

TOWN OF BETHANY

ORGANIZATIONAL TOWN BOARD MEETING

12 JANUARY 2015

Supervisor Hyde opened the January 12, 2015 Organizational Town Board Meeting at 7:00 p.m. with a prayer offered by Councilman Wenhold followed by the Pledge of Allegiance.

Town Officials in Attendance were:

Carl Hyde, Jr., Supervisor	Daniel Adams, Councilman
Walter Wenhold, Councilman	Susan Neer, Councilwoman
Jeffrey Fluker, Councilman	Debbie Douglas, Town Clerk
Paul Fleming, Highway Superintendent	Linda Schmidt, Historian

Attendees to the Meeting were:

Maelynn Hyde	Don Schmidt
Sandy Fluker	Deborah Donnelly
Gary Donnelly	Jim Phillips
Pat Pietrzykowski	Barb Czworka

Elected Officials – Oath of Office

- Town Clerk Debbie Douglas administered the Oath of Office to Councilman Jeffrey Fluker and Deputy Supervisor Daniel Adams.

Appointments

A **MOTION** was made by Councilwoman Neer and seconded by Councilman Wenhold to make appointments as follows:

Deputy Supervisor	Daniel Adams
CEO/ZEO	Thomas Douglas
Dog Control Officer	Genesee County Animal Control
Historians	Linda Schmidt
Bookkeeper	Denise Veerecken
Assistant Bookkeeper	Debbie Douglas
Registrar	Debbie Douglas
Deputy Registrar	Cynthia Schafer
Cap 1 Assessor	Deborah Conti
Veteran's Officer	Edward Wies
RMO/RAO	Debbie Douglas
Court Officer	Joseph Nowakowski
Planning Board Chair	Francis Brunner
Zoning Board of Appeals Chair	Nancy Burke
Planning Board Member	Linda Jackett
Planning Board Secretary/Alternate	Deborah Donnelly
Zoning Board of Appeals Member	Nancy Burke
Assessment Review Board	Ramon Cipriano
Attica Medical Center Representative	Susan Neer
Retained Legal Counsel	David M. DiMatteo, Esq.
Insurance Agency	NYMIR-Thomkins Agency
First Depository	Five Star Bank
Second Depository	Bank of Castile
Third Depository	M & T Bank
Official Newspaper	The Daily News
	(Drummer & Pennysaver as needed)
Retained Consulting Firm	Clark Patterson Lee
Mileage Rate	\$.50

The motion **PASSED** with the following Roll Call Vote:

Supervisor Hyde – Yes	Councilman Adams – Absent
Councilman Wenhold – Yes	Councilwoman Neer – Yes
Councilman Fluker – Yes	

Swearing in of Appointees

The Oath of Office was administered to the following appointees:

Linda Schmidt, Historian
Deborah Donnelly, Planning Board Secretary/Alternate

All remaining appointees will appear before the Town Clerk to be sworn in.

Salaries

A **MOTION** was made by Councilman Adams and seconded by Councilman Fluker to approve the salaries as follows:

POSITION	NAME	SALARY
Town Supervisor	Carl Hyde Jr.	\$ 6,375.00
Council Member	Daniel Adams	\$ 1,651.75
Council Member	Walter Wenhold	\$ 1,651.75
Council Member	Susan Neer	\$ 1,651.75
Council Member	Jeffrey Fluker	\$ 1,651.75
Town Clerk	Debbie Douglas	\$19,800.00
Tax Collector	Debbie Douglas	\$ 3,000.00
Highway Superintendent	Norman P. Fleming	\$53,872.00
Town Justice	William Shea	\$ 9,070.00
Town Justice	Thomas McBride	\$ 9,070.00
Assessor	Deborah Conti	\$18,671.00
Code Enforcement Officer	Thomas Douglas	\$ 1,943.00
Zoning Enforcement Officer	Thomas Douglas	\$ 7,200.00
Deputy Town Supervisor	Daniel Adams	\$ 1,000.00
Deputy Town Clerk	Cynthia Schafer	\$ 9.50/hr
Deputy Tax Collector	Cynthia Schafer	\$ 9.50/hr
2 nd Deputy Town Clerk	Rebecca Myers	\$ 9.50/hr
Deputy Highway Superintendent	Mark Heale	\$.50/hr
Court Justice Clerk	Deborah Shufelt	\$ 1,675.00
Court Justice Clerk	Jillian Welch	\$ 1,675.00
Court Officer	Joseph Nowakowski	\$ 12.50/hr
Registrar of Vital Statistics	Debbie Douglas	\$ 412.00
Control of Dogs (Licensing)	Debbie Douglas	\$ 1,000.00
Financial Clerk Typist P/T	Denise Veerecken	\$10,450.00
Financial Clerk Typ. P/T	Debbie Douglas	\$ 650.00
Clerk Typist P/T (Highway)	Debbie Douglas	\$ 1,556.00
MEO	Mark Heale	\$ 20.97/hr
MEO	Kenneth Morgan	\$ 20.97/hr
MEO	Joel Merle	\$ 20.97/hr
Laborer F/T	Barbara Czworka	\$ 12.79/hr
Laborer P/T (Refuse)	Barbara Czworka	\$ 11.10/hr
Laborer P/T	Jordan Fleming	\$ 11.10/hr
Laborer P/T	Thomas J. Czworka	\$ 11.10/hr
Laborer P/T	Tyler Czworka	\$ 11.10/hr
MEO/Laborer P/T	Thomas Czworka	\$ 10.88/hr
MEO/Laborer P/T	Forest Hamer	\$ 10.56/hr
Laborer P/T	Jeffrey Ewell	\$ 10.88/hr
MEO P/T	Jeffrey Ewell	\$ 19.56/hr
MEO P/T	Adam Miller	\$ 19.56/hr
Laborer P/T	Adam Miller	\$ 8.65/hr
Laborer P/T	Ashley Wolf	\$ 10.00/hr

The motion **PASSED** with the following Roll Call Vote:

Supervisor Hyde – Yes
Councilman Wenhold – Yes
Councilman Fluker – Yes

Councilman Adams – Absent
Councilwoman Neer – Yes

Meeting Dates – Setting of

A **MOTION** was made by Councilwoman Neer and seconded by Councilman Adams to approve the meeting dates for 2015 as follows:

TOWN BOARD MEETING

Regular Town Board meetings are held the second Monday of each month at 7:00 p.m.

January 12, 2015	February 9, 2015	March 9, 2015
April 13, 2015	May 11, 2015	June 8, 2015
July 13, 2015	August 10, 2015	September 14, 2015
October 14, 2015*	November 9, 2015	December 14, 2015
Year End Meeting & Open House	December 30, 2015 (7:00 p.m.)	

BETHANY PLANNING BOARD

Town of Bethany Planning Board meetings are held the first Thursday of each month at 7:30 p.m.

January 8, 2015*	February 5, 2015	March 5, 2015
April 2, 2015	May 7, 2015	June 4, 2015
July 2, 2015	August 6, 2015	September 3, 2015
October 1, 2015	November 5, 2015	December 3, 2015

ZONING BOARD OF APPEALS

Town of Bethany Zoning Board of Appeals meetings are held, as needed, on the fourth Wednesday of each month at 7:30 p.m.

January 28, 2015	February 25, 2015	March 25, 2015
April 22, 2015	May 27, 2015	June 24, 2015
July 22, 2015	August 26, 2015	September 23, 2015
October 28, 2015	November 25, 2015	December 23, 2015

Any changes in meeting dates will be posted on the Town bulletin board and in the local newspaper.

**** Moved Due To Holiday***

ORGANIZATIONAL MEETING

January 11, 2016 7:00 p.m.

