

REGULAR TOWN BOARD MEETING

09 FEBRUARY 2015

Supervisor Hyde opened the February 9, 2015 Regular Town Board Meeting at 7:00 p.m.

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	William Shea, Town Justice
Thomas McBride, Town Justice	Thomas Douglas, CEO

Attendees to the Meeting were:

Gregg Torrey, County Legislator	Deb Donnelly
Gary Donnelly	Chris Krtanik
Debbie Lair	Maelynn Hyde
Terri Alwardt	Joseph Nowakowski
Barb Czworka	Joel Merle
Julie Merle	Mark Heale
Todd Caroccio, Complete Payroll Processing	Austin Fish, Complete Payroll Processing
Tom Foss	Linda Jackett
Pat Pietrzykowski	Ken Morgan
Bonnie Morgan	

Finances

Supervisor Hyde presented the finances for January 2015.

General Savings	\$1,172,833.08
915 Savings	\$ 302,246.82
Highway Savings	\$ 12,357.05
Highway Fund Misc. Savings	\$ 859.85
Capital Project Highway	\$ 69,469.59
AP/PR Account	\$ 28,477.28
Trust & Agency Account	\$ 11,353.63
Petty Cash	\$ 250.00
Justice Savings	\$ 35,926.56
Total	\$ 1,633,723.86

Revenues Received	
Debbie Douglas, Town Clerk	\$ 1,647.78
Debbie Douglas, Tax Collector	\$ 406,798.00
EASCO	\$ 26.78
County of Genesee	\$ 129,586.87
Bethany Justice – William Shea	\$ 351.00
Bethany Justice – Thomas McBride	\$ 1,257.00

Total Revenue	\$ 539,667.43
Total Revenue & Interest	\$ 539,721.47

Town Clerk Report – Debbie Douglas

- Presented the Minutes of the January 12, 2015 Organizational Town Board meeting.

A motion was made by Councilman Wenhold and seconded by Councilman Fluker to approve the Minutes of the January 12, 2015 Organizational Town Board meeting as presented. The motion passed with All In Favor.

- Presented the Minutes of the January 12, 2015 Regular Town Board Meeting.

A motion was made by Councilwoman Neer and seconded by Councilman Fluker to approve the Minutes of the January 12, 2015 Regular Town Board meeting as presented. The motion passed with All In Favor.

- Presented the Minutes of the January 24, 2015 Town Board Work Session.

A motion was made by Councilman Adams and seconded by Councilman Fluker to approve the Minutes of the January 24, 2015 Town Board Workshop presented. The motion passed with All In Favor.

Tax Collector Report – Debbie Douglas

January 1-31, 2015

- | | |
|--|----------------------|
| - Total Taxes Paid to Supervisor (Fulfills 2015 Warrant) | \$ 406,798.00 |
| - Total Taxes Paid to Genesee County Treasurer | <u>\$ 662,712.30</u> |
| o Total Collected (January 1 – 31, 2015) | \$1,069,510.30 |

ZEO/CEO Report – Tom Douglas

- Attended Niagara Frontier Building Officials Conference to obtain the mandatory 24 hours of Continuing Education Credit.
- The new Code will not be coming out this year. Expected changes to the Code are:
 - o Tougher Energy Code – new homes will have to be blower tested and have air exchangers.
 - o Sprinklers will be required in newly constructed one- and two-family homes and additions over a certain square footage.
 - Systems in areas without public water will need to have a dedicated tank for the system

Highway Superintendent Report – Paul Fleming

- Weather has kept the Highway Department very busy.
- Ordered more salt. It will be a week before delivery is received because the mines are behind due to the weather.
- The County will be reprogramming the radios tomorrow.
- Will be meeting with FEMA on Wednesday concerning the November storm reimbursement application. The kickoff meeting with FEMA was last week.
- Will be meeting with Senator Ranzenhofer and Assemblyman Hawley on Thursday about CHIPS funding and its importance to municipalities.
- The trucks are holding up well with only normal maintenance needed.

Town Justice Report – William Shea

- The Court received a \$5,000.00 grant through the Justice Court assistance program. The funds will be used to purchase the portable bench among other things.

Board Committee Reports**Councilman Wenhold**

- Attendance for the Senior Meals remains low due to the weather.
- The Planning Board met on Thursday, February 5.

- Reviewed a Special Use Application submitted by Daniel McCormick for a WEC on his property on Brown Road. The Planning Board made a recommendation of approval to the Town Board.
- Felipe Oltramari, Director of the Genesee County Planning Department, provided a training presentation concerning hamlet districts and mixed use.
- An attendee to the meeting brought to the Planning Board's attention that there have been issues in other areas with sludge being spread on fields and that we need to be concerned about protecting our water resources.

