

TOWN OF BETHANY

REGULAR TOWN BOARD MEETING

13 FEBRUARY 2017

Supervisor Hyde opened the February 13, 2017 Regular Town Board Meeting at 7:00 p.m. with a prayer offered by Councilman Embt followed by the Pledge of Allegiance.

Town Officials in Attendance were:

Carl Hyde, Jr., Supervisor	Daniel Adams, Councilman
Jeffrey Fluker, Councilman	Timothy Embt, Councilman
Daniel Street, Councilman	Debbie Douglas, Town Clerk
Thomas Douglas, CEO/ZEO	William Shea, Town Justice
Linda Schmidt, Historian	Donald Schmidt, Deputy Historian

Town Officials Absent were:

Joel Merle, Highway Superintendent

Attendees to the Meeting were:

Maelynn Hyde	Gary Donnelly
Deb Donnelly	Greg Miller
Tina Frank	Don Frank
Diane Fowler, Planning Board Chair	Ramon Cipriano

FINANCES

Supervisor Hyde presented the finances for January 2017.

General Savings	\$1,369,250.18
Highway Savings	\$ 401,305.58
AP/PR Account	\$ 75,920.80
Trust & Agency Account	\$ 5,446.25
Highway Checking	\$ 2,025.13
Highway Reserve Savings	\$ 535.80
Petty Cash	\$ 200.00
 Total	 \$ 1,854,683.74

Revenues Received	
Debbie Douglas, Town Clerk	\$ 2,875.48
Debbie Douglas, Tax Collector	\$ 431,441.22
County of Genesee	\$ 129,712.25
County of Genesee S & I	\$ 59,944.29
US Post Office	\$ 100.00
William Shea, Justice	\$ 1,375.00
Thomas McBride, Justice	\$ 1,621.00
 Total Revenue	 \$ 627,069.24
Total Interest	\$ 37.50
Total Revenue	\$ 627,106.74

Town Clerk Report – Debbie Douglas

- Presented the Minutes of the January 9, 2017 Organizational & Regular Town Board meeting.

A motion was made by Councilman Fluker and seconded by Councilman Street to approve the Minutes of the January 9, 2017 Organizational & Regular Town Board meeting as presented. The motion passed with All In Favor.

- The Clerk's Monthly Report and Bank Statements for January were reviewed by the Town Board.

Highway Superintendent Report – Joel Merle

- Not much snow in February, however wind and freezing rain required 31 plow/sanding runs in the last month.
- Truck 1202 Peterbilt had to have an airbag and the driveshaft replaced. Truck is up and running
- There have been a lot of tree branches to clean up due to the high winds we have been getting.
- The road widener is being worked on so it will be ready for spring. This is a piece of shared equipment.
- The tree that was down in the Putnam Cemetery has been cut up and cleared away.
- Jeff Price was in to give a quote for hooking up the generator to the panel box. When the panel box was replaced the generator was not wired in. The generator is necessary to operate doors and fuel pumps during a power outage.

CEO/ZEO Report – Thomas Douglas

- Attended the NFBOA conference in January where he received his mandatory training hours for the year.
- One of the topics of the conference was zombie houses.
 - o Servicers (companies hired by the banks) are responsible for the maintenance of the abandoned houses.
 - o There is a registry that is available to municipalities that is supposed to include all properties in foreclosure in the town. Only information pertaining to the Town of Bethany would be available to the Town of Bethany.

Town Justice Report – Bill Shea

- Sheriff's Department will be fully staffed with Deputies next month.
- The new Sheriff is working on a plan that would alleviate the need for Deputies to do the transfer of inmates, freeing them up for road patrol.
- Justice Shea's monthly report for the month of January and Justice McBride's reports for the months of December and January were reviewed by the Board.

Historian Report – Linda Schmidt

- Have received some requests for information.
- Presented her annual report to the Board.
- Organizing the Town's historical acquisitions.
- Located the cannon and oxen yoke that were donated to the Holland Land Office Museum and will be taking pictures for the Town's records.

Board Committee Reports**Councilman Adams**

- o February's Planning Board meeting was cancelled for lack of a quorum for the second month in a row.
- o Supervisor Hyde noted that this has become a real problem because of the vacant seats. If no one can be found to fill the seats, the Town

Board will seriously have to consider reducing the size of both the Planning Board and the Zoning Board of Appeals. At present there are 2 vacant seats on the ZBA and 1 regular seat and the secretary/alternate position vacant on the Planning Board. This has been a problem for 2 years now.

Councilman Fluker

- o Things are going well at the Fire Department. Have gained two new members.
- o The Route 63 and Fargo Road area is still a problem (accidents). People do not slow down enough for the curves.
- o Tom Douglas noted that the City of Batavia will be having a CFR/EMR beginning March 16 if any of the Fire Department’s members are interested.

Councilman Embt

- o No applications for the ZBA.
- o Attended the Genesee County Legislature meeting where legislation to allow rifle hunting in Genesee County was passed.

