

TOWN OF BETHANY

REGULAR TOWN BOARD MEETING

08 February 2016

Supervisor Hyde opened the February 8, 2016 Town Board Meeting at 7:00 p.m. with the Pledge of Allegiance followed by a prayer offered by Councilman Embt.

Town Officials in Attendance were:

Carl Hyde, Jr., Supervisor	Daniel Adams, Councilman
Timothy Embt, Councilman	Debbie Douglas, Town Clerk
Joel Merle, Highway Superintendent	William Shea, Town Justice
Linda Schmidt, Historian	

Town Officials Absent were:

Susan Neer, Councilwoman	Jeffrey Fluker, Councilman
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Attendees to the Meeting were:

Maelynn Hyde	Don Schmidt
Gary Donnelly	Greg Miller
Carl Hyde	Cathy Hyde
Barb Czworka	Joe Nowakowski
Greg Dermody	Hunter Doran
Trinity Reynolds	Kala Wright
Adam Miller	

FINANCES

Supervisor Hyde presented the finances for January 2016.

General Savings	\$1,228,800.40
Highway Savings	\$ 348,732.41
Capital Project Highway	\$ 69,458.65
AP/PR Account	\$ 42,311.52
Trust & Agency Account	\$ 15,739.76
Petty Cash	\$ 200.00

Total	\$ 1,705,242.74
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Revenues Received	
Debbie Douglas, Town Clerk	\$ 2,762.67
Debbie Douglas, Tax Collector	\$ 411,383.00
Bruce Smith	\$ 10.00
County of Genesee	\$ 134,001.36
Bethany Justice – William Shea	\$ 3,049.00

Total Revenue	\$ 551,206.03
Total Interest	\$ 31.99
Total Revenue	\$ 551,238.02

Town Clerk Report – Debbie Douglas

- Presented the Minutes of the January 11, 2016 Organizational & Regular Town Board meeting.

A motion was made by Councilman Adams and seconded by Councilman Embt to approve the Minutes of the January 11, 2016 Organizational & Regular Town Board meeting as presented. The motion passed with All In Favor.

- Provided update concerning the VPO (Village Post Office). Projected opening is March 21.
- Noted that there is a number for taxpayers to call to check on the property tax rebate check that is expected to be coming shortly.
- RTS is conducting a study of services in the area to analyze ridership.
- The Clerk's Monthly Report and Bank Statements for January were reviewed by the Town Board.

Highway Superintendent Report – Joel Merle presented by Supervisor Hyde

- Adam Miller has been hired for the full-time MEO position.
- Has decided not to sign the Shared Services agreement with New York State. Feels that the agreement is weighted in the State's favor.
- 400 ton of road salt has been used so far this year.
- With the weather being good, potholes are being patched.
- 20 feet of water line was replaced in the men's room at the Highway Garage due to a corroded pipe.
- A limb on Mill Road needs to be trimmed and may need to be contracted out.
- Noted that he is not happy that new trucks were ordered.

Town Justice Report – Bill Shea

- Court has been quiet.
- Justice McBride's Monthly report for January 2016 was reviewed by the Board.

Historian Report – Linda Schmidt

- Has several requests that she is working on including one to locate monuments in the Town.

Board Committee Reports**Councilwoman Neer by Supervisor Hyde**

- The Craddock's are purchasing the Attica Intercommunity Medical Building. The paperwork is being completed. After the closing, the funds will be distributed to the investment group in accordance with the percentage of their original investment.

Councilman Embt

- The January ZBA meeting was rescheduled for February 17 at 7:30 p.m.

Councilman Adams

- Planning Board met and approved a Land Separation Application submitted by Carl & Catherine Hyde.

OLD BUSINESS**Transfer Station – Update**

- ARC announced that their sorting line will be shut down indefinitely on February 1 and laying off 14 people.

- Supervisor Hyde has talked with Wyoming Correctional Facility and is making arrangements to take recyclables there. They will not charge a fee and will accept everything except glass.
- At this time, the Transfer Station is no longer losing money and over the last six months is running approximately \$1,000 in the black.