The motion **PASSED** with the following Roll Call Vote:

Supervisor Hyde – Yes
Councilman Wenhold – Yes
Councilman Fluker – Yes

Councilman Adams – Absent
Councilwoman Neer – Yes

Fee Schedule – Setting of

A motion was made by Councilman Fluker and seconded by Councilman Wenhold to approve the 2015 fee schedule as follows:

Permits:

Land Separation	\$ 25.00	Each additional parcel	\$ 15.00
Special Use Permit	\$100.00		
Subdivision Permit	\$100.00	Each additional parcel	\$ 50.00
Variance	\$100.00		
Site Plan Review (Simple)	\$ 50.00	with Public Hearing	\$100.00
Temporary Mobile Home/RV Permit		\$ 50.00	

Note any other fees will be assumed by the applicant which may include fees for

additional permit requirements, state/county permit requirements, etc. Once the permit process has begun, fees are non-refundable.

INFORMATIONAL BOOKS:

Bethany Zoning Regulations	\$ 10.00
Bethany Land Separations Regulations	\$ 3.00
Bethany Comprehensive Plan	\$ 1.00

DOG LICENSE FEES:

Spayed/Neutered Dog	\$ 5.00
Unspayed/Unneutered Dog	\$18.00
Senior Discount (over 65)	\$ 2.50
Senior Discount (over 65)	\$10.50
Late Fee	\$ 1.00
Unlicensed Dog Fee	\$ 5.00
Dog Seizure Fine	\$10.00
2nd & consecutive seizures	\$20.00
Enumeration Fee	\$ 5.00

RETURNED CHECKS

\$15.00

TRANSFER STATION CARDS:

Twenty (20) punch card	\$ 40.00
Ten (10) punch card	\$ 20.00

MARRIAGE LICENSE FEE

License	\$ 40.00
Additional Certified copy	\$ 10.00

SPORTING LICENSES:

Fees set by New York State

COPIES

Certified & sealed	\$ 10.00 each
Flat Rate	\$.25 each
Genealogy Copy	\$ 1.00 each

ZONING PERMIT FEE SCHEDULE

New Construction—Homes, Additions, Porches, Decks, Renovations

	\$ 25.00 plus \$.03 per sq. ft.
Garages, Pole Barns	\$ 20.00 plus \$.02 per sq. ft.
Trailers (When Allowed)	\$ 30.00 plus \$.03 per sq. ft.
Accessory Buildings	\$ 30.00 plus \$.03 per sq. ft.
Chimneys, Fire Places, Wood Stoves	\$ 25.00
Swimming Pools & Ponds	\$ 50.00
Solar Permit (NY-Sun only)	\$ 25.00
Agricultural Building (sq. ft.)	
Up to 200	\$ 2.00
201— 500	\$ 5.00
501—1,000	\$ 10.00
1,001—1,500	\$ 20.00
1,500—2,500	\$ 30.00
2,501—Over	\$ 40.00

Commercial Building (sq. ft.)

Up to 10,000	\$150.00
10,001—20,000	\$150.00 plus \$4.00 per each additional 1000 sq. ft. over 10,000
20,000—Over	\$150.00 plus \$2.00 per each additional 1000 sq. ft. over 20,000

BUILDING PERMIT/INSPECTION FEE SCHEDULE

New Construction, Trailers

Up to \$ 2,000	\$ 35.00
\$ 2,001—\$10,000	\$ 75.00
\$10,001—\$20,000	\$100.00
\$20,001—Over	\$100.00 plus \$1.50 per per 1,000 over \$20,000

Additions, Alterations, Decks, Porches, Garages, Pole Barns

Up to \$5,000	\$ 50.00
\$ 5,001—\$10,000	\$ 60.00
\$10,001—\$20,000	\$ 80.00
\$20,001—\$30,000	\$100.00
\$30,000—Over	\$100.00 plus \$1.50 per 1,000 over \$30,000

Swimming Pools	Above Ground	\$ 75.00
	In Ground	\$150.00

Solar (NY-Sun Only Commercial Buildings)		\$ 75.00
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Up to \$20,000	\$150.00
\$20,001—\$50,000	\$200.00
\$50,000—Over	\$200 plus \$2.00 per \$1,000 Over \$50,000

Fire Places, Chimneys, Wood Stoves	\$ 25.00
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Inspections of all construction are done in accordance with the NYS Uniform Fire Prevention and Building Code.