Councilwoman Neer

- The Intercommunity Medical Building committee will be meeting on February 17th.
 - John King sent a letter concerning the offer of \$300,000 proposed by Dr. Craddock. The Committee rejected his offer and he refused to increase it. Other marketing options will be explored.
- Mentioned that she is pleased that the Genesee County Park is offering many educational and recreational opportunities for children and adults. Many schools are using the park for field trips.

Councilman Fluker

- Supervisor Hyde provided information to Councilman Fluker pertaining to the tracking of service hours and benefits for the Fire Districts.
- Things are going well in the Fire Department.
- Breakfast was held this past Sunday with a great turnout.

OLD BUSINESS

Complete Payroll Processing – Todd Caroccio and Austin Fish

- Representatives from Complete Payroll Processing explained their services to the Town Board. They will be working on transitioning the Town's current system to their system.
- Hours will be entered and verified here by the Highway Superintendent and then will be sent to Complete Payroll Processing to be processed.
- They are able to track vacation, sick time, etc.
- Direct deposit will be available.
- Paydays will remain the same.
- Will help the Town to keep up-to-date with changing regulations.
- They will be installing a time keeping system. The Town had purchased a time clock from Staples that has not been put into service. There is a possibility that it can be returned for a refund.
- The Bookkeeper is onboard with this change and will take the cost associated with Complete Payroll Processing as a pay cut.

Proposed Water District – Little Canada, Torrey, East Bethany-LeRoy & Clipnock Roads – Update

- Still in the hands of the attorneys.

Proposed Water District – Creek & Putnam Roads – Update

- Stuart Brown Associates and Rural Development are still working on the income survey.

Resolution #6-2015 Portable Judge's Bench – Review of Quotes and Award**

WHEREAS, quotes for the construction of a portable judge's bench were received as follows:

- | | |
|--------------------------------|------------|
| ○ Bruce Smith Custom Carpentry | \$2,566.00 |
| ○ Harold Barie Builders | \$2,845.00 |

- o Bill Fox & Son Construction & Remodeling \$3,899.58
- o Edward Hulme, Inc. \$6,560.00

WHEREAS, the lowest quote was from Bruce Smith Custom Carpentry now

On **MOTION** of Councilman Adams duly seconded by Councilwoman Neer be it

RESOLVED that Bruce Smith Custom Carpentry will be hired to construct a portable judge's bench for the quoted amount of \$2,566.00.

Motion **PASSED** with the following Roll Call Vote:

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

** There was a question as to whether the bench needed to be handicap accessible. CEO Douglas will research this and advise Supervisor Hyde. If it needs to be accessible but the change does not significantly change the price of construction Supervisor Hyde will have Bruce Smith Custom Carpentry begin work.

Radio Contract with Genesee County – Update

- Some of the radios are being reprogramed and some will be changed out.
- The radios are digital and will get program updates digitally.

Union Contract Negotiations – Update (Anonymous Letter)

- Supervisor Hyde was approached by Union Representative Brian Dickman asking to meet and get acquainted. Supervisor Hyde checked with the Town Attorney who said that it would be ok to do so. They will be meeting next week.
- Supervisor Hyde received the following anonymous letter which was read into the minutes.

MEMO TO: Carl Hyde, Town Supervisor

January 28, 2015

RE: Town of Bethany Contract Negotiations.

Please read job description of Motor Equipment Operator which we are titled.

Motor Equipment Operator DOES NOT include:

Electrical Work A/C or D/C.

Examples of work Town of Bethany workers have done:

- Rewiring of all receptacles in the town hall.
- Replacing Light fixtures
- Replacing Breakers
- Totally re wiring the SnoGo
- Too many other trouble shooting problems to list.

Plumbing

- Running water lines for drop hoses in the shop
- Hot water tank install
- Repair work on frozen lines in old town hall
- Removal and install of fixtures, clogged lines and duct work

Mechanical Work

- Replacement of radiators
- Brake inspections and brake jobs
- Troubleshooting and replacement of any part of equipment examples mower bearings and many others

Carpentry

- Examples tearing down and rebuilding old shop supports, rafters, plywood
- Building new storage area on shop office
- Replacement of over head door frames
- Drywall in the old Town Hall
- Building Fences
- Setting poles
-

Welding and Fabrication Work

- Too many to list all but a few examples
- Repairing main shop vertical beams
- Rebuilding tractor buckets
- Rebuilding mower arms and mowers
- Plow frames and Equipment
- Fabrication of fork mount assembly for tractor
- Fabrication of tractor broom attachment

Hyde
RECEIVED
1/28/15

- And the **big one** that saved the town \$\$\$ thousands...3 Stainless Steel Salt spreaders designed and fabricated in the shop

These are just some of the examples of our of title jobs that we have done in house to save taxpayers \$

You asked us ways in your last proposal to save on repair costs. If we stick to our motor equipment operator job descriptions you are about to see a huge increase in repair and fabrication costs.

