

TOWN OF BETHANY

REGULAR TOWN BOARD MEETING

10 September 2012

Supervisor Gayton opened the September 10, 2012 Regular Town Board Meeting at 7:01 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	Bill Gick, Councilman
Walter Wenhold, Councilman	Susan Neer, Councilwoman
Edward Pietrzykowski, Councilman	Debbie Douglas, Town Clerk

Town Officials Absent were:

Paul Fleming, Highway Superintendent

Attendees to the Meeting were:

Barb Czworka	Tom Foss
Ramon Cipriano	

Finances

Supervisor Gayton presented the finances for August 2012.

General Savings	\$	726,383.31
Five Star Bank Savings	\$	261,672.24
Highway Savings	\$	157,573.59
Capital Project Highway	\$	16,211.74
AP/PR Account	\$	26,229.72
Trust & Agency Account	\$	4,299.82
Petty Cash	\$	250.00
Highway Fund Misc. Savings	\$	859.09
Total		\$1,193,479.51
Revenues Received		
Town Clerk Fees	\$	2,376.55
Total Revenue	\$	2,376.55
Total Revenue & Interest	\$	2,583.59

Town Clerk Report - Debbie Douglas

- Presented the Minutes of the August 13, 2012 Regular Town Board meeting.

A motion was made by Councilman Gick and seconded by Councilman Wenhold to approve the Minutes of the August 13, 2012 Regular Town Board meeting as presented. The motion passed with All In Favor.

- Presented the Minutes of the August 20, 2012 Special Town Board meeting.

A motion was made by Councilman Wenhold and seconded by Councilman Pietrzykowski to approve the Minutes of the August 20, 2012 Special Town Board meeting as presented. The motion passed with All In Favor.

- A Federal Conservative Primary is being held on Thursday, September 13, 2012 from Noon - 9:00 pm.
- GAM is being held in Bethany on Thursday, September 20, 2012 at 7 p.m.
- The Ag Tour is on Wednesday, September 19, 2012. There is no charge, however, reservations are required. Forms are in the Clerk's office.

ZEO/CEO Report - Debbie Douglas

- Three permits were issued
 - o Zoning permits for two agricultural exempt structures (no building permits required)
 - o Building and Zoning permits issued for the installation of solar panels
- One previously written complaint appears to be corrected from the outside, awaiting interior inspection.
- One Stop Work Order issued (Holland High Lift Rentals, Inc.) construction started without Site Plan Review, Zoning Permit, Building Permit, or construction drawings). Is working on becoming compliant.
- One violation notification issued for recent erection of a light tower on Bethany Center Road. Land owner has been notified (needs Site Plan Review, Zoning Permit, Building Permit and construction drawings). Waiting for a response from property owner.
- Possible violation pending for the construction of two additions without permits and incorrect patio location. Has been referred to the Town Attorney.

Board Committee Reports

Councilman Gick

- Planning Board
 - o Board performed a preliminary review of the Site Plan Review Application submitted by Holland High Lift Rentals. Will hold a public hearing on October 4, 2012.
 - o Felipe Oltramari of Genesee County Planning Department presented information pertaining to hamlet districts. Consideration is being given to making hamlet districts in East Bethany, Bethany Center and Linden. Information was passed out to the Town Board.
 - o Discussion of in-law apartments and Echo units took place.
 - o ZEO/CEO Douglas presented the guidelines from Ag & Markets for Agricultural Mitigation for Wind Power Projects.

Councilman Wenhold

- Senior Meals
 - o Dietitian visits the sites to talk with the participants and get their suggestions.
- Pavilion Library
 - o Pavilion Town Supervisor Theron Howard asked for Councilman Wenhold's resignation from the Library Board stating that it is illegal for him to serve as he does not live in the Town of

Pavilion. Supervisor Gayton will be speaking with the Town Attorney regarding this matter.

Councilwoman Neer

- Intercommunity Medical Building
 - o Met on August 28, 2012.
 - o Financial situation is okay however, the fund balance is less this year than last year. Consideration is being given to a rent increase.
 - o Have hired new custodial and maintenance people.
 - o Dr. Khokar has requested and been granted permission to bring a new doctor into his practice as he begins to cut back and work toward retirement.
 - o Interior doors will be sanded and refinished.
 - o North entrance steps were painted over the summer.
 - o Wrought iron railings around the staircase have been replaced with sturdier railings.
 - o Getting estimates for the updating of interior.
 - o Next meeting will be held in November.

Councilman Pietrzykowski

- Fire Department
 - o The first breakfast of the winter was held yesterday.
 - o NYS Comptroller's Office performed an audit of the Fire Department and found everything to be in order. Did, however, make some suggestions for changes that are being looked into.
- Recycling
 - o No news pertaining to the grant application as yet.

OLD BUSINESS

Roundabout - Route 20 & East Road (CR35)

- Supervisor Gayton received a call from Assemblyman Steve Hawley's office asking the Town Board to make resolution or write a letter stating their position pertaining to the proposed roundabout.
- Tom and Debbie Douglas of 10515 East Road (property at the southeast corner of the intersection) wrote a letter to Supervisor Gayton stating that although they disagree with the choice of a roundabout at this location, which would require the acquisition of their property, they also realize that something must be done at this intersection. Over the recent Labor Day holiday weekend there was another near miss that would have resulted in serious injury had the vehicles collided. They do not want to feel that their actions and opposition to some sort of remediation at this location contributed to any future deaths or injuries at this intersection should no action be taken.
- This intersection has been the scene of many accidents and deaths for many years and the Town has requested on several occasions that improvements be made by New York State Department of Transportation.
- As a result of the study performed by NYS DOT, it has been determined that a roundabout is the best solution for this intersection per DOT.
- Although the Town Board does not agree with this solution as they feel that there could be less costly and more effective solutions, they, with regret, will not oppose the proposed project.

