

**REGULAR TOWN BOARD MEETING**

**14 SEPTEMBER 2015**

Supervisor Hyde opened the September 14, 2015 Regular Town Board Meeting at 7:02 p.m. with a prayer offered by Councilman Wenhold followed by the Pledge of Allegiance.

Town Officials in Attendance were:

Carl Hyde, Jr., Supervisor	Walter Wenhold, Councilman
Susan Neer, Councilwoman	Jeffrey Fluker, Councilman
Debbie Douglas, Town Clerk	William Shea, Town Justice
Linda Schmidt, Town Historian	Paul Fleming, Highway Superintendent
David DiMatteo, Town Attorney	Thomas Douglas, CEO/ZEO

Town Officials Absent were:

Daniel Adams, Councilman

Attendees to the Meeting were:

Maelynn Hyde	Linda Jackett
Gary Donnelly	Adam Miller
Don Schmidt	Greg Miller
Joel Merle	Mike Gaiser
Ken Morgan	Cathy Hyde
Tim Embt	Barb Czworka
Ramon Cipriano	

**Finances**

Supervisor Hyde presented the finances for August 2015.

General Savings	\$	829,910.21
Contingent Account	\$	302,302.88
Highway Savings	\$	98,109.36
Highway Fund Misc. Savings	\$	859.91
Capital Project Highway	\$	69,478.65
AP/PR Account	\$	29,515.77
Trust & Agency Account	\$	6,434.66
Petty Cash	\$	200.00
Justice Savings	\$	43,725.32
Total		\$ 1,380,536.76

Revenues Received		
Debbie Douglas, Town Clerk	\$	2,982.29
Bethany Justice – William Shea	\$	1,479.00
Bethany Justice – Thomas McBride	\$	932.00
Total Revenue	\$	5,393.29
Total Interest	\$	31.93
Total Revenue	\$	5,425.22

- Bonadio Group is currently performing the 2014 audit.

### **Town Clerk Report – Debbie Douglas**

- Presented the Minutes of the August 10, 2015 Regular Town Board Meeting.

A **MOTION** was made by Councilwoman Neer and seconded by Councilman Wenhold to approve the Minutes of the August 14, 2015 Regular Town Board meeting as presented.

The motion **PASSED** with All In Favor.

- Received a note from the Town of Pavilion Water Advisory Board thanking Supervisor Hyde, Legislator Greg Torrey and Jay Grasso for meeting with them and sharing information and ideas concerning the formation of water districts.
- The Clerk's Monthly Report and Bank Statements for August were reviewed by the Town Board.

### **ZEO/CEO Report – Thomas Douglas**

- Five permits have been issued:
  - o Accessory building on the corner of Little Canada and Torrey Roads,
  - o Accessory Building on Paradise Road,
  - o Garage on East Road,
  - o Breezeway and roof on Jerico Road,
  - o New single-family dwelling on Ellicott Street Road
- Site Plan Review
  - o A partial application has been submitted by Crown Castle to make changes to the antennae on the cell tower. An application for a building permit was submitted but as before, they are required by the Town's Zoning Law to go through the steps for Site Plan Review. They will be notified of this fact.
- Currently performing road review – north of Broadway has been completed and violations have been issued as follows:
  - o Approximately 40 vehicle violations
  - o 1 residential multi-vehicle violation
  - o 1 abandon house
  - o 2 illegal signs
  - o 2 campers are being occupied without the necessary permits
  - o 1 agricultural excessive debris
  - o 2 residential excessive debris
  - o 2 unsecured buildings
  - o 1 unsafe porch
- Unsafe Porch
  - o The Town Board received a letter from Edward Christner who is the owner of the property located at 5744 Ellicott Street Road. This property was violated under the Property Maintenance Code for having an unsafe porch. This has been an ongoing problem for several years.
  - o Mr. Christner stated in his letter that he intends to bring the property into compliance however he is scheduled to go to South Dakota to work during the grain harvest which usually lasts 6-8 weeks. Since this is a significant part of his income, he cannot afford to miss the harvest and is asking for an extension. CEO Douglas gave him 30 days to come into compliance.
  - o He stated that he would shore up the porch and tidy up the front of the building to make it more presentable. CEO Douglas had

previously informed him that if the porch was completely removed, it may be impossible to reconstruct it due to the setback issues.

- This is one of the older buildings in town and the porch is part of the character of the building.

A **MOTION** was made by Councilwoman Neer duly seconded Councilman Fluker to grant an extension until the November 9, 2015 Town Board meeting. By that time, Mr. Christner will have applied, received and paid for a building permit for the property located at 5744 Ellicott Street Road. Upon approval of the building permit, CEO Douglas will determine a timeline for completion for this project that Mr. Christner must adhere to. If Mr. Christner has not complied with these stipulations prior to the November 9, 2015 Town Board meeting, the Town Board will move forward with legal proceedings.

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

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

- Will be completing review south of Broadway over the next two weeks
- Researching updating/upgrading of permitting program. Will have more to report next month.

#### **Highway Superintendent Report – Paul Fleming**

- Resurfacing of Paul Road has been completed.
- A section of McLernon Road has been resurfaced.
- West Bethany Road has also been resurfaced.
- The County Highway Department replaced a culvert pipe on Mill Road. They will be patching the road in this area.
- There is another pipe on Mill Road near the pipe replaced by the county. The county has no record of this pipe therefore, they feel it is the town's responsibility. The County Engineer will be coming to look at the pipe and make a recommendation for repair/replacement.
- Will be ordering salt shortly.

#### **Justice Report**

- Justice Shea's monthly report for August was reviewed by the Town Board.
- Justice McBride's monthly reports for July and August were reviewed by the Town Board.

#### **Historian Report – Linda Schmidt**

- Has spent a lot of time organizing records.
- Working on several genealogy request.
- Took photos of the advertising backdrop that was used for plays. This hand painted backdrop was used when plays were presented on the stage that is upstairs in the Old Town Hall. Working on a project that would include this backdrop.

#### **Board Committee Reports**

##### **Councilman Wenhold**

- Senior Meals are going well. 14-15 people are in attendance each week.
- The Planning Board did not meet.

### **Councilwoman Neer**

- The Intercommunity Medical Building committee met on August 25<sup>th</sup>.
- Dr. Craddock was contacted again to see if he would be interested in making another offer and said that he would speak to his financial advisors. He has not gotten back to Mr. King. Mr. King feels that all prospects have been exhausted and that the property should be listed with a realtor.
- The building is currently in arrears because of indiscriminate purchase of paper supplies. Mr. King is checking into these purchases, why and for whom they were made, where the products are used and if any of them could be returned.
- A lighting audit is also being performed by National Grid. Some changes may help with expenses.
- The next meeting will be held on October 13<sup>th</sup>.