All's we ask is that our wage increases and health insurance as they have been in the past contract and we will continue to do our part by going above and beyond motor equipment operator as we have done in the past.

IF you were to compare neighboring Towns you will see Town of Bethany Highway Dept is one of the lowest paid in the County and also has some of the poorest equipment in the county. Skills have kept some old equipment operating over the years.

So the choice is yours keep our contract as it has been (which is not even keeping up with the cost of inflation) and we will keep doing all the extras that save the taxpayers thousands of dollars. After all we are on the same team working for them. We owe them the most for their money. Think it over.

What has the Laywer cost the town to fight this contract in the last couple of years? Probably more than settling our contract.

This document was presented at previous negotiation meeting however the board didn't have courtesy to read. Hope you will read over and consider the best outcome for everyone involved.

Municipal Solutions, Inc. – John Savash – Contracting with

- The Supervisor has contracted with John Savash of Municipal Solutions, Inc. for bookkeeping, budgeting and reporting services.
- He was advised by John Savash to ask the State for a filing extension for the AUD which needs to be filed with the New York State Comptroller's Office by the end of February and has done so.

Transfer Station – Final Cost for 2014

- Supervisor Hyde presented the cost analysis for the operation of the Transfer Station for 2014 as follows:

2014 Budget (Transfer Station)		\$31,922.00
2014 Budgeted Revenues		\$13,000.00
2014 Actual Expense		
Waste Management	\$30,200.11	
Labor	\$13,851.47	
New Bailer	\$ 8,610.00	
Electrical Improvements	\$ 982.00	
Electric Bill	<u>\$ 522.31</u>	
Total Expenses for 2014		\$54,165.89
2014 Actual Revenue		
Passes and Cash Turned In	\$20,443.50	
Scrap Metal	\$ 6,456.25	
Recycled Materials	<u>\$ 1,178.89</u>	
Total Revenue for 2014		\$28,078.64

Resolution #7- 2015 Cleaning of Offices and Community Center – Quotes and Award

WHEREAS, quotes for cleaning of the Town Offices including the Highway Superintendent's office and the Community Center were received as follows:

Warren's Commercial Cleaning, Inc.		
One visit per week	\$ 97.50	\$5,070.00 annually
Window cleaning	\$221.00	per cleaning
Scrub & Burnish Floor 1 time/yr. (3600 sq. ft. = \$540.00)	\$.15	per sq. ft.
Strip & Wax Floor 1 time/yr. (4317 sq. ft. = \$1510.95)	\$.35	per sq. ft.
Kleen-All Company, LLC		
One visit per week in winter	\$210.00	per visit
Bi-weekly in summer		
Exterior windows - quarterly		

WHEREAS, the cost of in-house cleaning was \$14,821.02 for the year 2014 and cost savings of approximately \$9,000 would be realized, now

On **MOTION** of Councilman Adams duly seconded by Councilman Wenhold be it

RESOLVED that the Town will hire Warren's Commercial Cleaning, Inc. to perform cleaning services per the quote provided.

Motion **PASSED** with the following Roll Call Vote:

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

OLD BUSINESS

Resolution #8-2015 Construction of Wall in Highway Superintendent's Office – Quotes and Award**

WHEREAS, quotes were obtained for the construction of a wall in the Highway Superintendent's office separating the office into two rooms with one to be the Highway Superintendent's office and the other to be an employee break room, and

WHEREAS, the quotes are as follows:

Edward Hulme, Inc.	\$3,804.00
Harold Barie Builders	\$4,250.00
Bruce Smith Custom Carpentry	\$4,460.00

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

RESOLVED that the Town hire Edward Hulme, Inc. to construct the wall in the Highway superintendent's office per the quote of \$3,804.00.

Motion **PASSED** with the following Roll Call Vote:

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

Drinking Water – Delivery vs. In-House Pick-up

- Supervisor Hyde has contacted E-Bros. Bottled Spring Water to obtain pricing for bottled drinking water.
 - o 6 gallon water bottles - \$6 per bottle
 - o 16 oz. cases (24 bottles) \$7 per case
 - o No bottle deposits are charged unless a bottle is lost or damaged. The replacement cost is \$6 per bottle.
- Water is currently picked up by an employee at BJ's Wholesale Club.
 - o 5 gallon water bottles - \$5.00 per bottle
 - o 16 oz. cases (32 bottles) \$3.50 per case
 - o Time of employee and transportation expense needs to be considered in cost also.