Certificates (C of O & C of C) are issued **only when the construction is violation free**, and all health and electrical certificates (if needed) are current and in order, and all fees have been paid.

Dollar value is to be verified by an acceptable contractor. If estimate is based on material and his own labor, the permit will not be issued until an agreement can be reached over the true value of the construction. Any extra time spent for Building Inspector's evaluation shall be charged at \$25.00 per hour.

Any time spent by the Building Inspector for multiple review of contractor's plans for acceptability after requested changes are made, shall be charged at \$25.00 per hour.

Any re-inspection for unacceptable work or for any other reasonable cause shall be charged at \$25.00 per hour.

TRANSFER STATION FEES

Users will be required to bring their garbage in 30-gallon trash bags or 30-gallon trash cans. Transfer Station cards will be required for use of the Transfer Station which may be purchased at the Bethany Town Clerk's office during normal business hours.

- | | | |
|-----|------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| 1. | Trash bags and/or cans (30 gallon capacity) | \$ 2.00 |
| 2. | Appliances (washer, dryer, stove) | \$ 5.00 |
| 3. | Furniture - must be broken into small pieces that will completely fit into compactor. | \$ 5.00 |
| 4. | Non-stuffed chairs | \$ 5.00 |
| 5. | Stuffed couches, chairs, sofas, box springs | \$ 5.00 |
| 6. | Carpets (68" length or less) and mattresses | \$ 5.00 |
| 7. | Refrigerator, air conditioner, freezer -
Must have refrigerant drained professionally - Certificate Required | \$ 20.00 |
| 8. | Toilets, sinks, plumbing accessories | \$ 5.00 |
| 9. | Florescent Lamps (Must be recycled!!!!) | 8' tubes \$ 1.00 ea
All others \$.50 ea |
| 10. | Electronics | \$ 2.00 |

Tires will be accepted for disposal all year long at the following prices:

- | | | |
|----|-------------------|---------|
| 1. | Car tire w/o rim | \$ 3.00 |
| 2. | Car tire with rim | \$ 5.00 |

Tires of any other size will not be accepted

All plastic, glass, tin and aluminum items must be rinsed of all food particles, exterior wrapping removed. Individuals will be charged for failure to properly rinse recyclables.

PLASTIC #1 - #5 containers and	Food, juice and laundry. Flatten plastic remove all caps.
GLASS (CLEAR, GREEN, BROWN)	All tops must be removed.
TIN/ALUMINUM CANS	Tin & Aluminum are separated. Clean aluminum foil is accepted.
PAPER/MAGAZINES/JUNK MAIL	Shredded paper must be bagged. Telephone books are not recycled.
CARDBOARD	
SCRAP METAL	Check with transfer station attendant regarding scrap metal that you would like dispose of.

**FOR USE BY TOWN OF BETHANY RESIDENTS ONLY
Decisions by the Transfer Station Operator
regarding solid waste disposal are final.**

The motion **PASSED** with the following Roll Call Vote:

Supervisor Hyde – Yes	Councilman Adams – Absent
Councilman Wenhold – Yes	Councilwoman Neer – Yes
Councilman Fluker – Yes	

Fire Company Officers – Approval of

A **MOTION** was made by Councilwoman Neer and seconded by Councilman Adams to approve the Fire Company Officers as follows:

Chief	Jeffrey Fluker
1st Assistant Chief	Jeffrey Pietrzykowski
2nd Assistant Chief	Bradley Fluker
EMS Captain	Melody Davis
EMS Lieutenant	James Duval
President	James Phillips
Vice President	John Sczymkowiak
Secretary	LaurelLi Jackett
Treasurer	Jeremy Hausfelder

Board of Directors

Peggy Johnson (term expires 12/2015)
Melody Davis (Term Expires 12/2016)
Jillian Welch (Term Expires 12/2016)
William Shea (Term Expires 12/2015)
Vicki Wolak (Term Expires 12/2015)
____Vacant____ (Term Expires 12/2016)