### **Councilman Fluker**

- The Fire Department is still in need of volunteers.
- There was no breakfast in September. The Fire Department is meeting tonight and will hopefully have settled the matter and breakfast will resume in the coming month.

## **OLD BUSINESS**

### **RESOLUTION #34-2015 ORDER FOR A PUBLIC HEARING ON THE PETITION FOR ESTABLISHMENT OF THE TOWN OF BETHANY WATER DISTRICT NO. 2**

**WHEREAS**, the Town Board of the Town of Bethany, New York, has duly adopted a resolution directing the Supervisor of the Town of Bethany to file a map, plan and report for providing the facilities, improvements or services in a portion of the Town of Bethany, where a Water District is proposed to be established; and said map, plan and report dated June, 2015; has been filed in the office of the Town Clerk of the Town of Bethany on July 1, 2015, and

**WHEREAS**, a "Petition to Request Water District" was filed in the Bethany Town Clerk's Office on September 14, 2015, signed by the required number of property owners within the proposed district, namely, pursuant to the latest completed assessment roll of the Town of Bethany, the owners of taxable real property located in the proposed Town of Bethany Water District No. 2 (also referred to herein as "Water District") owning in the aggregate at least one-half ( $\frac{1}{2}$ ) of the assessed valuation of all of the taxable real property of the proposed Water District; and also constituting the signatures of resident owners who own taxable real property aggregating at least one-half ( $\frac{1}{2}$ ) of the assessed valuation of all of the taxable real property of the proposed Water District owned by residents, and

**WHEREAS**, the boundary of the proposed Town of Bethany Water District No. 2 shall have an exterior boundary described in **Appendix A**, attached hereto and incorporated herein by reference.

**WHEREAS**, the project area has been identified through public interest and the proposed Water District will obtain its water supply from the Monroe County Water Authority and Thru Genesee County Water Supply Program. Both the Monroe County Water Authority and the Genesee County Water Supply Program have ample capacity available to provide water for this project; and

**WHEREAS**, the water system will be designed to provide 60 gallons of water per person per day for domestic and commercial use and to provide fire protection meeting Insurance Services Office (ISO) Standards and will serve approximately 44 units, 40 of which are residential; and

**WHEREAS**, the debt service for the initial project costs are based on equivalent dwelling units and the Town of Bethany anticipates securing grants from the USDA Rural Development to partially fund the project through grant, while the remaining share will be paid for by a USDA Rural Development Loan; and

**WHEREAS**, the project will generally consist of installing approximately 21,700 linear feet of 8" diameter ductile iron water main, valves, fire hydrants, water services and appurtenances along Clipnock Road, East Bethany-LeRoy Road, Little Canada Road and Torrey Road, as shown in **Appendix B**, attached hereto and incorporated herein by reference; and

**WHEREAS**, a typical average household uses 60,000 gallon of water per year and water rates for that usage shall be as follows:

1. Monroe County Water Authority bills their customer quarterly. 2015 Rates include a 0.21 cent per day meter charge ( $0.21 \times 365 = 76.65$ ) and a retail rate of \$2.98 per 1,000 gallons ( $2.98 \times 60,000 = \underline{178.00}$ ); and
2. The County of Genesee places a surcharge of 0.60 cents per 1,000 gallons (\$36.00); and

The total cost to homeowners for water would be \$291.45 per year; and

**WHEREAS**, the total Capital Cost for the Town of Bethany Water District No. 2 is \$1,354,000.00. It is projected that this project shall receive a USDA Rural Development grant in the amount of \$500,000.00; and

**WHEREAS**, Net local project costs are anticipated to be \$854,000.00 with an annual debt service including (38 years at 3.50% interest) of \$40,977.00 and the estimated Debt Service per Unit of \$931.30; and

**WHEREAS**, the payment of debt service will be made by levy and collection of special assessments from the several lots and proceeds of lands within the District which for the Town Board shall determine and specify to be specifically benefitted thereby, so much upon and from each as such shall be in just proportion of the amounts of benefit conferred upon the same, to pay the

principal of and interest on said bonds, as same shall become due and payable; and

**WHEREAS**, the total annual cost for an average homeowner including debt service and water bill would be estimated to be \$1,230.00 per year, per household; and

**WHEREAS**, in addition each unit shall be responsible for several one-time costs, including cost to hookup and connect to the Right of Way to interior plumbing, (approximately \$10.00 per linear foot) with an average of seventy five (75) linear feet (approximate total cost of \$750.00 per unit) for pipe installation, meter and account set up charge through water supplier (approximately \$230.00 per unit) and well separation costs (approximately \$200.00 per unit); and

**WHEREAS**, the map, plan and report describing such improvements is on file in the office of the Town Clerk of the Town of Bethany and available for public inspection.

**NOW ON MOTION OF** Councilman Fluker which has been duly seconded by Councilman Wenhold , therefore, it is

**ORDERED**, that the Town Board of the Town of Bethany, New York, shall meet at the Bethany Town Office, located at 10510 Bethany Center Road, Bethany, New York on the 28<sup>th</sup> day of October 2015, at 6:00 p.m. for the purpose of conducting a public hearing on the proposal to establish said Water District with the improvements specified herein, at which time and place all persons interested in the subject thereof may be heard concerning the same, and it is further

**ORDERED**, that the Town Clerk of the Town of Bethany is hereby authorized and directed to publish a copy of this Order in The Daily News, to post a copy of the same on the signboard of the Town of Bethany and to mail a copy to all owners of property located within the proposed Water District, in the time and manner required by law.

