

TOWN OF BETHANY

REGULAR TOWN BOARD MEETING

13 JULY 2020

Supervisor Hyde opened the July 13, 2020 Town Board Meeting at 7:03 p.m. with the Pledge of Allegiance.

*****Please note that this meeting is being held outside of Executive Order 202.1. The Town of Bethany is not technologically equipped to hold virtual meetings and therefore, must meet in person to conduct essential business. The public is welcome to attend however, facial covering and social distancing regulations must be adhered to.**

Town Officials in Attendance were:

- | | |
|----------------------------|----------------------------|
| Carl Hyde, Jr., Supervisor | Jeffrey Fluker, Councilman |
| Daniel Street, Councilman | Diane Fowler, Councilwoman |
| Debbie Douglas, Town Clerk | Thomas Douglas, CEO/ZEO |
- Barbara Czworka, Highway Superintendent

Town Officials Absent were:

- Timothy Embt, Councilman

Attendees to the Meeting were:

- | | |
|----------------|-------------------|
| Phil Sortore | Joe Nowakowski |
| Bill Elsasser | Maud Charpin |
| Chris Krtanik | Jim Pietrzykowski |
| Gavin Townsend | Ivor Townsend |
| Greg Miller | Mark George |
| Tina Frank | Don Frank |
| Sandy Fluker | Gary Donnelly |
| Ray Ladd | Laura Ladd |

FINANCES

Supervisor Hyde presented the finances for June 2020.

General Fund	\$1,066,794.02
Highway Fund	\$ 707,439.02
AP/PR Account	\$ 81,584.03
Trust & Agency Account	\$ 3,491.77
Highway Checking	\$ 2,682.28
Supervisor	\$ 455,019.72
Water District #2	\$ 51,724.37
Petty Cash	\$ 200.00
Total	\$ 2,368,935.21
Revenues Received	
Debbie Douglas, Town Clerk	\$ 605.28
Highway – Health Insurance Prem.	\$ 157.62

Total Revenue	\$	762.90
Total Interest	\$	190.83
Total Revenue	\$	953.73

PUBLIC HEARINGS

Special Use Permit Application (SA20010) – Ladd Pond

- Supervisor Hyde opened the public hearing at 7:03 p.m. for the Special Use Application (SA20010) submitted by Raymond and Laura Ladd for the construction of a pond on their property located at 10900 East Road (TMP# 11.-1-10.11).
- No one spoke concerning the application.
- Recommendations of approval were received from the Town Planning Board and the Genesee County Planning Board.
- Supervisor Hyde closed the public hearing at 7:15 p.m.

Proposed Local Law Extending the Moratorium on Large Scale Solar Installation For Six Months

- Supervisor Hyde opened the public hearing at 7:03 p.m. for the proposed local law extending the moratorium on large scale solar installations for six months.
- The Planning Board was unable to meet during the COVID-19 health emergency and therefore requires more time to finish their work on the regulations for large scale solar installations.
- Two residents noted that they agreed with the extension. No one else spoke.
- Supervisor Hyde closed the public hearing at 7:21 p.m.

Town Clerk Report – Debbie Douglas

- Presented the Minutes of the June 8, 2020 Regular Town Board meeting.

A motion was made by Councilman Fluker, duly seconded by Councilman Street, to approve the minutes of the June 8, 2020 Regular Town Board meeting as presented. Motion passed with All In Favor.

- Presented the Minutes of the June 22, 2020 Special Town Board meeting.

A motion was made by Councilman Fluker, duly seconded by Councilwoman Fowler, to approve the minutes of the June 22, 2020 Special Town Board meeting as presented. Motion passed with All In Favor.

- Presented the Minutes of the June 25, 2020 Special Town Board meeting.

A motion was made by Councilwoman Fowler, duly seconded by Councilman Street, to approve the minutes of the June 25, 2020 Special Town Board meeting as presented. Motion passed with All In Favor.

- Presented the Minutes of the July 1, 2020 Special Town Board meeting.

A motion was made by Councilman Street, duly seconded by Councilman Fluker, to approve the minutes of the July 1, 2020 Special Town Board meeting as presented. Motion passed with All In Favor.

- The Clerk’s Monthly Report and Bank Statements for June 2020 were reviewed by the Town Board.

CEO/ZEO Report

- The Zoning Board of Appeals approved two variance applications. There are two more variance applications in process.
- Two permits were issued and working on two more.

