

**TOWN OF BETHANY**

**REGULAR TOWN BOARD MEETING**

**09 NOVEMBER 2020**

Supervisor Hyde opened the November 9, 2020 Town Board Meeting at 7:00 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
Diane Fowler, Councilwoman	Debbie Douglas, Town Clerk
Barbara Czworka, Highway Superintendent	

Town Officials Absent were:

Timothy Embt, Councilman	Daniel Street, Councilman
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Attendees to the Meeting were:

Bill Elsasser	Don Frank
Thomas Foss	Nathan Foss

**FINANCES**

Supervisor Hyde presented the finances for September 2020.

General Fund	\$1,347,133.75
Highway Fund	\$ 492,247.32
AP/PR Account	\$ 92,694.26
Trust & Agency Account	\$ 3,033.32
Highway Checking	\$ 3,183.46
Supervisor	\$ 438,081.33
Water District #2	\$ 41,578.75
Petty Cash	\$ 200.00
 Total	 \$ 2,418,152.19

Revenues Received	
Debbie Douglas, Town Clerk	\$ 379.53
Co. of Genesee – Voluntary	\$ 246,247.00
US Post Office	\$ 100.00
William Shea, Justice	\$ 798.00
Thomas McBride, Justice	\$ 1,128.00
 Total Revenue	 \$ 248,652.53
Total Interest	\$ 210.59
Total Revenue	\$ 248,863.12

**PUBLIC HEARING – Proposed Local Law “Override the Tax Levy Limit Established in General Municipal Law §3-c”**

- Supervisor Hyde opened the public hearing at 7:00 p.m.
- No one spoke concerning the proposed local law.
- Supervisor Hyde closed the public hearing at 7:31 p.m.

**PUBLIC HEARING – 2021 Preliminary Budget**

- Supervisor Hyde opened the public hearing at 7:01 p.m.
- Councilwoman Fowler noted that she is concerned about the lack of part-time people to supplement for plowing. She did not anticipate that there would be a lack of interest in the position. The Town, however, cannot afford to have a full-time person. Supervisor Hyde noted that in the past the Highway Superintendent was able to fill in on a plow truck. That is not an option now. Another advertisement for the part-time position will be placed.
- Supervisor Hyde closed the public hearing at 7:31 p.m.

**PUBLIC HEARING – Spectrum Franchise Agreement Renewal**

- Supervisor Hyde opened the public hearing at 7:01 p.m.
- Supervisor Hyde noted that the agreement is the same as the last agreement. The Town will be receiving a small increase in franchise fees due to the new build-out (2.1% to 3%). Both he and the town’s attorney have reviewed the agreement.
- Supervisor Hyde also noted that an application for more build-out funding is being prepared. Anyone who does not have the availability of internet should contact him so that their address can be added to the next build-out.

**Town Clerk Report – Debbie Douglas**

- Presented the Minutes of the October 14, 2020 Regular Town Board meeting.

A **MOTION** was made by Councilwoman Fowler, duly seconded by Councilman Fluker, to approve the minutes of the October 14, 2020 Regular Town Board meeting as presented. Motion **PASSED** with All In Favor.

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

**Highway Superintendent Report – Barbara Czworka**

- Four loads of hot blacktop were applied to Jerico, Paul, McLernon and Brown Roads with shared services from the Towns of Batavia and Byron.
- The towns of Alexander, Stafford and Pavilion assisted with applying shoulders to Mill Road. Wet weather hampered the work.
- Trucks 1204 and 1201 have passed inspection.
- Truck 1203 suffered a brake failure during the Mill Road project. Marquart’s came to the shop and performed the repair.
- The paperwork for CHIPS, PaveNY and Extreme Winter Recovery have all been submitted twice with adjustments. The first submission was at full value. The second included a 20% reduction. More adjustments were made from there. Now waiting for their system to come back up.
- The pipe area and associated shoulder on Jerico Road was repaired with help and materials from the Town of Batavia.
- New drive tires (8 rear tires) were installed on 1201. The best used tires were then installed on 1202. A new spare tire was installed on the rim for trucks 1201 and 1204.
- “We have had a snow/ice day we were not ready due to the layoff, time off. People do not realize that we just do not put trucks together without certain maintenance things being done.”