DATED: September 14, 2015

[SEAL]

\_\_\_\_\_  
Debbie Douglas, Clerk  
Town of Bethany

Approved on Roll Call as follows:

Supervisor	Hyde	X Yes	⌚ No	⌚ Abstain	⌚ Absent
Councilmember	Adams	⌚ Yes	⌚ No	⌚ Abstain	X Absent
Councilmember	Wenhold	X Yes	⌚ No	⌚ Abstain	⌚ Absent
Councilmember	Neer	X Yes	⌚ No	⌚ Abstain	⌚ Absent
Councilmember	Fluker	X Yes	⌚ No	⌚ Abstain	⌚ Absent

**RESOLUTION #35-2015 ORDER FOR A PUBLIC HEARING ON THE PETITION FOR ESTABLISHMENT OF THE TOWN OF BETHANY WATER DISTRICT NO. 3**

**WHEREAS**, the Town Board of the Town of Bethany, New York, has duly adopted a resolution directing the Supervisor of the Town of Bethany to file a map, plan and report for providing the facilities, improvements or services in a portion of the Town of Bethany, where a Water District is proposed to be established; and said map, plan and report dated June, 2015; has been filed in the office of the Town Clerk of the Town of Bethany on July 1, 2015, and

**WHEREAS**, a “Petition to Request Water District” was filed in the Bethany Town Clerk’s Office on September 14, 2015, signed by the required number of property owners within the proposed district, namely, pursuant to the latest completed assessment roll of the Town of Bethany, the owners of taxable real property located in the proposed Town of Bethany Water District No. 3 (also referred to herein as “Water District”) owning in the aggregate at least one-half (½) of the assessed valuation of all of the taxable real property of the proposed Water District; and also constituting the signatures of resident owners who own taxable real property aggregating at least one-half (½) of the assessed valuation of all of the taxable real property of the proposed Water District owned by residents, and

**WHEREAS**, the boundary of the proposed Town of Bethany Water District No. 3 shall have an exterior boundary described in **Appendix A**, attached hereto and incorporated herein by reference; and

**WHEREAS**, it is important to note that Water District No. 3 is a joint District with the Town of Stafford, acting on behalf of Water District No. 11; and

**WHEREAS**, the project area has been identified through public interest and the proposed Water District will obtain its water supply from the Monroe County Water Authority and the Genesee County Water Supply Program. Both the Monroe County Water Authority and the Genesee County Water Supply Program have ample capacity available to provide water for this project; and

**WHEREAS**, The Towns of Bethany and Stafford acknowledge that the mechanics of their Inter-Municipal relationship shall be governed by an Inter-Municipal Agreement; and

**WHEREAS**, the project shall encompass residents from both the Town of Stafford and the Town of Bethany, and the residents of both Towns will assume the cost for this project; and

**WHEREAS**, the water system will be designed to provide 60 gallons of water per person per day for domestic and commercial use and to provide fire protection meeting Insurance Services Office (ISO) Standards and will serve approximately 32 residential units in the Town of Bethany; and

**WHEREAS**, the debt service for the initial project costs are based on equivalent dwelling units and the Town of Bethany anticipates securing grants

from the USDA Rural Development to partially fund the project through Grant, while the remaining share will be paid for by a USDA Rural Development Loan, that said funding and repayment of same shall be governed by an Inter-Municipal Agreement with the Town of Stafford; and

**WHEREAS**, the project will generally consist of installing approximately 15,000 linear feet of 8" diameter ductile iron water main, valves, fire hydrants, water services and appurtenances along East- Bethany LeRoy Road and Transit Road, as shown in **Appendix B**, attached hereto; and

**WHEREAS**, a typical average household uses 60,000 gallon of water per year and water rates for that usage shall be as follows:

3. Monroe County Water Authority bills their customer quarterly. 2015 Rates include a 0.21 cent per day meter charge (  $0.21 \times 365 = 76.65$ ) and a retail rate of \$2.98 per 1,000 gallons ( $2.98 \times 60,000 = 178.00$ ); and
4. The County of Genesee places a surcharge of 0.60 cents per 1,000 gallons (\$36.00) ;and

The total cost to homeowners for water would be \$291.45 per year; and

**WHEREAS**, the total Capital Cost for the Town of Bethany Water District No. 3 is \$1,052,000.00. It is projected that this project shall receive a USDA Rural Development grant in the amount of \$500,000.00; and

**WHEREAS**, Net local project costs are anticipated to be \$552,000.00 with an annual debt service including (38 years at 3.50% interest) of \$26,487.00 and the estimated Debt Service per Unit of \$814.98; and

**WHEREAS**, the payment of debt service will be made by levy and collection of special assessments from the several lots and proceeds of lands within the District which for the Town Board shall determine and specify to be specifically benefitted thereby, so much upon and from each as such shall be in just proportion of the amounts of benefit conferred upon the same, to pay the principal of and interest on said bonds, as same shall become due and payable; and

**WHEREAS**, the total annual cost for an average homeowner including debt service and water bill would be estimated to be \$1,100.00 per year, per household; and

**WHEREAS**, in addition each unit shall be responsible for several one-time costs, including cost to hookup and connect to the Right of Way to interior plumbing, (approximately \$10.00 per linear foot) with an average of seventy five (75) linear feet (approximate total cost of \$750.00 per unit) for pipe installation, meter and account set up charge through water supplier (approximately \$230.00 per unit) and well separation costs (approximately \$200.00 per unit); and

**WHEREAS**, the map, plan and report describing such improvements is on file in the office of the Town Clerk of the Town of Bethany and available for public inspection.

**NOW ON MOTION OF** Councilwoman Neer which has been duly seconded by Councilman Fluker, therefore, it is

**ORDERED**, that the Town Board of the Town of Bethany, New York, shall meet at the Bethany Town Office, located at 10510 Bethany Center Road, Bethany, New York on the 28<sup>th</sup> day of October 2015, at 6:30 p.m. for the purpose of conducting a public hearing on the proposal to establish said Water District with the improvements specified herein, at which time and place all persons interested in the subject thereof may be heard concerning the same, and it is further

**ORDERED**, that the Town Clerk of the Town of Bethany is hereby authorized and directed to publish a copy of this Order in The Daily News, to post a copy of the same on the signboard of the Town of Bethany and to mail a copy to all owners of property located within the proposed Water District, in the time and manner required by law.

DATED: September 14, 2015

[SEAL]

\_\_\_\_\_  
Debbie Douglas, Clerk  
Town of Bethany

Approved on Roll Call as follows:

Supervisor Hyde	X Yes	⌚ No	⌚ Abstain	⌚ Absent
Councilmember Adams	⌚ Yes	⌚ No	⌚ Abstain	X Absent
Councilmember Wenhold	X Yes	⌚ No	⌚ Abstain	⌚ Absent
Councilmember Neer	X Yes	⌚ No	⌚ Abstain	⌚ Absent
Councilmember Fluker	X Yes	⌚ No	⌚ Abstain	⌚ Absent

**Proposed Water District – Creek & Putnam Roads – Update**

- 29 surveys have been completed. 31 complete surveys are needed.
- At this point the Median Household Income (MHI) is \$55,798. Rural Development’s cutoff is \$56,882.