- Will be doing road review now that things are opening up a bit.

Highway Superintendent Report – Barbara Czworka

- Feels that the Town Board should sign the Mowing and Ice & Snow Removal contract with Genesee County. Thinks that it pays for the salt.
- Says that even if the town gives up its roads, it will need to pay other towns to maintain them.
- Highway Superintendent cannot mow per the union.
- There is a branch that needs to be taken care of at Brown and Francis Road.

Town Justice Report – Justice McBride and Justice Shea

- Justice McBride's reports for May and June were presented to the Board.
- Justice Shea's report for February was presented to the Board.

Board Committee Reports

Councilman Street

- The Planning Board is continuing to work on the solar regulations along with reviewing applications mentioned by CEO Douglas.

Councilman Fluker

- As always, the Fire Department needs volunteers. Please come to the Fire Hall on any Monday evening if interested in volunteering.

Councilwoman Fowler

- The Water Resource Agency will not be meeting until October.
- Clarification concerning recent news reports that Batavia was having a water shortage. The issue was not with the amount of water but the lack of enough pump stations. New pump stations are being planned. During the recent heat wave the existing pumps were trying to pump 5 million gallons of water per day.

Supervisor Hyde

GAM (Genesee Association of Municipalities)

- GAM is in recess until September

Sales Tax Revenue Sharing (Please see earlier minutes regarding this issue for more detailed information.)

- Towns do not expect to receive any further sales tax revenue from the County.
- The legislature is meeting in executive session with the County Attorney this evening concerning revenue sharing.
- If the county were to share revenue in the future everyone would have to enter into a new agreement which would take time.

OLD BUSINESS

Water District #4 – Update

- Construction will begin on August 1st.

Water District #5 – Update

- The Intermunicipal Agreement with Genesee County should be in front of the Legislature at their July 22 meeting.
- Councilwomen Fowler asked if this agreement is binding. It is not a contract. If the county can back out of the Sales Tax Revenue Sharing Agreement, can they back out of the Intermunicipal Agreement for Water District No. 5? Supervisor Hyde noted that he talked to the County Attorney and he assured him that the agreement for the water district is binding.

RESOLUTION #32-2020 AMENDMENT TO EXTEND THE ORIGINAL AGREEMENT BETWEEN THE TOWN OF BETHANY AND MUNICIPAL SOLUTIONS FOR WATER DISTRICT NO. 5

WHEREAS, the Town Supervisor wishes to extend the agreement with Municipal Solutions, Inc. for Water District No 5 for an additional 24 months, and

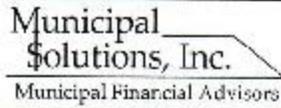
WHEREAS, the total fee for the contract will remain at \$52,000. Now on

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 Embt – Absent | Councilman Street – Yes |
| Councilwoman Fowler – Yes | |



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

June 14, 2020

Dear Supervisor Hyde:

Municipal Solutions, Inc. is submitting this amendment to extend our original contract dated June 14, 2018 for an additional 24 months and update to our 2020 Fee Schedule.

The total fee for this contract will remain at \$52,000.

Upon acceptance of this proposal, please execute and return one copy to our LeRoy office located at 62 Main Street, LeRoy, New York 14482 following the next Board meeting. The terms set forth above are subject to change if a signed contract is not received within 30 days.

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

Sincerely,

Jeffrey R. Smith, President
 Certified Independent Professional Municipal Advisor

JRS/slw

**Town of Bethany, New York
 Amendment No. 1 to Contract Dated June 14, 2018
 Water District No. 5 Project
 Accepted by:**

Signature: _____

Name/Title: _____

Date: _____

Municipal Solutions, Inc. is a Member of the National Association of Municipal Advisors
 62 Main Street, LeRoy, NY 14482 Phone: 585-768-2176 Fax: 585-394-4092
 2528 State Route 2., Canandaigua, NY 14124 Phone: 585-394-4090 Fax: 585-394-4092
www.municipalsolution.com

APPENDIX A

TOWN OF BETHANY, NEW YORK
Amendment No. 1 to Contract Dated June 14, 2018
Water District No. 5 Project

DISCLOSURE OF CONFLICTS OF INTEREST

Municipal Securities Rulemaking Board Rule G-42 requires us, as your municipal advisor, to provide written disclosure to you about material conflicts of interest.