- “Would like to say that if you approve the budget as written that you are putting the people that live in Bethany and those that travel through Bethany at risk. We have not been able to replace the eliminated position even with a part-time employee yet. Plow routes will be 5 to 6 hours long. Think about that before you feel the budget you are approving is okay for the people that put us in office. Then consider if a truck breaks down and it takes the other truck to pull them out or even tow them back to the shop then on routes are getting plowed. Another part to think about the nighttime runs the guys will be out there till 11 p.m. and they normally get called in a 4 a.m. the lack of sleep would not be good. Then what if one gets sick.”

**Justice Report – Justice Shea**

- Justice Shea & Justice McBride submitted their reports for September 2020.

**Board Committee Reports**

**Councilman Fluker**

- The Fire Department has been busy with some grass fires.
- New truck has been delivered. The equipment for the truck should arrive in 2 – 3 weeks.

**Supervisor Hyde**

- There will be a speaker at the December GAM meeting from the group “Take Back Our State”. They are a coalition of municipalities who are fighting the Governor to take back home rule. This group has stopped some solar and wind projects using loop-holes in the Governor’s laws.
- 43 new COVID cases were reported in the county today. COVID cases are on the rise and things are starting to shut down again. Hand washing and mask wearing is a must to avoid another shut down.
- The Western New York Veteran’s Cemetery will soon be receiving residents. There are currently 400 Veteran’s waiting to be interned. Supervisor Hyde has been named the Officer In Charge of the Cemetery Honor Guard for Genesee County.

**OLD BUSINESS**

**Water District #4 – Update**

- This district is moving along. Pipe is going in the ground.
- There was a problem with one property owner who was under the impression that the water line encroached on his property. It was determined that after a meeting with the DEC, Genesee County Sherriff, Genesee County Highway Superintendent, Town of Batavia Engineer and Supervisor Hyde that the water line was installed in the right-of-way and that it did not encroach on the gentleman’s property.

**RESOLUTION #53-2020 APPROVING CONTRACTOR’S APPLICATION FOR PAYMENT NO. 1 FOR WATER DISTRICT NO. 4**

**WHEREAS**, Rochester Pipeline, Inc. has submitted Contractor’s Application for Payment No. 1 for Water District No. 4 in the amount of \$175,336.75 with the total contract price being \$776,300.00, now

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

**RESOLVED** that payment of Contractor’s Application for Payment No. 1 for Water District No. 4 is hereby approved in the amount of \$175,336.75 to Rochester Pipeline, Inc.

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

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

**Water District #5 – Update**

- The USDARD has the final application for this project.

**Proposed Water District #6 – Update**

- After brainstorming with CPL, it was decided that it would not be feasible to hold informational meetings for this project. Instead, a survey will be mailed to everyone in the district. This survey must be sent back as a yes or no vote.

**2021 Budget & Revenue Sharing (Please see earlier minutes regarding this issue for more detailed information which may also be noted as Sales Tax Revenue Sharing.)**

- Sales tax revenue for the County was up 11.9% in September 2020 compared to 2019.
- From January – September 2020 Genesee County is down 3.9% compared to 2019.
- In 2019, the County had promised \$502,000 in Voluntary Revenue Distribution. The amount received to date is \$243,000.
- During the recent budget presentation to the Legislature, the County Manager presented a budget with a decrease in the tax levy.
- The County has said that they may possibly distribute \$410,000 to the Town of Bethany in 2021, however, they will not guarantee the distribution.

**RESOLUTION #54-2020 OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C**

**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**, pursuant to Governor Andrew Cuomo’s Executive Orders put into place in consideration of the COVID-19 pandemic and the guidelines put in place during Phase IV of New York Forward, said meeting was held in accordance with social distancing protocol and face coverings were worn by all Board Members and public attendees; and

**WHEREAS**, Chapter 97 of the Laws of 2011 – “The Property Tax Cap” added 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**, notice of said public hearing was duly advertised in the Daily News, the official newspaper of said Town; and

**WHEREAS**, said public hearing was held on November 9, 2020 and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

**WHEREAS**, after due consideration and discussion the Town Board has decided to adopt said proposed local law.

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

**RESOLVED**, that the Town Board of the Town of Bethany feels it is in the best interests of the Town of Bethany to adopt Local Law No. 2 of 2020 entitled, "Override the Tax Levy Limit Established in General Municipal Law § 3-c."; and be it

**FURTHER RESOLVED**, that the Town Clerk be and she hereby is directed to enter the adoption of said local law in the minutes of this meeting and give due notice of the adoption of said local law to the Secretary of the State of New York.