**Old Town Hall – Update**

- Supervisor Hyde met with auctioneers and realtors.
- Auctioneers stated that the town would receive pennies on the dollar for the building and it would more than likely be torn down. Russ Romano from Nothnagel Realtors, who has previously held the listing for the building, does not feel that it is worth the time or money to relist the building. He is no longer interested in listing it.
- Supervisor Hyde presented the following to the Board and they concurred:
  - o Turn off heat and close building during colder weather. There is approximately 300 gallons of propane in the tank. Have the tank picked up and the town credited for the fuel.
  - o Let the Historian use the building in warmer weather. (May 1<sup>st</sup> – October 1<sup>st</sup>).
  - o Use the back office for storage.

- Leave the bell and tower where they are for now.
- Leave the electric on. The electric bill is approximately \$55 per month.
- The building cannot be rented – there is no water or restrooms.
- Keep trying to sell the building through word of mouth or keep it forever.

**PERB Hearing**

- The PERB hearing was adjourned for 60 days.

**Overhead Door Openers – Highway Truck Garage**

- Two more openers have been installed. The last two will be installed in the fourth quarter.

**NEW BUSINESS**

**2016 Tax Cap & 2016 Budget**

- Supervisor Hyde has received notice that the 2016 Tax Cap is 1.0073%.
- Supervisor Hyde has started working on the 2016 Budget with John Savash.

**RESOLUTION #36-2015 TAX CAP OVERRIDE – SETTING PUBLIC HEARING**

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, Bethany, New York on the 14<sup>th</sup> day of September 2015 commencing at 7:00 p.m., at which time and place the following members were:

Present:	Supervisor	Carl Hyde, Jr
	Council Member	Walter Wenhold
	Council Member	Susan Neer
	Council Member	Jeffrey Fluker
	Council Member	_____
Absent:	Council Member	Daniel Adams

**WHEREAS**, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers 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**, Chapter 97 of the Laws of 2011 – “The Property Tax Cap” add a new section 3-c to the General Municipal Law that provides that the amount of real property taxes that may be levied by or on behalf of any local government shall not exceed two percent (2%); and

**WHEREAS**, in order to adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year, only if the Town Board first enacts, by a vote of sixty percent (60%) of the total voting power, a local law to override such limit for such coming fiscal year only; and

**WHEREAS**, the Town Board of the Town of Bethany finds it in the best interest of the Town to hold a public hearing to consider the adoption of said local law.

**NOW ON MOTION OF** Councilman Fluker which has been duly seconded by Councilman Wenhold, be it

**RESOLVED**, by the Town Board of the Town of Bethany will hold a public hearing on the proposed adoption of said local law on the 14 day of October 2015 at 7:00 p.m., at which time all interested parties and citizens for or against the proposed law will be heard.

Ayes:   4  

Nays:   1  

Quorum Present:   X   Yes    No

Dated: September 14, 2015

[SEAL]

\_\_\_\_\_  
Debbie Douglas, Clerk  
Town of Bethany

**RESOLUTION #37-2015 PROFESSIONAL SERVICES AGREEMENT BETWEEN THE TOWN OF BETHANY AND MUNICIPAL SOLUTIONS, INC. FOR GRANT AND BONDING APPLICATION PREPARATIO FOR WATER DISTRICTS**

**WHEREAS**, the Town Supervisor wishes to retain Municipal Solutions, Inc. to prepare the applications for grant and loan funding for submission to Rural Development for the proposed water districts which include Little Canada, Torrey, East Bethany-LeRoy, and Clipnock Roads with the cost not to exceed forty five thousand (\$45,000) (contract attached); now on

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

**RESOLVED** that the Bethany Town Board hereby authorizes the Supervisor to retain Municipal Solutions, Inc. for the aforementioned services and costs and to execute the agreement between the Town of Bethany and Municipal Solutions, Inc.

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

Supervisor Hyde – Yes

Councilman Adams – Absent

Councilman Wenhold - Yes

Councilwoman Neer – Yes

Councilman Fluker – Yes

*Municipal*  
Solutions, Inc.

Municipal Financial Advisors  
\_\_\_\_\_

Carl Hyde, Jr., Supervisor Town of Bethany  
10510 Bethany Center Road  
East Bethany, New York 14054

August 4, 2015

Dear Supervisor Hyde:

Municipal Solutions, Inc. is pleased to submit this updated contract in connection with the Town of Bethany's proposed water district project for your consideration and approval.

Per the Municipal Securities Rulemaking Board's (MSRB) Rule G-17, we must have a current contract in place prior to work commencing. These new rules apply to all

municipal financial advisors throughout the United States of America as of July 1, 2014. This contract must state fair market value rates and fees and be accepted by both the municipality and Municipal Solutions, Inc. We must, under Rule G-17, show that we've acted in good faith with the issuer and to ensure the accuracy of representations in our contracts regarding the agreed upon scope and fees, whether the contract be a Preliminary Authorization to Proceed or a Full Contract.

The MSRB enforces the rules and regulations set by the Securities and Exchange Commission (SEC). Municipal Solutions, Inc. is registered as a recognized municipal advisor with the SEC (MS ID #867-00383) and the MSRB (MS ID #KOI 73) as mandated by the Dodd-Frank Wall Street Reform and Consumer Protection Act (the Dodd-Frank Act).

This proposal is divided into the following parts and rates can be found in the attached Appendix B:

- I. Bond Anticipation Note Borrowings
- II. Preparation of an Initial Application for Rural Development Funding
- III. Preparation of a Full Application for Rural Development Funding
- IV. Administration and Reporting to Funding Agencies
- V. Private Sale of Serial Bonds to Rural Development
- VI. General Financial Services

#### I. Bond Anticipation Note Borrowings

The following items will be completed under this portion of the contract, if appropriate:

- 1) Working with the Town and its engineer, plan a cash flow for the borrowing in compliance with the regulations contained in the Tax Reform Act of 1986.
- 2) After cash flow completion, advise on the amount of the issue, timing of the sale and plan the optimum maturity date for the annual payment of the notes.
- 3) Complete a time-frame calendar for all items to be completed in connection with the sale.
- 4) If necessary, apply for municipal note insurance.
- 5) Prepare a Notice of Sale to be used in the advertisement of the sale and, if over \$1,000,000, prepare an Official Statement.
- 6) Prepare and convert Notice of Sale and Preliminary Official Statement files and upload to Municipal Solutions' website for electronic transfer to underwriters.
- 7) Conduct the BAN sale and make recommendation on the award of the lowest net interest cost bid.
- 8) Post sale results to Municipal Solutions' website.
- 9) Coordinate the preparation of BAN documents and the closing of the issue with bond counsel/Town attorney and the successful bidder.
- 10) Prepare, convert and arrange for distribution of the Final Official Statement to the required officials.
- 11) Coordinate necessary agreements for the note closing with the purchaser of the notes.
- 12) If necessary, attend the closing.

