**WHEREAS**, Genesee County will be applying for a New York State Agriculture and Markets grant to update its County Agricultural and Farmland Protection Plan (c.2001), and

**WHEREAS**, the County is asking for a letter of support for their grant application, now on

**MOTION** of Councilwoman Neer duly seconded by Councilman Wenhold, be it

**RESOLVED** that Supervisor Pietrzykowski is directed to sign a letter of support for Genesee County's grant application to update the Genesee County Agricultural and Farmland Protection Plan.

The motion passed with the following Roll Call Vote:

Supervisor Pietrzykowski – Yes	Councilman Wenhold – Yes
Councilwoman Neer – Yes	Councilman Adams – Absent
Councilman Fluker - Yes	

### **New Bookkeeper – Denise Vereecken**

- Denise was hired on July 2<sup>nd</sup> and was present to meet the Board.

**Will Hakes – Thank You**

- Will was presented with a proclamation and engraved clock thanking him for his 15 years of dedicated service to the Town of Bethany as the bookkeeper.

**Rolling Hills Asylum – Concert Proposal**

- Brad Polle spoke to the Board concerning the possibility of moving the banned concerts from Frost Ridge Campgrounds in LeRoy to Rolling Hills Asylum on Bethany Center Road in Bethany.
- This would possibly involve the final four concerts on the schedule: July 26, August 9, August 23 and September 6.
- He also stated that a donation would be made to the Fire Department and the ambulance.
- Frost Ridge would be responsible for alcohol sales, parking, shuttle service, security, etc.
- During previous discussion of Rolling Hills holding concerts on the property the PUD was reviewed by the Town Attorney. At that time he determined that the PUD would need to be revised.
- The Board will ask the Attorney to meet with them to discuss the issue.

**Mud Racing – 9832 Bethany Center Road**

- Robert Reyes provided information to ZEO/CEO Douglas regarding the mud racing that has been taking place at 9832 Bethany Center Road.
- Per the location's facebook page (Pigpens Waller) and the website/facebook pages of the New York Mud Boggers and Extreme Mudding Tour, there is advertising and schedules for these events, renting of trucks, donations and camping.
- CEO/ZEO Douglas will take this information to the Town Attorney. He felt that it would be of great help.

**Correspondence**

- Supervisor Pietrzykowski has received a request to have the street light at the corner of Mill and Linden Roads repaired. Councilman Fluker and Highway Superintendent Fleming will work on this.
- Supervisor Pietrzykowski asked if the Fire Department would help repair the hooks on the flag pole. Councilman Fluker will take care of that.
- The light on the Old Town Hall that illuminates the flag needs to be replaced. The current one is not working and the location of the fixture is too dangerous for personnel to work on it.
- The flag will be taken down until such time the light is replaced.

**Warrant**

- The Board approved payment of the bills as follows:

	<u>Prepaid</u>	<u>Total</u>
General Fund	\$ 2,034.93	\$14,138.14
Highway Fund	\$11,897.76	\$91,121.60
Fire Protection Fund	\$ 0.00	\$ 0.00
Water Fund	\$ 0.00	\$ 0.00
Justice Fund	\$ 2,029.00	\$ 2,029.00

**Reading of the Minutes – Suspension of**

A **motion** was made by Councilman Wenhold 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 Councilwoman Neer and seconded by Councilman Wenhold to adjourn the meeting at 8:25 p.m. The motion passed with All In Favor.

BY ORDER OF THE  
BETHANY TOWN BOARD  
DATED: July 16, 2014

Respectfully Submitted,

Debbie L. Douglas  
Bethany Town Clerk