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

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

**RESOLUTION #55-2020 ADOPTION OF 2021 ANNUAL TOWN BUDGET**

**WHEREAS**, the Town of Bethany Chief Fiscal Officer prepared a Tentative Budget for review by the Bethany Town Board, and

**WHEREAS**, the Town Board has reviewed the Tentative Budget in formulation of the Preliminary Budget; and

**WHEREAS**, the 2021 Preliminary Budget was adopted on October 14, 2020 and after which a Public Hearing was held on November 9, 2020 for all interested parties to be heard with the public hearing notice being published and posted on November 9, 2020.

**NOW ON MOTION OF** Councilman Fluker, duly seconded by Councilwoman Fowler, therefore be it

**RESOLVED**, the Bethany Town Board hereby adopts the Preliminary Town Budget as the 2021 Annual Budget of the Town of Bethany. And be it

**FURTHER RESOLVED**, that the Town Clerk be, and she hereby is, directed to enter the adoption of said 2021 Town Budget in the minutes of this meeting and file the said budget with the Genesee County Legislature and the Genesee County Real Property Tax Services.

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

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

TOWN OF BETHANY 2021 Final Budget Tax Rate Schedule							
Fund	APPROPRIATIONS	ESTIMATED REVENUES	APPROPRIATE BALANCE	AMT. RAISED BY TAX	TOWNWIDE		PERCENTAGE CHANGE
					2021	2020	
					Taxrate \$ \$ per Thousand	Taxrate \$ \$ per Thousand	
A- GENERAL TOWNWIDE	\$405,278	\$188,200	\$110,000	\$127,078	1.278430	1.050748	21.40%
DA-HIGHWAY TOWNWIDE	\$695,657	\$308,021	\$118,842	\$270,704	2.715980	2.662709	2.15%
<b>TOTALS</b>	<b>1,100,935</b>	<b>\$476,221</b>	<b>228,842</b>	<b>397,882</b>	<b>3.994410</b>	<b>3.713457</b>	<b>7.65%</b>
<b>SPECIAL DISTRICTS</b>							
WATER DISTRICT #1	\$3,520	\$0	\$0	\$3,520	\$352.00 per unit	\$337.10 per unit	
WATER DISTRICT #2	\$33,121	\$0	\$0	\$33,121	\$932.22 per unit	\$902.22 per unit	
WATER DISTRICT #3	\$6,071	\$0	\$0	\$6,071	\$74.96 per unit	\$74.56 per unit	
WATER DISTRICT #4	\$15,750	\$0	\$0	\$15,750	\$35.11 per unit		
BETHANY VOLUNTEER FIRE PROTECTION DISTRICT	\$100,000	\$0	\$0	\$100,000	0.842456	0.825238	
<b>TOTAL LEVY</b>	<b>\$ 1,200,947</b>	<b>\$476,221</b>	<b>228,842</b>	<b>\$ 587,084</b>			
<b>TAX CAP ALLOWABLE</b>				<b>622,271</b>			
<b>AMOUNT OVER CAP</b>				<b>\$ 35,813</b>			