#### II. Preparation of an Initial Application for Rural Development Funding:

The following items will be completed under this portion of the contract:

- 1) Preparation and submission of a Rural Development (RD) initial application, to determine funding eligibility for the project.
- 2) Preparation of an operating budget for RD use
- 3) Coordinate completion of required Equivalent Dwelling Unit (EDU) calculation and short-lived assets with project engineer.
- 4) Prepare project budget, including administrative cost and direct expenses, in a RD acceptable format using the Form E.
- 5) Preparation of maturity schedules at estimated RD interest rate
- 6) Upon receipt of eligibility determination from RD, advise Town officials on next steps in process.

### III. Preparation of a Full Application for Rural Development Funding

The following items will be completed under this portion of the contract, if appropriate:

- 1) Gather pertinent information from Town officials, bond counsel, attorney and engineer to prepare a full USDA RD application.
- 2) Preparation and submission of a full application to RD for funding.
- 3) Notify RD of any loan and/or grant from other funding agencies and act as liaison between agencies should questions/issues arise.

### IV. Administration and Reporting to Funding Agencies

The following items will be completed under this portion of the contract:

- 1) Working with the engineer, establish a monthly cash flow to complete the project.
- 2) Prepare a schedule of deadline dates to ensure contractors are paid monthly per contract documents.
- 3) Complete monthly paperwork to report progress and/or draw funds Rural Development.
- 4) Attend pre-construction meeting to review contractor responsibilities concerning processing of vouchers and certified payrolls.
- 5) Completion of any required reports for Rural Development (RD) and uploading to the appropriate websites such as [federalreporting.gov](http://federalreporting.gov) or [federalspending.gov](http://federalspending.gov).
- 6) Attend up to 2 meetings with Town and Town officials, board members and/or engineer to coordinate project activities.

Administration and Reporting Services will be billed at the current hourly rate plus reimbursable expenses (see Appendix B).

### V. Private Sale of Serial Bonds to Rural Development:

The following items will be completed under this portion of the contract:

- 1) Coordination of the long-term loan closing with Rural Development officials, bond counsel and Town officials. This would include a review to ensure that all documents have been submitted to the agency and attendance at the Rural Development loan closing.
- 2) Prepare required maturity schedules.
- 3) Prepare the necessary debt statements and see to their filing with the Town Clerk, New York State Comptroller and bond counsel.
- 4) Advise the Town as to when the loan settlement may take place with Rural Development. This would include planning maturity dates at the most opportune time during the Town's fiscal year.

## VI. General Financial Services

The following items will be completed at an hourly rate, if appropriate:

- 1) Attend construction or other meetings and prepare reports on financial matters of the Town, as required.
- 2) Assist the Town in the preparation of financial information that may be used for public discussion or presentation to the bond rating agencies.
- 3) Assist in the development of an operating budget, cash flow and operating expenses and offsetting revenue forecasts.
- 4) Prepare maturity schedules for Town officials to determine repayment of anticipated borrowed funds or planning purposes.
- 5) Coordinate the completion of a single audit with a qualified auditor as required by Federal agencies.
- 6) Provide other financial consulting services as may be requested by the Town.

General Financial Services will be billed at the current hourly rate plus reimbursable expenses (see Appendix B).

If there are services performed beyond the scope of the project, or if the project ceases for any reason, an invoice for work completed will be due at the current hourly rate plus expenses. Invoices will be submitted periodically.

The total fee for this contract will not exceed \$45,000 including expenses.

Our rate shall be effective for a period of two (2) years from the date of issuance, subject to yearly review by both parties thereafter. If the contract is extended or a new contract is negotiated, the rate will be adjusted by the change of the Consumer Price Index, All Urban Consumers -Northeast Urban Rate, for the time period July 1<sup>st</sup> to June 30<sup>th</sup> of the contract year.

A separate contract for Continuing Disclosure Updates per the Securities Exchange Commission (SEC) is not required by the Town at this time. However, if in the future the Town issues serial bonds over \$1,000,000, the Town's annual financial statements must be filed on the MSRB EMMA website per the SEC. If this is a service that you would like Municipal Solutions, Inc. to provide, a separate contract will be needed at that time.

Municipal Solutions, Inc. is a certified Women Business Enterprise through the New York State Department of Economic Development.

We at Municipal Solutions, Inc. operate with a core value of honesty and integrity in all aspects of our business. We pride ourselves in our competent and friendly staff and our services go above and beyond what our contracts call for. We do our very best to keep costs down and pass any savings back to our clients. If you have any concerns that are not addressed in this contract, we would be happy to discuss them with you at your convenience.

Upon acceptance of this proposal, please execute both copies and return one to our Canandaigua office located at 2528 State Route 21, Canandaigua, New York 14424 at your earliest convenience. The terms set forth above are subject to change if a signed contract is not received within 45 days.

We look forward to our continued working relationship with the Town.

Sincerely,



Jeffrey R. Smith, President

Certified Independent Professional Municipal Advisor

JRS/des

Town of Bethany, New  
York Contract Dated  
August 26, 2015 Water  
District Project  
Accept  
by:

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

## APPENDIX A

### TOWN OF BETHANY, NEW YORK Contract Dated August 26, 2015 Water District Project

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#### DISCLOSURE OF CONFLICTS OF INTEREST

The Municipal Securities Rulemaking Board requires us, as your municipal advisor, to provide written disclosure to you about the actual or potential conflicts of interest presented by various forms of compensation. We must provide this disclosure unless you have required that a particular form of compensation be used. You should select a form of compensation that best meets your needs and the agreed upon scope of services.

#### Forms of Compensation as Potential Conflicts

The forms of compensation for municipal advisors vary according to the nature of the engagement and requirements of the client, among other factors. Various forms of compensation present actual or potential conflicts of interest because they may create an incentive for an advisor to recommend one course of action over another if it is more beneficial to the advisor to do so. This document discusses various forms of compensation and the timing of payments to the advisor.