We have determined, after exercising reasonable diligence, that we have no known material conflicts of interest that would impair our ability to provide advice to the Town in accordance with our fiduciary duty to municipal entity clients. The attached paragraphs outline areas of potential conflicts of interest we have reviewed to make this no material conflict of interest determination.

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.

Bethany, T. / C. Hyda, Jr.

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June 14, 2020

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 - 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). 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 for the purpose of increasing the advisor's compensation.

From time to time Municipal Solutions, Inc. does provide municipal advisory assistance to surrounding municipalities including, but not limited to, the City of Batavia, the towns of Alexander, Batavia, and Stafford, and the villages of Alexander and LeRoy. 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. If Municipal Solutions, Inc. becomes aware of any conflict of interest that could that could interfere with our fiduciary obligations to the Town, Municipal Solutions, Inc. will notify the Town that a conflict has been identified and we will meet with the Town to discuss the impacts of the conflict and possible methods to resolve the identified conflict areas.

RELLANCE ON OUTSIDE INFORMATION

In formulating our recommendations as it comes to the issuance of municipal securities, we often have to rely on information provided by outside sources such as engineering firms, architectural firms, CPAs, attorneys, and other professional entities, as well as the municipality itself. We must rely on the expertise and professional knowledge of these entities in that the information they are providing is reasonable and correct. As part of our fiduciary duty to our clients, we will do our best to make sure this is the case. If we feel that the information provided to us is inaccurate, inconsistent or incomplete, we will ensure to tell you before providing any recommendations based on the material.

Bethany, T. / C. Hyde, Jr.

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June 14, 2020

LEGAL OR DISCIPLINARY EVENTS

Municipal Solutions, Inc. is registered as a "municipal advisor" pursuant to Section 15B of the Securities Exchange Act and rules and regulations adopted by the United States Securities and Exchange Commission ("SEC") and the Municipal Securities Rulemaking Board ("MSRB"). As part of this registration we are required to disclose to the SEC information regarding criminal actions, regulatory actions, investigations, terminations, judgments, liens, civil judicial actions, customer complaints, arbitrations and civil litigation involving Municipal Solutions, Inc. Pursuant to MSRB Rule G-42, Municipal Solutions, Inc. is required to disclose any legal or disciplinary event that is material to the Town's evaluation of Municipal Solutions, Inc. or the integrity of its management or advisory personnel. We have determined that no such event exists.

Copies of Municipal Solutions, Inc. filings with the United States Securities and Exchange Commission can currently be found by accessing the SEC's EDGAR Company Search Page which is currently available at <https://www.sec.gov/edgar/searchedgar/companysearch.html> and searching for either Municipal Solutions, Inc. or for our CIK number which is 0001612999.

The MSRB has made available on its website (www.msrb.org) a municipal advisory client brochure that describes the protections that may be provided by MSRB rules and how to file a complaint with the appropriate regulatory authority.

APPENDIX B

**MUNICIPAL SOLUTIONS, INC.
FEE SCHEDULE – 2020**

Bond Anticipation Notes		
Revenue Anticipation Notes		
Tax Anticipation Notes		
Under \$500,000 (NOS only)	\$1,550	(+ \$500 if no prior issue within 3 years)
\$500,000 – 999,999 (NOS only)	\$2,100	(+ \$500 if no prior issue within 3 years)
\$1,000,000 or more (No OS)	\$2,400	(+ \$500 if no prior issue within 3 years)
\$1,000,000 or more with OS	Base fee of \$4,400	(+ \$500 if no prior issue within 3 years)
	Plus \$175 per million (rounded up to next million)	
 Rural Development (RD)		
Preparation of an Application through RDAApply	\$148 / hour (minimum of \$5,500)	
Private Sale of Serial Bonds to RD	\$5,500 plus \$175 per million (rounded up to next million)	
 Hourly Rate *	 \$148	

*** Please note that if the project ceases for any reason, an invoice for work completed will be due at the current hourly rate plus expenses.**

Expenses

Expenses include copies, postage, mileage at the IRS prevailing rate, travel and, if applicable, official statement printing, website fees and any incidental costs.

#12 BAN RDC RDAApply FS, B.T, 061420
Y:\Clients\Bethany, TY\Contracts\Word Versions\2020.06.14 Fee Schedule Water District No 5 Amend No 1_Bethany T.docx

Broadband – Update

- New poles and cable are being placed.
- System should be complete by late September.
- Residents can start calling Spectrum in August to get information about signing up for their accounts if they wish.