The motion **PASSED** with the following Roll Call Vote:

Supervisor Hyde – Yes	Councilman Adams – Absent
Councilman Wenhold – Yes	Councilwoman Neer – Yes
Councilman Fluker – Yes	

RESOLUTION #1-2015 EMERGENCY USE OF HIGHWAY EQUIPMENT

WHEREAS, it may be necessary that the Bethany Volunteer Fire Company may need assistance in gaining access to an emergency scene by way of plowing, moving storm debris, etc; and

WHEREAS, the Town of Bethany Highway Department has or has access to equipment to provide this assistance, now therefore, be it

RESLOVED, that the Town of Bethany Highway Department may use equipment and manpower to assist the Bethany Volunteer Fire Company in gaining access to an emergency scene at the request of the Bethany Volunteer Fire Company.

A **MOTION** was made by Councilman Wenhold and seconded by Councilwoman Neer to approve Resolution #1-2015 "Emergency Use of Highway Equipment".

The motion **PASSED** with the following Roll Call Vote:

Supervisor Hyde - Yes	Councilman Adams – Yes
Councilman Wenhold – Yes	Councilwoman Neer - Yes
Councilman Fluker – Yes	

RESOLUTION #2-2015 PROCUREMENT POLICY FOR THE TOWN OF BETHANY

WHEREAS, Section 104-b of the General Municipal Law (GML) requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML or any other law; and

WHEREAS, comments have been solicited from those town officials involved with procurement; NOW THEREFORE, be it

RESOLVED, that the Town of Bethany does hereby adopt the following procurement policies and procedures;

Guideline 1. All purchases of a) supplies or equipment which will exceed \$10,000 in the fiscal year, or b) public works contracts over \$20,000 shall be formally bid. In the event vendors are unwilling to bid a price for the entire year, as in the case of, say, heating and fuel oil, the purchaser will follow the measures outlined in Guideline 3 to obtain a favorable spot price.

Guideline 2. Estimated purchases of:

Less than \$10,000 but greater than \$5,000 require a written request for proposal (RFP) and written/fax quotes from three vendors.

Less than \$5,000 but greater than \$1,000 require an oral RFP and oral/fax quotes.

From two vendors.

Less than \$1,000 but greater than \$250 are at the discretion of the Purchaser. Estimated public works contracts of: Less than \$20,000 but greater than \$10,000 require a written RFP and fax/proposals from three contractors.

Less than \$10,000 but greater than \$3,000 require a written RFP and fax/proposals from two contractors.

Less than \$3,000 but greater than \$500 are at the discretion of the Purchaser.

Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom Written/fax/oral quotes were solicited, and the quotes offered. The list will be retained with the purchase documentation.

Guideline 3. The lowest responsible proposal or quote will be awarded the purchase or works contract, unless the Purchaser provides written demonstration that it is in the best interest of the town and its taxpayers to award otherwise. If the bidder is deemed not responsible, a justification of that decision shall be filed with the purchase documentation.

Guideline 4. A good faith effort shall be made to obtain the required number of proposals or quotes. If the Purchaser is unable to obtain said proposals or quotes he shall document the effort. The inability to obtain proposals or quotes shall not deter the Purchaser from procurement.

Guideline 5. Except when directed by the Town Board, no solicitation of written proposals or quotes shall be required for the following:

- Acquisition of professional services
- Emergencies
- Sole source situations
- Goods from agencies for the blind or severely handicapped
- Goods from correctional facilities
- Goods from another governmental agency
- Goods purchased at auction
- Goods and services less than \$250
- Public works contracts and services less than \$500

Guideline 6. This policy shall be reviewed annually by the Town Board at its organizational meeting, or as soon thereafter as is reasonably practicable.

A **MOTION** was made by Councilman Fluker and seconded by Councilman Adams to approve Resolution #2-2015 Procurement Policy for the Town of Bethany.