ACCOUNT	TITLE	ACTUAL 2019	ADOPTED BUDGET 2020	FINAL BUDGET 2021
<b>APPROPRIATIONS</b>				
A1010.1	TOWN BOARD - PERSONAL SERVICES	\$ 6,805	\$ 6,805	\$ 6,125
A1010.4	TOWN BOARD - CONTRACTUAL	\$ -	\$ 500	\$ -
A1110.1	JUSTICES - PERSONAL SERVICES	\$ 18,684	\$ 18,684	\$ 18,684
A1110.11	JUSTICES - PERSONAL SERVICES (COURT CLERKS)	\$ 5,994	\$ 5,994	\$ 5,395
A1110.13	JUSTICES - PERSONAL SERVICES (BAILIFF)	\$ 1,688	\$ 2,100	\$ 1,890
A1110.2	JUSTICES - EQUIPMENT	\$ -	\$ 1,050	\$ 1,050
A1110.21	JUSTICES - EQUIPMENT (GRANT)	\$ -	\$ -	\$ -
A1110.4	JUSTICES - CONTRACTUAL	\$ 2,161	\$ 4,000	\$ 2,000
A1220.1	SUPERVISOR - PERSONAL SERVICES	\$ 9,000	\$ 9,000	\$ 8,100
A1220.11	DEP. SUPERVISOR - PERSONAL SERVICES	\$ 1,000	\$ 1,000	\$ 900
A1220.12	FINANCIAL CLERK/TYPIST - BOOKKEEPER PS	\$ 8,500	\$ 8,500	\$ 8,500
A1220.13	CLERK TO SUPERVISOR- PERSONAL SERVICES	\$ -	\$ -	\$ 4,500
A1220.2	SUPERVISOR - EQUIPMENT	\$ -	\$ 2,500	\$ 500
A1220.4	SUPERVISOR - CONTRACTUAL	\$ 3,463	\$ 9,000	\$ 7,000
A1220.41	SUPERVISOR - PAYROLL SERVICE	\$ 3,076	\$ 3,500	\$ 3,000
A1220.42	SUPERVISOR - ACCOUNTING CONSULTANT	\$ 5,500	\$ 5,500	\$ -
A1330.1	TAX COLLECTOR - PERSONAL SERVICES	\$ 3,372	\$ 3,376	\$ 3,376
A1330.11	TAX COLLECTOR - PERSONAL SERVICES (DEPUTY)	\$ -	\$ 250	\$ -
A1330.4	TAX COLLECTOR - CONTRACTUAL	\$ 554	\$ 1,000	\$ 1,000
A1355.1	ASSESSOR - PERSONAL SERVICES	\$ 19,231	\$ 19,231	\$ 17,308
A1355.2	ASSESSOR - EQUIPMENT	\$ -	\$ 1,500	\$ 300
A1355.4	ASSESSORS - CONTRACTUAL	\$ 1,758	\$ 1,200	\$ 1,200
A1355.41	ASSESSOR - COUNTY CHARGES	\$ 3,345	\$ 3,345	\$ 3,345
A1355.42	ASSESSOR - ASSESSMENT REVIEW	\$ 224	\$ -	\$ -
A1380.4	FISCAL AGENT FEES, CONTRACTUAL	\$ -	\$ -	\$ -
A1410.1	TOWN CLERK - PERSONAL SERVICES	\$ 28,196	\$ 28,321	\$ 28,321
A1410.10	TOWN CLERK - PERSONAL SERVICES (POST OFFICE)	\$ 625	\$ -	\$ 500
A1410.11	TOWN CLERK - PERSONAL SERVICES (DEPUTY)	\$ 255	\$ 618	\$ 618
A1410.2	TOWN CLERK - EQUIPMENT	\$ -	\$ 300	\$ 300
A1410.4	TOWN CLERK - CONTRACTUAL	\$ 2,117	\$ 1,950	\$ 1,950
A1420.4	ATTORNEY - CONTRACTUAL	\$ 12,280	\$ 8,000	\$ 8,000
A1450.41	ELECTIONS-COUNTY CHARGES	\$ 1,945	\$ 2,295	\$ 2,500
A1460.4	RECORDS MANAGEMENT - CONTRACTUAL	\$ 50	\$ 200	\$ 200
A1610.2	CENTRAL SERVICE ADMIN. EQUIPP/ON SERVER	\$ 5,235	\$ 1,500	\$ 1,000
A1610.4	CENTRAL SERVICE ADMIN CONTRACTUAL	\$ 4,603	\$ 2,000	\$ 2,000
A1620.2	BUILDING (TOWN HALL) - EQUIPMENT	\$ -	\$ 5,000	\$ 3,500
A1620.4	BUILDING (TOWN HALL) - CONTRACTUAL	\$ 31,712	\$ 30,000	\$ 30,000
A1621.4	BUILDING (OLD TOWN HALL) - CONTRACTUAL	\$ 1,280	\$ 2,000	\$ 2,000
A1640.2	CENTRAL GARAGE-EQUIPMENT	\$ -	\$ -	\$ -
A1670.4	CENTRAL PRINTING AND MAILING - CONTRACTUAL	\$ 4,047	\$ 6,000	\$ 5,000
A1680.4	CENTRAL DATA PROCESSING - CONTRACTUAL	\$ 1,400	\$ 600	\$ 1,400