Water Districts – Update

- Notification has been received from G & G Process Services that the Median Household income surveys have been completed for the proposed Creek/Putnam Road district.
- Ag & Markets and the DEC have signed off on Water Districts 2 & 3.
- A resident on Bethany Center Road is currently petitioning for water on Bethany Center Road from Batavia-Bethany Townline Road to Route 20.

Resolution #7-2016 2016 Agreement for the Expenditure of Highway Moneys – Approval of

AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS

Agreement shall take effect when it is approved by the County Superintendent of Highways.

Agreement between the town Highway Superintendent of the Town of Bethany, County of Genesee, State of New York and the undersigned members of the Town Board.

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highway, and received from the State for State Aid for the repair and improvement of highways shall be expended as follows:

GENERAL REPAIRS AND PERMANENT IMPROVEMENTS: The sum of \$200,000.00 shall be set aside to be expended for primary work and general repairs upon 30.84 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

No moneys set aside for such permanent improvements shall be expended, nor shall any work be undertaken on such improvements, until the County Superintendent of Highways approves the plans, specifications and estimates for such construction.

Executed in duplicate this ___ day of _____ 20__.

Supervisor _____

Councilperson _____

Councilperson _____

Councilperson _____

Councilperson _____

The foregoing agreement is hereby approved this ___ day of _____ 20__.

Town Highway Superintendent _____

NOTE: THIS AGREEMENT SHOULD BE SIGNED IN DUPLICATE BY A MAJORITY OF THE MEMBERS OF THE TOWN BOARD AND BY THE TOWN HIGHWAY SUPERINTENDENT.

One copy to be filed with the Town Clerk, one copy for the County Superintendent of Highways and no copies to Albany.

On **MOTION** made by Councilman Adams duly seconded by Supervisor Hyde, approval is granted for the signing of the 2016 Agreement for the Expenditure of Highway Moneys.

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

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

NEW BUSINESS

Resolution #8-2016 Hall Use Agreement – Amendment of

WHEREAS, the Town’s insurance company has asked for some amendments to the Town’s Hall Use Agreement for use of the Community Center, the following was offered,

**BETHANY COMMUNITY CENTER
HALL USE AGREEMENT**

Make arrangements to pick up the key from the Town Clerk prior to your event. Decorations may be affixed to the walls with masking tape only.

If a caterer is used, arrangements must be made with the Bethany Volunteer Fire Company for use of the kitchen. **If arrangements have not been made with the Fire Company, the renter is responsible for making sure no one enters the kitchen. If it is found that anyone was in the kitchen without permission of the Fire Company, the renter is responsible for full rental fee of the kitchen and for any damaged caused in the kitchen.**

There is **NO SMOKING** allowed in the building at any time.
If a liquor license is required, it is the responsibility of the party using the hall.

The use of outside caterers is permitted with arrangements through the Bethany Volunteer Fire Company. Proof of insurance is required.

Tables and chairs must be lifted to be moved (not dragged) as this will scratch the floor. At the conclusion of the event the hall should be left set up as detailed by photo on the back of this document. There is also a photo on the bulletin board in the hall. All other tables, chairs, etc. must be put away.

Cost of using the Hall is fifty dollars (\$50.00) per day for Bethany residents. **In the case of Bethany residents renting the hall, the event must be hosted and paid for by the resident. Bethany residents are not allowed to rent the hall for use by non-resident’s.** Non-residents may rent the hall at a cost of four hundred dollars (\$400.00) per day.

A refundable deposit of one hundred dollars (\$100) is required at the time of booking for cleaning, damage, etc. The hall must be broom clean upon leaving unless other arrangements have been made. The deposit will be returned by mail after the hall is inspected unless other arrangements have been made.

Call 911 in the event of an emergency. A public phone is located in the kitchen closet should it be needed. After contacting 911 contact the Town Supervisor at 585-356-2658.