A motion was made by Councilman Wenhold and seconded by Councilwoman Neer to send a letter to Assemblyman Hawley stating that although the Town Board does not agree that a roundabout is the proper solution to correct the intersection of Route 20 and East Road (CR 35) they, with regret, will not oppose the proposed project. The motion passed with the following Roll Call Vote:

Supervisor Gayton - Yes	Councilman Gick - Yes
Councilman Wenhold - Yes	Councilwoman Neer - Yes
Councilman Pietrzykowski - Yes	

Generator - Town Hall & Community Center -Update

- Waiting for National Grid to shut power down so that generator can be hooked up.
- A safety barrier will then be installed.

A motion was made by Councilman Pietrzykowski and seconded by Councilwoman Neer to have the safety barrier installed to not only protect the generator but also the air conditioning units at the side of the building near the kitchen entrance of the Community Center. The motion passed with the following Roll Call Vote:

Supervisor Gayton - Yes	Councilman Gick - Yes
Councilman Wenhold - Yes	Councilwoman Neer - Yes
Councilman Pietrzykowski - Yes	

Fence - Tranfer Station - Update

- Fence installation has been completed.

Highway Storage Shed Roof - Update

- Waiting for materials to come in.

Air Conditioning - Town Hall - Update

- Air condition installation is completed.

Bicentennial Open House

- The Bicentennial Open House at the Fire Department breakfast and the Old Town Hall was very well done thanks to the Historian Linda Schmidt and Deputy Historian Lee Hendershott.

NEW BUSINESS

Payments from 915 Account

Supervisor Gayton is requesting that payments be made as follows from the 915 Account: Generator - \$170.54 installation supplies that will be deducted from final payment for generator installation. Generator - \$5,946.00 first payment due on generator installation. Air Conditioning - \$5516.00 payment for air conditioning units and installation at Town Hall.

A motion was made by Councilman Wenhold and seconded by Councilman Gick to approve the payments from the 915 Account as outlined by Supervisor Gayton. The motion passed with the following Roll Call Vote:

Supervisor Gayton - Yes	Councilman Gick - Yes
Councilman Wenhold - Yes	Councilwoman Neer - Yes
Councilman Pietrzykowski - Yes	

Gateway Laptop - Declare Obsolete

- Gateway Laptop used by Justice Court, Model No. Solo 1450, S/N BT502491200, P/N 3501431 is approximately 10 years old. Justices have replaced it with a new laptop.
- Laptop has been cleaned of all information.

A motion was made by Councilman Pietrzykowski and seconded by Councilman Gick to declare the Gateway Laptop obsolete equipment. The motion passed with the following Roll Call Vote:

Supervisor Gayton - Yes	Councilman Gick - Yes
Councilman Wenhold - Yes	Councilwoman Neer - Yes
Councilman Pietrzykowski - Yes	

Gateway Laptop - Bids for Purchase

A motion was made by Councilman Pietrzykowski and seconded by Councilman Wenhold to allow bidding on the obsolete Gateway laptop with bids to be opened at the October 9th Town Board meeting. The motion passed with the following Roll Call Vote:

Supervisor Gayton - Yes	Councilman Gick - Yes
Councilman Wenhold - Yes	Councilwoman Neer - Yes
Councilman Pietrzykowski - Yes	

Old Town Hall - Lower Sale Price

A motion was made by Councilman Gick and seconded by Councilman Wenhold to lower the sale price for the Old Town Hall to \$71,900. The motion passed with the following Roll Call Vote:

Supervisor Gayton - Yes	Councilman Gick - Yes
Councilman Wenhold - Yes	Councilwoman Neer - Yes
Councilman Pietrzykowski - Yes	

Highway Fund - Transfer

- Highway Superintendent Fleming has requested that Supervisor Gayton transfer \$20,000 from DA. 5142 to DA. 5110 and \$20,000 from DA. 5148 to DA. 5110 to allow funding to finish Molasses Hill Road work.

A motion was made by Councilman Pietrzykowski and seconded by Councilman Gick to authorize Supervisor Gayton to transfer \$20,000 from DA. 5142 to DA. 5110 and \$20,000 from DA. 5148 to DA. 5110 to allow funding for the Molasses Hill Road work as requested by Highway Superintendent Fleming. The motion passed with the following Roll Call Vote:

Supervisor Gayton - Yes	Councilman Gick - Yes
Councilman Wenhold - Yes	Councilwoman Neer - Yes
Councilman Pietrzykowski - Yes	

Wiring at Highway Garage

- Estimates will be sought for updating wiring in Highway Garage.

Hydrofracking Seminar

- Ramon Cipriano noted that a seminar concerning hydrofracking will be held at Letchworth Central School in Gainesville on Monday, September 17, 2012 at 6:30 p.m.

Warrant

- The Board approved the payment of the bills as follows:

	<u>Prepaid</u>	<u>Total</u>
General Fund	\$ 1,596.96	\$15,790.89
Highway Fund	\$ 0.00	\$ 42,361.63

Reading of the Minutes - Suspension of

A motion was made by Councilwoman Neer and seconded by Councilman Wenhold to suspend the reading of the minutes. The motion passed with All In Favor.

Adjournment

A motion was made by Councilman Pietrzykowski and seconded by Councilman Gick to adjourn the meeting at 8:10 p.m. The motion passed with All In Favor.

BY ORDER OF THE
BETHANY TOWN BOARD
DATED: September 12, 2012

Respectfully Submitted,

Debbie L. Douglas
Bethany Town Clerk