RESOLUTION #33-2020 SA20010 – SPECIAL USE – LADD POND – NEGATIVE DECLARATION

WHEREAS, the Bethany Town Board, as lead agency, is required to perform SEQR for any Special Use Permit, and

WHEREAS, the Bethany Town Board did perform SEQR and found no negative impacts were present, now

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

RESOLVED that the Town Board issues a Negative Declaration for SEQR for the Special Use Application (SA20010) submitted by Raymond and Laura Ladd for the construction of a pond on the property located at 10900 East Road, East Bethany, NY (TMP#11.-1-10.11).

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

Supervisor Hyde – Yes	Councilman Fluker – Yes
Councilman Embt – Absent	Councilman Street – Yes
Councilwoman Fowler - Yes	

RESOLUTION #34-2020 – SUP – LADD POND – APPROVAL OF

WHEREAS, Raymond and Laura Ladd have submitted a Special Use Application to the Town of Bethany for a pond, and

WHEREAS, such application was submitted in its entirety to the Genesee County Planning Board and the Town of Bethany Planning Board, and

WHEREAS, the Genesee County Planning Board and the Town Planning Board have recommended approval of the Special Use Application, and

WHEREAS, in accordance with Town of Bethany Zoning Law Article 210, Section C the Bethany Town Board did hold a public hearing where any interested parties for or against were heard, and

WHEREAS, the Bethany Town Board did perform SEQR review issuing a Negative Declaration, now

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

RESOLVED that the Special Use Permit Application (SA20010) submitted by Raymond and Laura Ladd for the construction of a pond on the property located at 10900 East Road (TMP #11.-1-10.11) in the Town of Bethany is approved.

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

Supervisor Hyde – Yes	Councilman Fluker – Yes
Councilman Embt - Absent	Councilman Street – Yes
Councilwoman Fowler - Yes	

PROPOSED LOCAL LAW NO. __ OF 2020

A LOCAL LAW ENTITLED, “EXTENDING THE TEMPORARY LAND USE MORATORIUM PROHIBITING LARGE SCALE SOLAR INSTALLATIONS IN THE TOWN OF BETHANY FOR SIX MONTHS”

Be it enacted by the Town Board of the Town of Bethany as follows:

SECTION I. TITLE

This Local Law Shall Be Known As “Extending the Temporary Land Use Moratorium Prohibiting Large Scale Solar Installations in the Town of Bethany for Six (6) Months.”

SECTION II. AUTHORITY

The Town Board of the Town of Bethany, pursuant to the authority of Municipal Home Rule Law of the State of

New York, hereby enacts said article as follows.

SECTION II. PURPOSE AND INTENT

The purpose of this local law is to extend the temporary land use moratorium which prohibits large scale solar installations in the Town of Bethany for six (6) months, as the COVID-19 pandemic frustrated the process of adopting a Solar Law and deficiencies in the Towns Zoning Code have been noted.

Due to the COVID-19 pandemic, the Town Board recognizes that the process of adopting a Solar Law was delayed, as the Town was unable to meet with the social distancing regulations and guidelines in place. The Town has also acknowledged that an additional six (6) months will grant time to remedy any deficiencies within the Towns Zoning Code.

SECTION III. SCOPE OF CONTROLS

A. During the effective period of this Local Law:

- 1. The Town Board of the Town shall not grant any approvals that would have as the result the establishment, placement, construction, enlargement or erection of commercial solar energy conversion devices/farms within the Town.
- 2. The Town Planning Board shall not grant any preliminary or final approval to a subdivision plat, site plan, special use permit or other permit that would have as a result the establishment, placement, construction, enlargement or erection of a commercial solar energy conversion devices/farms within the Town.
- 3. The Town Zoning Board of Appeals shall not grant any variance or other permit for any use that would result in the establishment, placement, construction, enlargement or erection of a commercial solar energy conversion devices/farms within the Town.
- 4. The Building Inspector/Code Enforcement Officer of the Town shall not issue any permit that would result in the establishment, placement, construction, enlargement or erection of a commercial solar energy conversion devices/farms within the Town.

B. The Town Board of the Town reserves the right to direct the Town Building Inspector/Code Enforcement Officer to revoke or rescind any building permits or certificates of occupancy issued in violation of this Local Law.