Councilman Street

- o Attended the Tonawanda Creek Water Shed Committee meeting on January 25. The map of recreational areas is almost ready to print.
- o Attended the Black Creek Water Shed Committee meeting on January 26. Working on designating tree planting areas that will prevent erosion. Also looking at areas where people are mowing up to the creek and preventing that from happening.

OLD BUSINESS

RESOLUTION #10-2017 AUTHORIZING THE INSTALLATION OF SECURITY CAMERAS USING JCAP GRANT FUNDS AND TOWN FUNDS

WHEREAS, the Town of Bethany Justice Court requested and received partial funding for the installation of security cameras in the amount of \$7,363.62, and

WHEREAS, Russell Alarm, LLC will install security cameras in the Town Hall, Highway Department and the Transfer Station for a total of \$13,307.92, and

WHEREAS, the Town Board expressed their approval of appropriating the JCAP grant funding for the installation of security cameras in their Resolution #51-2016 on September 12, 2016, and

WHEREAS, the balance owed for the installation of the cameras will be \$5,944.30, now

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

RESOLVED that security cameras will be installed in the Town Hall, Highway Department and the Transfer Station by Russel Alarm, LLC, and be it

FURTHER RESOLVED that the total cost of the installation will be \$13,307.92 with JCAP grant funding paying \$7,363.62 and the Town paying \$5,944.30.

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

Supervisor Hyde – Yes	Councilman Adams – Yes
Councilman Fluker - Yes	Councilman Embt – Yes
Councilman Street – Yes	

RESOLUTION #11-2017 BID AWARD – 2017 PICKUP TRUCK

WHEREAS, bids were requested for the purchase of a new 2017 Ford F250, 4x4, Super Cab as authorized by the Town Board on December 12, 2016, and

WHEREAS, bids were received and opened at the Regular Town Board meeting held on January 9, 2017, and

WHEREAS, the Town Board voted to table the awarding of the bid until the next regular Town Board meeting to be held on February 13, 2017 to allow Highway Superintendent Merle time to review each bid, and

WHEREAS, after review, the Highway Superintendent is recommending that the bid be awarded to Kelly Motor Corp. in the amount of \$34,600.00. The bid from Kelly Motors is not the lowest bid, however, the lowest bid of \$34,393.00 is from West Herr New York which is located in Hamburg, NY. The Highway Superintendent feels that it would not be cost effective to travel that distance for maintenance, service, and warranty work, now,

On **MOTION** of Councilman Fluker, duly seconded by Councilman Street, be it

RESOLVED that on the recommendation of Highway Superintendent Merle the bid is hereby awarded to Kelly Motor Corp., 2811 Route 246, Perry, NY 14530 in the amount of \$34,600.00.

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

Supervisor Hyde – Yes	Councilman Adams – Yes
Councilman Fluker - Yes	Councilman Embt – Yes
Councilman Street – Yes	

Bond Sale – Tractor

- The sale of the bonds for the tractor occurred on February 9.
- The bond is in the amount of \$111,000 and received 4 bids.
- Roosevelt & Cross, Inc. was awarded the bid at 1.73% for 5 years.
- The tractor has been ordered and the frame and mower are being installed.

Community Center – ADA Upgrade

- Construction drawings by Clark Patterson Lee for the bathroom renovations have been sent over for review.
- CEO Douglas is in the process of reviewing them and Supervisor Hyde will arrange a conference call with the engineer so that CEO Douglas can ask any questions he may have concerning the design.

Community Center Rehab – Update

- Painting, stripping and sealing floors and new cove molding along the floor has been completed at the cost of approximately \$1,500.00.

- Supervisor Hyde has scheduled time for the inmates from Wyoming Correctional Facility to return in March. At this time he would like to have them paint the ceiling grids and heat vents and then replace the ceiling tiles. He would also like to have them install a chair rail to match the existing chair rail that goes part way around the room at the cost of approximately \$3,100.

A **MOTION** was made by Councilman Adams, duly seconded by Councilman Fluker, to have the inmates paint the ceiling grids and heat vents, replace the ceiling tiles and install a chair rail in the Community Center.

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

Supervisor Hyde – Yes	Councilman Adams – Yes
Councilman Fluker - Yes	Councilman Embt – Yes
Councilman Street – Yes	

Transfer Station – Update

- The figures for the past seven months show the Transfer Station at approximately -\$1300.
- Supervisor Hyde will continue to monitor the situation. It has improved over the past numbers of -\$8-12,000.

Foodlink – Update

- The first Foodlink truck will be at the Bethany Community Center on March 18. All items given away are perishable food items.
- Volunteers will be needed to work that morning.
- Exact times have not been determined yet but tentatively 8:00 am until noon.
- There are no financial requirements and no financial information will be gathered. The only information gathered will be the number of adults, children and seniors in the household.
- The Fire Department will also be delivering bags to shut-ins in town.