**Fixed fee** - Under a fixed fee form of compensation, the municipal advisor is paid a fixed amount established at the outset of the transaction. The amount is usually based upon an analysis by the client and the advisor of, among other things, the expected duration and complexity of the transaction and the agreed-upon scope of work that the advisor will perform. This form of compensation presents a potential conflict of interest because, if the transaction requires more work than originally contemplated, the advisor may suffer a loss. Thus, the advisor may recommend less time-consuming alternatives, or fail to do a thorough analysis of alternatives. There may be additional conflicts of interest if the municipal advisor's fee is contingent upon the successful completion of a financing, as described below.

**Hourly fee** - Under an hourly fee form of compensation, the municipal advisor is paid an amount equal to the number of hours worked by the advisor times an agreed-upon hourly billing rate. This form of compensation presents a potential conflict of interest if the client and the advisor do not agree on a reasonable maximum amount at the outset of the engagement, because the advisor does not have a financial incentive to recommend alternatives that would result in fewer hours worked. In some cases, an hourly fee may be applied against a retainer (*e.g.*, a retainer payable monthly), in which case it is payable whether or not a financing closes. Alternatively, it may be contingent upon the successful completion of a financing, in which case there may be additional conflicts of interest, as described below.

**Fee contingent upon the completion of a financing or other transaction** - Under a contingent fee form of compensation, payment of an advisor's fee is dependent upon the successful completion of a financing or other transaction. Although this form of compensation may be customary for the client, it presents a conflict because the advisor may have an incentive to recommend unnecessary financings or financings that are disadvantageous to the client. For example, when facts or circumstances arise that could cause the financing or other transaction to be delayed or fail to close, an advisor may have an incentive to discourage a full consideration of such facts and circumstances, or to discourage consideration of alternatives that may result in the cancellation of the financing or other transaction.

Fee paid under a retainer agreement - Under a retainer agreement, fees are paid to a municipal advisor periodically (*e.g.*, monthly) and are not contingent upon the completion of a financing or other transaction. Fees paid under a retainer agreement may be calculated on a fixed fee basis (*e.g.*, a fixed fee per month regardless of the number of hours worked) or an hourly basis (*e.g.*, a minimum monthly payment, with additional amounts payable if a certain number of hours worked is exceeded). A retainer agreement does not present the conflicts associated with a contingent fee arrangement (described above).

Fee based upon principal or notional amount and term of transaction - Under this form of compensation, the municipal advisor's fee is based upon a percentage of the principal amount of an issue of securities (*e.g.*, bonds) or, in the case of a derivative, the present value of or notional amount and term of the derivative. This form of compensation presents a conflict of interest because the advisor may have an incentive to advise the client to increase the size of the securities issue or modify the derivative for the purpose of increasing the advisor's compensation.

### Other Material Conflicts of Interest

The Municipal Securities Rulemaking Board requires us, as your municipal advisor, to provide written disclosure to you about material conflicts of interest.

From time to time Municipal Solutions, Inc. does provide municipal advisory assistance to surrounding municipalities including, but not limited to, Town of Batavia, Town of Stafford and Town of Alexander. Municipal Solutions, Inc., is not aware of any material conflicts of interest that this relationship would bring to our fiduciary responsibility to the Town of Bethany as of the date of this Agreement.

APPENDIX B

MUNICIPAL SOLUTIONS,  
INC. FEE SCHEDULE -  
2015

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Bond Anticipation Notes	All note fees are for new and/or renewal issues.	
Revenue Anticipation		
Notes Tax Anticipation		
Notes	\$800 base plus \$120 /hour	
Negotiated Borrowing	\$1,350	
Under \$500,000 (NOS only)	\$1,900	
\$500,000 -999,999 (NOS	\$2,200	
only) Over \$1,000,000 (No	Base fee of \$4,400	
OS)	Plus \$175 per million (rounded up to next million)	
\$1,000,000 or more with OS		
Rural Development (RD)		
Preparation of an Initial	\$2,500	
Application* Preparation of a Full	\$4,500	
Application* Private Sale of Serial	\$5,000	
Bonds to RD	\$1,800	
Additional Serial Bond Series		
	*Please note the cost of the applications are not an eligible Rural Development project expense.	
	Hourly Rate	\$120
	Expenses	
	Expenses include copies, postage, mileage at the IRS prevailing rate, travel and, if applicable, conference call fees, official statement printing, website fees and any incidental costs.	

**RESOLUTION #38-2015 PROFESSIONAL SERVICES AGREEMENT BETWEEN THE TOWN OF BETHANY AND MUNICIPAL SOLUTIONS, INC. FOR BONDING APPLICATION PREPARATION FOR EQUIPMENT**

**WHEREAS**, the Town Supervisor wishes to retain Municipal Solutions, Inc. to prepare the applications for loan funding for equipment at the rate quoted in the attached contract; now on

**MOTION** of Councilman Fluker duly seconded by Councilman Wenhold, be it

**RESOLVED** that the Bethany Town Board hereby authorizes the Supervisor to retain Municipal Solutions, Inc. for the aforementioned services and costs and to execute the agreement between the Town of Bethany and Municipal Solutions, Inc.

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

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

Municipal  
**Solutions, Inc.**  
Municipal Financial Advisors

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Carl Hyde, Jr.,  
Supervisor Town  
of Bethany  
10510 Bethany Center  
Road East Bethany,  
New York 14054

August 26, 2015

Dear Supervisor Hyde:

Municipal Solutions, Inc. is pleased to submit this updated contract in connection with the Town of Bethany's various general financial services for your consideration and approval.

Per the Municipal Securities Rulemaking Board's (MSRB) Rule G-17, we must have a current contract in place prior to work commencing. These new rules apply to all municipal financial advisors throughout the United States of America as of July 1, 2014. This contract must state fair market value rates and fees and be accepted by both the municipality and Municipal Solutions, Inc. We must, under rule G-17, show that we've acted in good faith with the issuer and to ensure the accuracy of representation in our contracts regarding the agreed upon scope and fees, whether the contract be a Preliminary Authorization to Proceed or a Full Contract.

The MSRB enforces the rules and regulations set by the Securities and Exchange Commission (SEC). Municipal Solutions, Inc. is registered as a recognized municipal advisor with the SEC (MS ID #867- 00383) and the MSRB (MS ID #F0173) as mandated by the Dodd-Frank Wall Street Reform and Consumer Protection Act (the Dodd-Frank Act).