SECTION IV. NO CONSIDERATION OF NEW APPLICATIONS

No applications for construction affected by this Local Law or for approvals for a site plan, subdivision, variance, special use permit or other permits shall be considered by any board officer or agency of the Town while the moratorium imposed by this Local Law is in effect.

SECTION V. TERM

The moratorium imposed by this Local Law shall be in effect for a period of six (6) months from the effective date of this Local Law.

SECTION VI. PENALTIES

Any person, firm or corporation that shall establish, place, construct, enlarge or erect any commercial solar energy conversion devices/farms in violation of the provisions of this Local Law or shall otherwise violate any of the provisions of this Local Law shall be subject to:

- A. Such penalties as may otherwise be provided by applicable local laws, ordinances, rules, regulations of the Town for violations; and
- B. Injunctive relief in favor of the Town to cease any and all such actions which conflict with this Local Law and, if necessary, to remove any construction that may have taken place in violation of this Local Law.

SECTION VII. VALIDITY

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

SECTION VIII. HARDSHIP

- A. Should any owner of property affected by this Local Law suffer an unnecessary hardship in the way of carrying out the strict letter of this Local Law, then the owner of said property may apply to the Town Board of the Town in writing for a variation from strict compliance with this Local Law upon submission of proof of such unnecessary hardship. For the purposes of this Local Law, unnecessary hardship shall not be the mere delay in being permitted to make an application or waiting for a decision on the application for a variance, special permit, site plan, subdivision, or other permit during the period of the moratorium imposed by this Local Law.
- B. Procedure.
 - 1. Upon submission of a written application to the Town Clerk by the property owner seeking a variation of this Local Law, the Town Board shall, within thirty (30) days of receipt of said application, schedule a Public Hearing on said application upon five (5) days written notice in the official newspaper of the Town.
 - 2. At said Public Hearing, the property owner and any other parties wishing to present evidence with regard to the application shall have an opportunity to be heard, and the Town Board shall, within fifteen (15) days of the close of said Public Hearing, render its decision either granting or denying the application for a variation from the strict requirements of this Local Law.
 - 3. If the Town Board determines that a property owner will suffer an unnecessary hardship if this Local Law is strictly applied to a particular property, then the Town Board shall vary the application to this Local Law to the minimum extent necessary to provide the property owner relief from strict compliance with this Local Law.

SECTION IX. REPEAL

All ordinances, local laws and parts thereof inconsistent with this local law are hereby repealed.

SECTION X. SEVERABILITY/VALIDITY

In the event that any work phrase of part of this local law shall be declared unconstitutional, the same shall be severed and separated from the remainder of this local law and shall not impact the remainder of said local law which shall remain in full force and effect.

SECTION XI. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the Secretary of State of New York as provided in section 27 of the Municipal Home Rule Law.

RESOLUTION #35-2020 TO EXTEND TEMPORARY LAND USE MORATORIUM PROHIBITING LARGE SCALE SOLAR INSTALLATIONS FOR SIX MONTHS

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Governor Andrew Cuomo’s Executive Order 202.1 dated March 7, 2020, said meeting was conducted with social distancing regulations and the public had ample notice of said hearing; and

WHEREAS, the Town Board of the Town of Bethany held a socially distanced public hearing due to COVID-19 regulations on the proposed adoption of said local law on the 13th day of July 2020 at 7:00 p.m., at which time all interested parties and citizens for or against the proposed law were heard; and

WHEREAS, the Town Board of the Town of Bethany wishes to extend the temporary land use moratorium prohibiting large scale solar installations in the Town of Bethany for six months, as the COVID-19 pandemic had frustrated the adoption of a Solar Law, and deficiencies were noted within the Zoning Code.

NOW ON MOTION OF Councilwoman Diane Fowler which has been duly seconded by Councilman Street, be it

RESOLVED, by the Town Board of the Town of Bethany feels it is in the best interests of the Town to adopt proposed Local Law entitled, "Extending the Temporary Land Use Moratorium Prohibiting Large Scale Solar Installations in the Town of Bethany for Six Months."