ACCOUNT	TITLE	ACTUAL 2019	ADOPTED BUDGET 2020	FINAL BUDGET 2021
A1910.4	UNALLOCATED INSURANCE -CONTRACTUAL	\$ 29,594	\$ 32,000	\$ 31,000
A1920.4	MUNICIPAL ASSOC DUES -CONTRACTUAL	\$ -	\$ 2,000	\$ 1,000
A1990.4	CONTINGENCY	\$ -	\$ 30,000	\$ -
A3510.1	CONTROL OF DOGS - PERSONAL SERVICES	\$ 1,000	\$ 1,000	\$ 1,000
A3510.4	CONTROL OF DOGS - CONTRACTUAL	\$ 427	\$ 1,200	\$ 500
A3620.1	SAFETY INSPECTION - PERSONAL SERVICES	\$ 2,000	\$ 2,000	\$ 1,000
A3620.14	SAFETY INSPECTION - PERSONAL SERVICES (CODE INSPECTOR)	\$ 1,250	\$ 1,250	\$ 125
A3610.2	SAFETY INSPECTION - EQUIPMENT	\$ -	\$ 50	\$ 50
A3610.4	SAFETY INSPECTION - CONTRACTUAL	\$ 628	\$ 4,000	\$ 2,500
A3650.4	DEMO UNSAFE BUILDING -CONTRACTUAL	\$ -	\$ -	\$ -
A3989.2	MISC. PUBLIC SAFETY-EQUIPMENT	\$ -	\$ -	\$ -
A4020.1	REGISTRAR OF VITAL STATISTICS--PERSONAL SERVICES	\$ 412	\$ 412	\$ 412
A5010.1	SUPER OF HIGHWAYS - PERS SERV	\$ 52,000	\$ 52,000	\$ 52,000
A5010.2	SUPER OF HIGHWAYS - EQUIPMENT	\$ 2,676	\$ 2,000	\$ 2,000
A510.4	SUPER OF HIGHWAYS - CONTRACTUAL	\$ 22,689	\$ 23,563	\$ 23,563
A5132.4	GARAGE - CONTRACTUAL	\$ 3,731	\$ 4,500	\$ 4,500
A5182.4	STREET LIGHTING - CONTRACTUAL	\$ -	\$ 200	\$ -
A6510.1	VETERAN SERVICES- PERSONAL SERVICES	\$ 117	\$ 250	\$ 200
A6510.4	VETERAN SERVICES- CONTRACTUAL	\$ 500	\$ 500	\$ 500
A6772.4	PROGRAM FOR AGING - CONTRACTUAL	\$ 425	\$ 425	\$ 200
A7320.42	JOINT YOUTH PROJECT - PAVILION YOUTH	\$ 425	\$ 425	\$ 200
A7320.43	JOINT YOUTH PROJECT - TRI TOWN YOUTH	\$ 500	\$ 500	\$ 200
A7410.4	PAVILION LIBRARY - CONTRACTUAL	\$ -	\$ 100	\$ 90
A7510.1	HISTORIAN - PERSONAL SERVICES	\$ 145	\$ 480	\$ 150
A7510.4	HISTORIAN - CONTRACTUAL	\$ 35	\$ 400	\$ 100
A7550.4	CELEBRATIONS - CONTRACTUAL	\$ 7,859	\$ 7,868	\$ 5,081
A8010.1	ZONING ENFORCEMENT OFFICER-PERS SERV	\$ -	\$ 50	\$ 50
A8010.2	ZONING- EQUIPMENT	\$ 353	\$ 515	\$ 515
A8010.4	ZONING- CONTRACTUAL	\$ 64	\$ 1,800	\$ 1,620
A8010.41	ZONING BOARD OF APPEALS - CONTRACTUAL	\$ 150	\$ 450	\$ 450
A8020.4	PLANNING - CONTRACTUAL	\$ 1,366	\$ 2,500	\$ 1,500
A8090.4	ENVIRONMENTAL CONTROL - Black Creek	\$ -	\$ 200	\$ -
A8090.44	ENVIRONMENTAL CONTROL - Tonawanda	\$ -	\$ 200	\$ -
A8160.1	REFUSE & GARBAGE - PERSONAL SERVICES	\$ 3,523	\$ 8,000	\$ -
A8160.2	REFUSE & GARBAGE - EQUIPMENT	\$ -	\$ 200	\$ -
A8160.4	REFUSE & GARBAGE - CONTRACTUAL	\$ 13,539	\$ 10,000	\$ 10,000
A8389.4	OTHER WATER - CONTRACTUAL	\$ -	\$ -	\$ -
A8810.1	CEMETARY- PERSONAL SERVICES	\$ 1,500	\$ 1,500	\$ 500
A8810.4	CEMETARY- CONTRACTUAL	\$ 684	\$ 2,500	\$ 1,500
A9010.8	STATE RETIREMENT SYSTEM	\$ 18,791	\$ 25,000	\$ 22,000
A9030.8	SOCIAL SECURITY - EMBL BEN	\$ 13,112	\$ 15,000	\$ 15,000