This proposal is divided into the following parts and rates can be found in the attached Appendix B:

- I. Bond Anticipation Note Borrowings
- II. Long-Term Serial Bond Borrowing
- III. General Financial Services

**I. Bond Anticipation Note Borrowings**

The following items will be completed under this portion of the contract, if appropriate:

- 1) Working with the Town and its engineer, plan a cash flow for the borrowing in compliance with the regulations contained in the Tax Reform Act of 1986.
- 2) After cash flow completion, advise on the amount of the issue, timing of the sale and plan the optimum maturity date for the annual payment of the notes.
- 3) Complete a time-frame calendar for all items to be completed in connection with the sale.
- 4) If necessary, apply for municipal note insurance.
- 5) Prepare a Notice of Sale to be used in the advertisement of the sale and, if over \$1,000,000, prepare an Official Statement.
- 6) Prepare and convert Notice of Sale and Preliminary Official Statement files and upload to Municipal Solutions' website for electronic transfer to underwriters.

- 7) Conduct the BAN sale and make recommendation on the award of the lowest net interest cost bid.
- 8) Post sale results to Municipal Solutions' website.
- 9) Coordinate the preparation of BAN documents and the closing of the issue with bond counsel/Town attorney and the successful bidder.
- 10) Prepare, convert and arrange for distribution of the Final Official Statement to the required officials.
- 11) Coordinate necessary arrangements for the note closing with the purchaser of the notes.
- 12) If necessary, attend the closing.

## *II. Long-term Serial Bond Borrowing*

The following items will be completed under this portion of the contract, if appropriate:

- 1) Advise on the timing and amount of the bond issue.
- 2) Plan the optimum maturity date for the annual payment of the bonds.
- 3) Coordinate Board adoption of the bond resolution and other legal documents that may be required.
- 4) Complete a time-frame calendar for all items to be completed in connection with the sale.
- 5) Prepare an Official Statement and Notice of Sale to be used in the advertisement of the issue in compliance with the official compilation of codes, rules and regulations of the NYS Comptroller and the NYS Local Finance Law, and coordinate with bond counsel.
- 6) Complete the required debt statement and file with the State Comptroller.
- 7) Apply for a credit rating.
- 8) Qualify the issue for municipal bond insurance.
- 9) Prepare and convert Notice of Sale and Preliminary Official Statement files and upload to Municipal Solutions' website for electronic transfer to underwriters.
- 10) Arrange for the location and time of the sale. This would include qualifying the issue to receive bids electronically using the IPREO electronic bidding platform, conducting the sale and making a recommendation on acceptance of the bids.
- 11) Post sale results to Municipal Solutions' website.
- 12) Coordinate the use of book-entry bonds.
- 13) Prepare, convert and arrange for distribution of the Final Official Statement to the required officials.
- 14) Arrange for the printing and delivery of the bonds.
- 15) Coordinate closing arrangements with the purchaser of the bonds and other appropriate officials.

## *m. General Financial Services*

General financial services we can provide at an hourly rate, upon request, include:

- 1) Attend construction or other meetings, prepare reports on financial matters of the Town, assist with project and pre-referendum planning, long range and other planning issues, as required.

- 2) Assist the Town in the preparation of financial information that may be used for public discussion or presentation to the bond rating agencies.
- 3) Assist in the development of an operating budget, cash flow and operating expenses and offsetting revenue forecasts.
- 4) Prepare various maturity schedules for Town officials to determine repayment of anticipated borrowed funds for planning purposes.
- 5) Assist with debt service requirements for budgeting purposes.
- 6) Provide bookkeeping services in accordance with New York State Uniform System of Accounts for the project and monthly Balance Sheets, Revenue Detail and Expenses Detail reports to the Town.
- 7) Coordinate the completion of a single audit with a qualified auditor as required by Federal agencies.
- 8) Complete applications to exclude sewer, electric, or other debt from Town's Constitutional debt limit.
- 9) Provide other financial consulting services as may be requested by the Town.

If there are services performed beyond the scope of the project, or if the project ceases for any reason, an invoice for work completed will be due at the current hourly rate plus expenses. Invoices will be submitted periodically.

A separate contract for Continuing Disclosure Updates per the Securities Exchange Commission (SEC) regulations is not required by the Town at this time. However, if in the future the Town issues serial bonds over \$1,000,000, the Town's annual financial statements must be filed on the MSRB EMMA website per the SEC. If this is a service that you would like Municipal Solutions, Inc. to provide, a separate contract will be needed at that time.

Municipal Solutions, Inc. is a certified Women Business Enterprise through the New York State Department of Economic Development.

We at Municipal Solutions, Inc. operate with a core value of honesty and integrity in all aspects of our business. We pride ourselves in our competent and friendly staff and our services go above and beyond what our contracts call for. We do our very best to keep costs down and pass any savings back to our clients. If you have any concerns that are not addressed in this contract, we would be happy to discuss them with you at your convenience.

This contract shall be effective for a period of two (2) years from the date of issuance. Upon acceptance of this proposal, please execute both copies and return one to our Canandaigua office located at 2528 State Route 21, Canandaigua, New York 14424 at your earliest convenience. The terms set forth above are subject to change if we do not receive a signed contract within 45 days.

We look forward to our continued working relationship with the Town.

Jeffrey R Smith, President  
Certified Independent Professional Municipal

Advisor JRS/slw

*Town of Bethany, New York  
Contract Dated August 26,  
2015 General Financial  
Services Accepted by:*

Signature: \_\_\_\_\_

Name Title: \_\_\_\_\_

Date: \_\_\_\_\_

*APPENDIX A*

TOWN OF BETHANY, NEW  
YORK

Contract Dated August 26, 2015  
General Financial Services

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DISCLOSURE OF CONFLICTS OF  
INTEREST

The Municipal Securities Rulemaking Board requires us, as your municipal advisor, to provide written disclosure to you about the actual or potential conflicts of interest presented by various forms of compensation. We must provide this disclosure unless you have required that a particular form of compensation be used. You should select a form of compensation that best meets your needs and the agreed upon scope of services.

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Fixed fee - Under a fixed fee form of compensation, the municipal advisor is paid a fixed amount established at the outset of the transaction. The amount is usually based upon an analysis by the client and the advisor of, among other things, the expected duration and complexity of the transaction and the agreed-upon scope of work that the advisor will perform. This form of compensation presents a potential conflict of interest because, if the transaction requires more work than originally contemplated, the advisor may suffer a loss. Thus, the advisor may recommend less time-consuming alternatives, or fail to do a thorough analysis of alternatives. There may be additional conflicts of interest if the municipal advisor's fee is contingent upon the successful completion of a financing, as described below.