The motion **PASSED** with the following Roll Call Vote:

- | | |
|-------------------------|--------------------------|
| Supervisor Hyde - Yes | Councilman Wenhold – Yes |
| Councilwoman Neer – Yes | Councilman Adams – Yes |
| Councilman Fluker - Yes | |

RESOLUTION #3-2015 OFFICIAL UNDERTAKING OF MUNICIPAL OFFICIALS

A **MOTION** was made by Councilman Wenhold and seconded by Councilman Fluker to approve Resolution #3-2015 Official Undertaking as follows:

WHEREAS, various sections of New York State Town Law and Public Officers Law require that certain officials execute and Official Undertaking; and

WHEREAS, we, the Town Board of the Town of Bethany hereby require the Supervisor, Town Clerk, Tax Collector, Town Justice, and Highway Superintendent to execute said Official Undertaking as required by said law;

NOW, THEREFORE BE IT RESOLVED that we, the Town Board of the Town of Bethany approve the document entitled “Town of Bethany Official Undertaking of Municipal Officers” as to its form and manner of execution and the sufficiency of the insurance, and

BE IT FURTHER RESOLVED that said Official Undertaking containing the notarized signatures of those named municipal officials be filed in the Office of the Town Clerk, as well as the original copies of the insurance policies indicating the sufficiency of the sureties to indemnify the Town against losses which may arise from failure of such officials to properly discharge their duties.

TOWN OF BETHANY
OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS

WHEREAS, Carl Hyde, Jr., of the Town of Bethany, County of Genesee, New York, has been elected to the Office of Supervisor of the Town of Bethany, and

WHEREAS, Debbie L Douglas, of the Town of Bethany, County of Genesee, New York, has been elected to the Office of Town Clerk of the Town of Bethany, and

WHEREAS, Debbie L. Douglas, of the Town of Bethany, County of Genesee, New York, has been elected to the Office of Town Tax Collector of the Town of Bethany, and

WHEREAS, William Shea, of the Town of Bethany, County of Genesee, New York, has been elected to the Office of Town Justice of the Town of Bethany, and

WHEREAS, Thomas McBride, of the Town of Bethany, County of Genesee, New York, has been elected to the Office of Town Justice of the Town of Bethany, and

WHEREAS, Norman Paul Fleming, of the Town of Bethany, County of Genesee, New York, has been elected to the Office of Superintendent of Highways of the Town of Bethany, and

NOW, THEREFORE, we as respective officers above, do hereby undertake with the Town of Bethany that we will faithfully perform and discharge the duties of our office, and will promptly account for and pay over all moneys or property received as a Town Officer, in accordance with the law; and

This undertaking of the Town Supervisor is further conditioned upon that he will well and truly keep, pay over and account for all moneys and property, including any special district funds, belonging to the Town and coming into his hands as such Supervisor; and

This undertaking of the Town Clerk is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Town Clerk; and

This undertaking of the Tax Collector is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Tax Collector; and

This undertaking of the Town Justice is further conditioned that he will well and truly keep, pay over and account for all moneys and property coming into her hands as such Town Justice; and

The Town does and shall maintain insurance coverage, presently with Tompkins Insurance, in the sum of \$1,000,000.00 for the Tax Collector, Supervisor, Town Clerk and Town Justices to indemnify against losses through the failure of the officers, clerks and employees covered thereunder faithfully to perform their duties or to account properly for all monies or property received by virtue of their positions or employment, and through fraudulent or dishonest acts committed by the officers, clerks and employees covered thereunder.

The motion **PASSED** with the following Roll Call Vote:

Supervisor Hyde - Yes	Councilman Wenhold – Yes
Councilwoman Neer – Yes	Councilman Adams – Yes
Councilman Fluker – Yes	

The Organizational meeting ended at 7:20 p.m.

BY ORDER OF THE
BETHANY TOWN BOARD
DATED: January 14, 2015

Respectfully Submitted,

Debbie L. Douglas, RMC
Bethany Town Clerk