Internet Update – Ramon Cipriano

- In speaking with Tom Hare of Empire Access, Ray has learned that it will be difficult to get affordable internet into Bethany due to the small population.
- Supervisor Hyde noted that he had also spoken to Empire Access and that they are compiling a list of perspective customers and they provided a phone number to call to express interest in getting service. This list is used when they consider expanding their area. The more people interested, the more likely it is to get the service. The number to contact is available at the Town Hall.

NEW BUSINESS

Presentation of Special Use Permit Applications by CEO/ZEO Douglas

- Two applications have been received from United Wind for wind energy conversion systems.
 - o SUP1701 – Justin Washburn, 4386 Conway Road
 - This application requires that 2 Variance Applications be approved prior to the approval or denial of the Special Use Permit.
 - AV1703 is requesting a height variance of 80 feet.

- AV1704 is requesting a setback variance for two separate neighboring properties.
- SUP1702 – Steve Breckenridge, 10171 Francis Road
 - This application also requires variances at this time but modification of the application is being considered by United Wind.
- CEO Douglas noted that these variances are substantial. Supervisor Hyde ask that the liaisons for both the Town Planning Board and the Zoning Board of Appeals notify the other members of the Town Board if they are unable to attend the meetings of these boards. Someone else on the Town Board will attend in their place.

Area Variance Application – Norton

- CEO Douglas also informed the Board that there is an Area Variance application in the process for a land separation that is requesting 4 area variances. The configuration of the buildings and the property predate the Town’s zoning law however, the variances requested are substantial.

RESOLUTION #12-2017 AGREEMENT FOR CLEANING OF TOWN FACILITIES – WARREN’S COMMERCIAL CLEANING, INC. – APPROVAL OF

WHEREAS, the Town Supervisor wishes to retain Warren’s commercial Cleaning, Inc. for cleaning of the Town’s facilities, and

WHEREAS, the cost per week will be \$104.00 with the terms to be effective from February 14, 2017 – February 13, 2018, now on

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

RESOLVED that the Bethany Town Board hereby authorizes the Supervisor to execute the agreement between the Town of Bethany and Warren’s Commercial Cleaning, Inc.

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

- | | |
|-------------------------|------------------------|
| Supervisor Hyde – Yes | Councilman Adams – Yes |
| Councilman Fluker - Yes | Councilman Embt – Yes |
| Councilman Street – Yes | |

RESOLUTION #13-2017 PROFESSIONAL SERVICES AGREEMENT BETWEEN THE TOWN OF BETHANY AND MUNICIPAL SOLUTIONS FOR ACCOUNTING CONSULTING SERVICES – JOHN SAVASH

WHEREAS, the Town Supervisor wishes to retain John Savash of Municipal Solutions, Inc. for accounting consulting services at the annual cost of \$4,500.00 with the exception of time spent entering 2016 information for various financial reports. This fee will be \$95.00 per hour. Now on

MOTION of Councilman Fluker duly seconded by Councilman Street, be it

RESOLVED that the Bethany Town Board hereby authorizes the Supervisor to execute the agreement between the Town of Bethany and Municipal Solutions.

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

Supervisor Hyde – Yes
Councilman Fluker - Yes
Councilman Street – Yes

Councilman Adams – Yes
Councilman Embt – Yes

Governor Cuomo’s State Budget Briefing

- Supervisor Hyde spoke concerning the Governor’s proposed State budget.
 - o The Governor is pushing for consolidation so that there will be only 52 units of government in the state (counties). He is requesting at all local governments come up with a plan for consolidating with another local government.
 - o Is mandating payment of indigent legal services for anyone making \$60,000 or less.
- The legislation to make New York State a sanctuary state for illegal immigrants has passed in the Assembly by 7 votes.

Public Comment

- Gary Donnelly who lives directly across the street from the Town Hall and Community Center wanted to address Highway Superintendent Merle and was dismayed that he was not in attendance at the meeting.
 - o He wanted to know why there would be a reason to be plowing the Town Hall/Community Center parking lot at 6:00 am on a Sunday. The noise of the backup beeper wakes him and his wife. He feels that the parking lot is plowed when it is not necessary and that it is a waste of time and money.
 - o Supervisor Hyde gave him Highway Superintendent Merle’s phone number so that he could contact him concerning the matter.

Warrant

- The Board approved payment of the bills as follows:

	<u>Prepaid</u>	<u>Total</u>
General Fund	\$ 4,428.19	\$ 15,208.53
Highway Fund	\$ 300.00	\$ 18,627.97
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	\$ 1,103.00	\$ 1,103.00

Adjournment

A **MOTION** was made by Councilman Fluker, duly seconded by Councilman Adams to adjourn the meeting at 8:25 p.m. The motion **PASSED** with All In Favor.

BY ORDER OF THE
BETHANY TOWN BOARD
DATED: February 14, 2017

Respectfully Submitted,

Debbie L. Douglas, RMC
Bethany Town Clerk