I, the undersigned is over 21 years of age and has read this form and regulations and agrees to comply with them. He/she agrees to be responsible to the municipality for the use and care of the facilities. He/she does hereby covenant and agree to defend, indemnify and hold harmless the Town of Bethany from and against any and all liability, loss, damages, claims, or actions (including costs and attorney’s fees) for bodily injury and /or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of the Town of Bethany’s property, facilities and/or services by the undersigned.

Print Name _____
Address _____
Phone _____

- Resident
- Non-Resident
- Fire Dept. Member

Reservation Date(s): _____ Approx. # of people attending _____
 _____ Time entering hall _____
 _____ Time leaving hall _____

Signature _____ Date _____
 Cleaning Deposit \$ _____ Rental Fee \$ _____
 Check # _____ Check # _____

On **MOTION** of Councilman Embt duly Seconded by Councilman Adams, the Hall Use Agreement for use of the Community Center is hereby amended.

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

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

Comprehensive Plan – Work Session – Setting of

- The Town Board will tentatively meet to work on the Comprehensive Plan on Thursday, March 3, 2016 at 7:00 p.m.

Resolution #9-2016 Authorizing the Town Supervisor to Sign the 2016 Shared Services Agreement

WHEREAS, it is necessary, on occasion to exchange equipment and employees with other municipalities within Genesee County in order to complete projects and/or handle emergency situations; and

WHEREAS, this arrangement also helps to lessen the financial burden of each participating municipality; and

WHEREAS, it is in the best interest of the Town of Bethany, to renew the Highway Shared Services Agreement allowing the Highway Superintendent to exchange equipment and employees with other participating municipalities, now on

MOTION of Councilman Embt duly seconded by Councilman Adams, be it

RESOLVED, that Supervisor Hyde is hereby authorized to sign the Highway Shared Service Agreement.

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

Deputy Historian – Appointment of

On **MOTION** of Councilman Adams, duly seconded by Councilman Embt Donald Schmidt is hereby appointed Deputy Historian.

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

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

Deputy Registrar – Appointment of

- Cindy Schafer has moved from town earlier than anticipated leaving a vacancy in the Deputy Registrar position.

- Sue Neer has agreed to fill that position until such time as a new Deputy can be found.

On **MOTION** of Councilman Adams, duly seconded by Councilman Embt Susan Neer is hereby appointed Deputy Registrar.

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

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

Renewal of Accounting Consulting Services Contract – Municipal Solutions, Inc. – Approval of

- Supervisor Hyde has requested that the contract with Municipal Solutions, Inc. for accounting consulting services be renewed for 2016.
- The price will remain the same and the number of hours required will be much less than last year because many of the problems have been corrected.

On **MOTION** of Councilman Adams, duly seconded by Councilman Embt, Supervisor Hyde is authorized to enter into the 2016 contact for accounting consulting services with Municipal Solutions.

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

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

Court Audit – Scheduling of

- Supervisor Hyde received notice from the New York State Unified Court System stating that the Justice Courts records are to be audited every January. Nothing in any of the instructions he received stated this.
- Supervisor Hyde will seek volunteers from the Board to perform this audit as soon as possible.

Ambit Energy – Joe Nowakowski

- Joe Nowakowski and his business partner Greg Dermody spoke about energy deregulation and how their company could reduce energy costs.

Warrant

- The Board approved payment of the bills as follows:

	<u>Prepaid</u>	<u>Total</u>
General Fund	\$ 8,458.21	\$ 16,223.63
Highway Fund	\$ 0.00	\$ 18,345.96
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	\$ 0.00
Justice Fund	\$ 0.00	\$ 1,209.00

Adjournment

A **MOTION** was made by Councilman Adams, duly seconded by Councilman Embt to adjourn the meeting at 7:40 p.m. The motion **PASSED** with All In Favor.

BY ORDER OF THE
BETHANY TOWN BOARD
DATED: February 9, 2016

Respectfully Submitted,

Debbie L. Douglas, RMC
Bethany Town Clerk