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

Supervisor Hyde – Yes	Councilman Fluker – Yes
Councilman Embt - Absent	Councilman Street – Yes
Councilwoman Fowler - Yes	

2021 BUDGET (Please see earlier minutes for further information regarding this topic)

- The Town Board authorized the mailing of informational postcards to the taxpayers in the Town of Bethany. Supervisor Hyde paid for the mailing from his pay line. One person told the Supervisor that it was not a good use of taxpayer’s money to do the mailing. Councilwoman Fowler stated that it is the Board’s job to keep the taxpayer’s informed so it was money put to good use. The postcards contained the phone numbers for the Legislative Chair, Shelly Stein and Bethany’s representative, Gregg Torrey. Mr. Torrey is the taxpayer’s voice to the Legislature. Supervisor Hyde stated that he has told, and will continue to tell people that Mr. Torrey voted against rescinding the revenue sharing agreement. Ms. Stein, however, voted in favor.
- The Board feels that the County will not resume sharing of sales tax revenue. Some of the people in attendance at this meeting have talked to both Mr. Torrey and Ms. Stein and were told that when the county receives money they will share.
- Some of the municipalities are exploring the possibility of having a Board of Supervisors as opposed to a Legislature.
- One person at the meeting has contacted the news media and they are interested in doing a story.
- Supervisor Hyde noted that on April 10th the state received the first federal stimulus payment. It has not been distributed to the counties as it was intended. The Governor has also stated that he is keeping 20% of the CHIPS funding due the municipalities.
- Governor Cuomo wants consolidation. By cutting funding, it will leave municipalities no choice but to consolidate.
- Supervisor Hyde supplied a working 2021 budget in which he was able to get the tax rate down from the original \$9.00 per \$1,000 to \$6.78 per \$1,000. There is nothing more that can be cut as there are mandates that need to be met. This would be an increase of approximately \$3.00 per \$1,000. As reference, \$100,000 in cuts lowers the tax rate by approximately \$1.00.
- There is much concern for the elderly and low-income taxpayers.
- The loss of the sales tax revenue is approximately \$500,000. Property tax is the Town’s only revenue stream with the elimination of sales tax revenue. There is \$400,000 in the savings. Approximately \$200,000 of that was worked in to help lower the 2021 tax rate. If the remaining \$200,000 were to be used, there would be no money for emergencies and with no revenue stream other than taxes there is no way to replace it.
- Supervisor Hyde is looking into establishing a tax stabilization fund. Should

the county share any revenues, the money could be placed in the fund to help lower the tax rate. The Board is budgeting going forward as if there will be no revenues coming in from the county.

- The county is looking for a 10% increase in property tax and the state is planning a 14% increase in taxes.
- The highway employees are not working at this time in order to save money for snow plowing. The Board is more concerned with making sure that they have the funds for snow removal than pot holes and mowing.
- Highway Superintendent Barb Czworka stated that the Union limits her ability to do any work while the union employees are off. She said that she cannot even mow the lawns around the buildings.
- The Board again encouraged everyone to talk to their neighbors and let them know what is going on and to participate in meetings or at least call the Board members to let them know what they think or want. Contact your County Legislators.

NEW BUSINESS

Speed Limit Petition – Bethany Center Road

- Jim Pietrzykowski presented the Town Board with a petition from the residents on Bethany Center Road between the intersection of Bethany Center and McLernon Road and 10342 Bethany Center Road.
- The petition is asking for a decrease of the speed limit in this area from 55 mph to 35 mph due to excessive and habitual speeding.
- There is concern for children, the elderly and the disabled.
- There is habitual speeding in this area. Mr. Pietrzykowski has called the Sherriff’s Department but they cannot sit in the area for hours at a time and are short staffed.
- Supervisor Hyde noted from his talks with the Sheriff’s Department that it would be a good idea to come up with time frames and/or specific cars that seem to be the worst and inform the police of those. They may be better able to target the area.
- Bill Elsasser noted that he lives on the south end of the 35-mph zone on Bethany Center Road and there is speeding in that area also.
- Supervisor Hyde will pass the petition on to the County Highway Superintendent and the New York State Department of Transportation. NYSDOT will make the final decision.

Warrant

- The Board approved payment of the bills as follows:

	<u>Prepaid</u>	<u>Total</u>
General Fund	\$ 5,043.46	\$ 9,378.16
Highway Fund	\$ 0.00	\$ 4,101.01
Trust & Agency	\$ 0.00	\$ 11,466.50
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	\$ 0.00

Adjournment

A **MOTION** was made by Councilman Fluker, duly seconded by Councilman Street, to adjourn the meeting at 7:34 p.m. The motion **PASSED** with All In Favor.

BY ORDER OF THE
BETHANY TOWN BOARD
DATED: July 16, 2020

Respectfully Submitted,

Debbie L. Douglas, RMC
Bethany Town Clerk