

TOWN OF BETHANY

REGULAR TOWN BOARD MEETING

12 NOVEMBER 2007

Supervisor Gayton opened the November 12, 2007 Regular Town Board Meeting at 7:32 p.m. with a Moment of Silence followed by Councilman Gick leading in the Pledge of Allegiance.

Town Officials in Attendance were:

Louis Gayton, Supervisor	Joyce Fleming, Councilwoman
Walter Wenhold, Councilman	Bill Gick, Councilman
Roy Hersee, Highway Superintendent	Bill Shea, Town Justice

Town Officials Absent were:

Sue Neer, Councilwoman

Attendees to the Meeting were:

Barb Czworka	Geoffrey Briggs
Terry Morgan	William Berkemeier
Lee Hendershott, Town Historian	
Ed Pietrzykowski, Councilman Elect	
Paul Fleming, Highway Superintendent Elect	

FINANCES

Supervisor Gayton presented the finances for the month of October 2007 as follows:

General Savings	\$653,799.17	
WCB Savings	\$ 18,142.80	
Highway Savings	\$ 4,490.09	
Capital Project Highway	\$ 28,283.17	
AP/PR-Account	\$ 2,330.00	
T/A Account	\$ 353.42	
Petty Cash	\$ 250.00	
Highway Fund Misc. Savings	\$ 2,968.99	
	Total	\$710,617.64
Revenues Received		
Town Clerks Fees	\$ 1,701.71	
County of Genesee	\$118,185.84	
	Total Revenue	\$119,887.55
	Total Interest & Revenue	\$121,516.26

Town Clerk Report – Debbie Douglas
Presented Minutes for the October 9, 2007 Regular Town Board Meeting.

A motion was made by Councilman Wenhold and seconded by Councilman Gick to Approve the Minutes of the October 9, 2007 Regular Town Board Meeting as presented. The motion passed with All In Favor.

Highway Superintendent Report – Roy Hersee

Road shoulder mowing continues.

Grader patching is complete for 2007.

Extra stone has been broomed from Transit Road and the County Home Hill.

Millings have been added to the shoulders on West Bethany, Silver, Transit and County Home Hill Roads.

Some ditching and shoulder cuts have been done on McLernon Road along with adding a driveway for LorRob Farm.

Exchanged help with shoulder work with Town of Alexander.

DA5110.4 is over by \$3,137.84 and will have an additional bill for 80 feet of 12 inch pipe to be paid for from that account.

DA5130.4 has \$1900.00 remaining. This account will have bills for approximately \$1,500 for sander parts that have been ordered and 1202 and 1204 are due for inspection this month.

Town Justice Court Report – Bill Shea

Received notice that Justice Court Grant has been approved.

Ticket count is down. Justice Shea will be talking to the Road Patrol Officer as it seems that speeding is still a problem on the main highways.

Board Committee Reports

Bill Gick – Councilman

Attended the County Water Quality Coordinating Committee meeting on October 15.

Visited some farms to view the effectiveness of buffer zones along waterways.

Attended the Zoning & Agriculture seminar held on October 25th.

Noted that a training seminar will be held on November 20th at the City Centre in Batavia concerning BID/Guidelines and Historic Preservation.

Walter Wenhold – Councilman

Senior Meals are going well and have approximately 20-25 attending regularly.

OLD BUSINESS

Old Town Hall Update

Have enough interested parties to form the commission if approved.

Resolution #17-2007 Setting Public Hearing for Proposed Local Law – Establishment of Landmarks or Historic Districts in the Town of Bethany

A motion was made by Councilman Gick and seconded by Councilman Wenhold to Approve Resolution #17-2007 Setting Public Hearing for Proposed Local Law – Establishment of Land Marks or Historic Districts in the Town of Bethany to be held on Monday, December 10, 2007 at 8:00 p.m. at the Bethany Community Center. The motion passed with the following Roll Call Vote:

Supervisor Gayton – Yes

Councilwoman Fleming – Yes

Councilman Wenhold – Yes

Councilman Gick – Yes

Window Contract – Update

Window Specialists has agreed to install the Acan windows specified in the bid documents.

Mark Nowak was in to take measurements and work is to be completed within 60 days from the October 20th date specified by Mr. Nowak on the contract.

Putnam Road Cemetery Driveway – Update

Town Attorney David DiMatteo, Supervisor Gayton, Johan Bakker and Kenneth Lowell will met at the property on November 16 to go over the particulars of the project.

Union Contract – Update

The Town Board held a work session and prepared a counter offer which has been sent to Scott Chismar.

Wind Energy Conversion Systems – Proposed Local Law Public Hearing

Supervisor Gayton opened the Public Hearing for the proposed local law pertaining to wind energy conversion systems at 8:02 p.m.

The Town Board will hold a work session on November 27, 2007 at 7:00 p.m. to review the proposed law and the recommendations made by the County Planning Board who felt that the law was very restrictive, CEO/ZEO Douglas and Ramon Cipriano.

The public hearing was closed at 8:35 p.m.

A motion was made by Councilman Gick and seconded by Councilwoman Fleming to hold a work session to review and revise the proposed local law pertaining to wind energy conversion systems following the public hearing for the Batavia-Bethany Townline Road Water District on November 27, 2007. The motion passed with All In Favor.

2008 Budget - Public Hearing

- Supervisor Gayton opened the Public Hearing at 8:35 p.m.