Hourly fee - Under an hourly fee form of compensation, the municipal advisor is paid an amount equal to the number *Of* hours worked by the advisor times an agreed-upon hourly billing rate. This form of compensation presents a potential conflict of interest if the client and the advisor do not agree on a reasonable maximum amount at the outset of the engagement, because the advisor does not have a financial incentive to recommend alternatives that would result in fewer hours worked. In some cases, an hourly fee may be applied against a retainer (*e.g.*, a retainer payable monthly), in which case it is payable whether or not a financing closes. Alternatively, it may be contingent upon the successful completion of a financing, in which case there may be additional conflicts of interest, as described below.

MUNICIPAL  
SOLUTIONS, INC.  
FEE SCHEDULE -  
2015

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Bond	All note fees are for new and/or renewal issues.
Anticipation	
Notes	
Revenue	
Anticipation	
Notes Tax	\$800 base plus \$120 /hour
Anticipation	
Notes	\$1,350
Negotiated	\$1,900
Borrowing	
Under	\$2,200
\$500,000	Base fee of \$4,400
(NOS only)	Plus \$175 per million (rounded up to next million)
\$500,000 -	
999,999 (NOS	
only) Over	
\$1,000,000 (No	
OS)	
\$1,000,000	
or more with	
OS	
Serial Bonds	
Under \$1,000,000	\$3,500
(NOS)	
Under \$1,000,000	
(No OS, w/ Statement	\$4,500
of Financial and	
Operating	Base fee of
Information)	\$8,000 Plus
With OS (any amount)	\$500
\$1,000,000-	Additional \$125 per million (rounded up to next million)
\$1,999,999	
\$2,000,000 -	
\$5,000,000	

APPENDIX B

MUNICIPAL  
SOLUTIONS, INC.  
FEE SCHEDULE  
-2015

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Bond	All note fees are for new and/or renewal issues.	
Anticipation		
Notes		
Revenue		
Anticipation		
Notes Tax	\$800 base plus \$120 /hour	
Anticipation		
Notes	\$1,350	
Negotiated	\$1,900	
Borrowing		
Under	\$2,200	
\$500,000		
(NOS only)	Base fee of \$4,400	
\$500,000 -	Plus \$175 per million (rounded up to next million)	
999,999 (NOS		
only) Over		
\$1,000,000 (No		
OS)		
\$1,000,000		
or more with		
OS		
Serial Bonds		
Under \$1,000,000	\$3,500	
(NOS)		
Under \$1,000,000		
(No OS, w/ Statement	\$4,500	
of Financial and		
Operating	Base fee of	
Information)	\$8,000 Plus	
	\$500	
With OS (any amount)		
	Additional \$125 per million (rounded up to next millions)	
\$1,000,000-		
\$1,999,999		
\$2,000,000 -	Hourly	
\$5,000,000	Rate	\$12
	0	
	Expenses	
	Expenses include copies, postage, mileage at the IRS prevailing rate, travel and, if applicable, conference call fees, official statement printing, website fees and any incidental costs.	

**Part-time Laborer – Hiring of – Adam Miller**

- Supervisor Hyde and Highway Superintendent Fleming wish to hire Adam Miller as a part-time laborer. Mr. Miller has been previously employed by the town as a part-time worker.

A **MOTION** was made by Councilman Fluker duly seconded by Councilwoman Neer to hire Adam Miller as a part-time laborer at the Highway Department.

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

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

**RESOLUTION #39-2015 REQUEST TO ATTEND EXCEL TRAINING – SUPERVISOR, CLERK, HIGHWAY SUPERINTENDENT, CEO – APPROVAL OF**

**WHEREAS**, the Supervisor, Town Clerk, CEO/ZEO, and Highway Superintendent are in need of training for EXCEL in order to perform their daily duties, and

**WHEREAS**, The Best Center at Genesee Community College is holding a class on October 16, 2015 at a cost of \$99.00 per person, now on

**MOTION** of Councilman Fluker duly seconded by Councilman Wenhold, be it

**RESOLVED** that the Town Supervisor, Town Clerk, CEO/ZEO and Highway Superintendent are hereby authorized to attend the October 16, 2015 EXCEL class at The Best Center at accost of \$99.00 per person.

Motion PASSED with the following Roll Call Vote:

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

**RESOLUTION #40-2015 ASSESSOR TRAVEL REQUEST – APPROVAL OF**

**WHEREAS** the Assessor is required to obtain 12 continuing education credits for Assessors each year, and

**WHEREAS** the Assessor is requesting permission to attend the the 2015 Annual Assessment Administration Conference to be held in Ellenville, NY from October 4-5, 2015 in order to fulfill this requirement, and

**WHEREAS** the the cost of attending the conference will be divided between the four towns that the Assessor serves in, and

**WHEREAS** the are funds in the Assessor’s budget to cover the cost of attending the conference, now on

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

**RESOLVED** that the Town Board approves the travel request of the Assessor to the 2015 Annual assessment Administration Conference in Ellenville, NY from October 4-6, 2014 with the cost to be divided equally between the towns of Darien, Pembroke, Attica and Bethany.

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

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

**Justice Audit**

- Supervisor Hyde noted that he received a letter from the Unified Justice Court Services asking for a copy of the most recent audit of the Justice Court records. They last audit they had received was for the year 2012.
- Supervisor Hyde would like a volunteer from the Board to perform the audit.
- The audit must be performed and postmarked within 60 days.

**Alexander Youth Recreation Report**

- The Alexander Youth Recreation Report noted that the Town of Bethany had 28 participants in 2014.

**Warrant**

- The Board approved payment of the bills as follows:

	<u>Prepaid</u>	<u>Total</u>
General Fund	\$ 9,114.62	\$ 18,036.14
Highway Fund	\$ 0.00	\$ 85,150.95
Trust & Agency	\$ 0.00	\$ 0.00
Highway Capital Funds Project	\$ 0.00	\$ 0.00
Fire Protection Fund	\$ 0.00	\$ 0.00
Water Fund	\$ 0.00	\$ 463.75
Justice Fund	\$ 0.00	\$ 0.00

**Adjournment**

A **MOTION** was made by Councilman Fluker duly seconded by Councilwoman Neer to adjourn the meeting at 9:08 p.m. The motion **PASSED** with All In Favor.

BY ORDER OF THE  
 BETHANY TOWN BOARD  
 DATED: September 17, 2015

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