Re-Key of Town Offices & Replacement of Kitchen Panic Bar

- The Town Offices have been re-keyed and keys have been issued to the appropriate personnel.
- The panic bar on the kitchen door is broken beyond repair.
 - o CEO Douglas verified that it is not necessary to have a panic bar on that door and that a lever handle is acceptable.
 - o One quote has been solicited:
 - The cost of installing a new panic bar is \$814.99.
 - The cost of installing a lever handle is \$649.99.
 - o Additional quotes will be obtained.

SUP1501 – McCormick WEC

- CEO Douglas explained that there were changes to the location of the WEC that was approved in a previous Special Use Permit (SUP1402). Since the approval was site specific any change in location would require a new application.
- The new location meets all setbacks and the unit being installed is exactly the same as the unit in the previous application.

Resolution #9-2015 SUP1501 Scheduling Public Hearing – McCormick WEC

The Town Board of the Town of Bethany met at a regular board meeting at the Town Offices of the Town of Bethany located at 10510 Bethany Center Road, in the Town of Bethany, New York on the 9th day of February 2015 commencing at 7:00 p.m., at which time and place the following members were:

Present: Supervisor Edward Hyde
 Council Member Daniel Adams
 Council Member Walter Wenhold
 Council Member Susan Neer
 Council Member Jeffrey Fluker

Absent: _____

WHEREAS, all Town Board Members, having due notice of said meeting, and that pursuant to Section 94 of the Public Officers Law (Public Meetings 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 Town Board of the Town of Bethany has received an application for a Special Use Permit (SUP1501) from Daniel McCormick requesting permission to erect a small WEC with an agricultural exemption property located at 4612 Brown Road (TMP# 7.-1-20.11); and

WHEREAS, Town of Bethany Zoning Law (II, 210, C) requires that the Town Board hold a public hearing as part of the special use permit process and that such public hearing shall be held within sixty-two (62) days from the date of the application is received by the Town; now on

MOTION of Councilman Fluker duly seconded by Councilman Adams, now therefore be it

RESOLVED, that Town Board of the Town of Bethany will hold a public hearing on the special use permit application submitted by Daniel McCormick (SUP1501) on the 9th day of March 2015 at 7:30 p.m., at which time all interested parties and citizens for or against the Special Use Permit will be heard.

Motion **PASSED** with the following Roll Call Vote:

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

Replacement of Overhead Doors at Highway Garage

- Quotes are being obtained for the replacement of the overhead doors and openers at the Highway Garage.

Furnace Replacement – Community Center

- The two furnaces in the Community Center are over 20 years old and are malfunctioning periodically.
- Parts are hard to find and if found, very expensive.
- Quotes have been received and are good for one year.
 - o Turnbull Heating & Air Conditioning
 - Furnace installed \$2,614.00 each
 - Air Conditioner installed \$3,616.50 each
 - o Artic Refrigeration Co. of Batavia
 - Furnace installed \$3,226.00 each
 - Air Conditioner installed \$4,495.00 each
 - o P&S Mechanical
 - Furnace & Air Conditioner \$8,900.00 each
 - Installed

Travel Request – Town Supervisor

- The Town Supervisor is requesting permission to attend the Local Government Conference in Albany scheduled for May 3-5 which is organized by Assemblyman Steve Hawley. The projected cost is \$450 all-inclusive based on double occupancy.

MOTION made by Councilman Adams duly seconded by Councilman Wenhold authorizing Supervisor Hyde to attend the Local Government Conference in Albany on May 3 – 5, 2015.

Motion **PASSED** with the following Roll Call Vote:

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

Spreading of Sludge – Public Comment

- Chris Krtanik wanted the board to be aware that there are problems in other areas with the spreading of sludge by farmers. This was also mentioned by Councilman Wenhold in his report of the Planning Board meeting.

Warrant

- The Board approved payment of the bills as follows:

	<u>Prepaid</u>	<u>Total</u>
General Fund	\$ 7,109.26	\$ 15,257.73
Highway Fund	\$ 0.00	\$ 28,402.15
Fire Protection Fund	\$ 0.00	\$ 0.00
Water Fund	\$ 0.00	\$ 1,278.00
Justice Fund	\$ 0.00	\$ 00.00

Adjournment

A **MOTION** was made by Councilwoman Neer duly seconded by Councilman Fluker to adjourn the meeting at 8:45 p.m. The motion **PASSED** with All In Favor.

BY ORDER OF THE
 BETHANY TOWN BOARD
 DATED: February 10, 2015

Respectfully Submitted,
 Debbie L. Douglas, RMC
 Bethany Town Clerk