Supervisor Gayton reviewed the increases for the year and the reason for each increase. No one from the public spoke concerning the budget.

The Public Hearing was closed at 8:50 p.m. with no one from the public speaking.

A motion was made by Councilman Gick and seconded by Councilman Wenhold to approve the Preliminary Budget for 2008. The motion passed with the following Roll Call Vote:

Supervisor Gayton – Yes

Councilwoman Fleming – Yes

Councilman Wenhold – Yes

Councilman Gick – Yes

Resolution #18-2007 – Batavia Bethany Townline Road Water District – Establishing Lead Agency

Part 1 of the New York State Environmental Quality Review Regulations was completed by the Town Board.

A motion was made by Councilman Wenhold and seconded by Councilman Gick to approve Resolution #18-2007 Batavia Bethany Townline Road Water District Establishing Lead Agency. The motion passed with the following Roll Call Vote:

Supervisor Gayton – Yes

Councilwoman Fleming – Yes

Councilman Wenhold – Yes

Councilman Gick – Yes

Water District - Batavia-Bethany Townline Road – Order for Public Hearing on Establishment of the Town of Bethany Batavia-Bethany Townline Road Water District

A motion was made by Councilman Wenhold and seconded by Councilman Gick hold a Public Hearing for the Establishment of the Town of Bethany Batavia-Bethany Townline Road Water District on November 27, 2007 at 7:30 p.m. at the Bethany Community Center. The motion passed with the following Roll Call Vote:

Supervisor Gayton – Yes

Councilwoman Fleming – Yes

Councilman Wenhold – Yes

Councilman Gick - Yes

NEW BUSINESS

Travel Request – CEO/ZEO Tom Douglas

CEO/ZEO Tom Douglas submitted a request to travel to the 2008 Niagara Frontier Building Officials Annual Conference in Amherst, NY on January 28-30, 2008.

The cost of the conference will be split with the Town of Pavilion with the Town of Bethany's portion to be approximately \$264.10.

A motion was made by Councilman Gick and seconded by Councilwoman Fleming to allow CEO/ZEO Douglas to travel to the 2008 Niagara Frontier Building Officials Annual Conference in Amherst, NY on January 28-30, 2008 with the total cost to be split with the Town of Pavilion with the Town of Bethany portion to be approximately \$264.10. The motion passed with the following Roll Call Vote:

Supervisor Gayton – Yes	Councilwoman Fleming – Yes
Councilman Wenhold – Yes	Councilman Gick – Yes

Training Seminars

Supervisor Gayton noted that there will be a Seminar concerning Worker's Compensation to be held at County Building #2 on November 14, 2007. G/FLRPC Fall Local Government Workshop is being held in Mt. Morris on November 16, 2007.

Fuel Bids - 2008

Highway Superintendent Hersee is requesting permission to solicit bids for fuel for 2008.

A motion was made by Councilman Wenhold and seconded by Councilman Gick to allow Highway Superintendent Hersee to advertise for bids for fuel for 2008. The motion passed with the following Roll Call Vote:

Supervisor Gayton – Yes	Councilwoman Fleming – Yes
Councilman Wenhold – Yes	Councilman Gick – Yes

Resolution #16-2007 Bonding of the Tax Collector – 2008

A motion was made by Council Wenhold and seconded by Councilman Gick to approve Resolution #16-2007 Bonding of the Town of Bethany Tax Collector. The motion passed with the following Roll Call Vote:

Supervisor Gayton – Yes	Councilwoman Fleming – Yes
Councilman Wenhold – Yes	Councilman Gick – Yes

Joel Merle – Hiring

Highway Superintendent Elect Paul Fleming has interviewed candidates for the position created by elections.

Feels that Joel Merle would be the best selection.

Mr. Merle has the required driver's license and is the only candidate that lives in the Town of Bethany.

Would like Mr. Merle to start in December so that he will be trained prior to Mr. Fleming taking over his duties as the new Highway Superintendent.

A motion was made by Councilman Gick and seconded by Councilwoman Fleming to approve the hiring of Joel Merle as MEO for the Highway Department. The motion passed with the following Roll Call Vote:

Supervisor Gayton – Yes	Councilwoman Fleming – Yes
Councilman Wenhold – Yes	Councilman Gick – Yes

Furnace Replacement – Old Town Hall

Three bids were solicited for replacing the furnace in the old court room at the Old Town Hall.

Prevailing wage is required.

Bids are as follows:

Turnbull Heating & Air Conditioning	\$2,820.00
Noco	\$3,235.00
Artic Refrigeration	\$4,092.00

A motion was made by Councilman Gick and seconded by Councilman Wenhold to accept the bid from Turnbull Heating & Air Condition in the amount of \$2,820.00. The motion passed with the following Roll Call Vote:

Supervisor Gayton – Yes	Councilwoman Fleming – Yes
Councilman Wenhold – Yes	Councilman Gick - Yes

Warrant

The Town Board approved payment of bills as follows:

	Prepaid	Total
General Fund	\$ 1,868.24	\$ 8,312.23
Highway Fund	\$ 2,897.97	\$17,009.69

Adjournment

A motion was made by Councilman Gick and seconded by Councilwoman Fleming to adjourn at 9:10 p.m. The motion passed with All In Favor.

BY ORDER OF THE
BETHANY TOWN BOARD
DATED: November 14, 2007

Respectfully Submitted,

Debbie L. Douglas
Bethany Town Clerk