ACCOUNT	TITLE	ACTUAL 2019	ADOPTED BUDGET 2020	FINAL BUDGET 2021
A0040.8	WORKERS COMPENSATION - EMPL BEN	7,144 \$	9,750	9,750
A0040.81	WORKERS COMPENSATION (Fire District) - EMPL BEN	13,488 \$	17,800	17,800
A0050.8	NYS UNEMPLOYMENT INSURANCE - EMPL BEN	- \$	2,500	2,500
A0055.8	DISABILITY INSURANCE - EMPL BEN	288 \$	500	500
A0060.8	HOSPITAL & MED INS. - EMPL BEN	3,000 \$	5,000	3,000
A0089.8	OTHER EMP (BACK BENEFITS)	- \$	-	-
A9730.6	BOND ANTICIPATION NOTES - DEBT PRINCIPAL	10,200 \$	10,200	10,600
A9730.7	BOND ANTICIPATION NOTES - DEBT INTEREST	773 \$	547	160
A9901.9	TRANSFERS TO OTHER FUNDS	- \$	-	-
A9950.9	TRANSFERS TO CAPITAL PROJ/FUND	40,000 \$	-	-
<b>TOTAL APPROPRIATIONS</b>		<b>442,489 \$</b>	<b>478,154 \$</b>	<b>405,278</b>
<b>REVENUES</b>				
A1090	INTEREST & PENALTIES ON TAXES	2,591 \$	-	2,500
A1120	SALES TAX	278,192 \$	205,000	7,000
A1170	FRANCHISE FEES	7,416 \$	6,000	7,000
A1232	TAX COLLECTION FEES	60 \$	2,000	2,000
A1255	CLERK FEES	392 \$	1,000	1,000
A1289	SALE OF STAMPS	2,350 \$	1,200	2,200
A1603	REG. OF VITAL STATISTICS	340 \$	-	-
A2130	REFUSE & GARGAGE FEES	13,964 \$	17,000	400
A2401	INTEREST & EARNINGS	1,083 \$	400	700
A2440	HALL RENTAL	1,500 \$	700	1,900
A2544	DOG LICENSE	1,834 \$	2,200	5,000
A2555	BUILDING & ALTERATION PERMITS	2,995 \$	9,000	9,000
A2610	FINES & FORFEITED BAIL	11,568 \$	-	-
A2651	SALES OF REFUSE FOR RECYCLING	- \$	-	-
A2660	SALES OF REAL PROPERTY	18,060 \$	-	-
A2680	INSURANCE RECOVERIES	- \$	-	-
A2701	REFUND OF PRIOR YEAR'S EXPENDITURES	- \$	-	-
A2750	AIM RELATED PAYMENTS	18,128 \$	18,128	18,000
A2770	UNCLASSIFIED INCOME	2,495 \$	500	500
A2771	REVENUE DISTRIBUTION - GENESEE COUNTY (NOT GUARANTEED)	- \$	-	100,000
A3005	STATE AID - MORTGAGE TAX	19,026 \$	18,000	18,000
A3889	STATE AID - JUSTICE GRANT	- \$	-	-
A5031	INTERFUND TRANSFERS - CAPITAL	139 \$	139	-
<b>TOTAL REVENUES</b>		<b>381,994 \$</b>	<b>286,267</b>	<b>168,200</b>
<b>APPROPRIATED FUND BALANCE</b>		<b>\$</b>	<b>88,000</b>	<b>110,000</b>
A1001	<b>AMOUNT TO BE RAISED BY TAXES</b>	<b>\$ 98,362</b>	<b>\$ 103,887</b>	<b>\$ 127,078</b>

ACCOUNT	TITLE	ACTUAL 2019	ADOPTED BUDGET 2020	FINAL BUDGET 2021
	TOTAL REVENUES & APPROPRIATED FUND BALANCE	\$ 480,356	\$ 478,154	\$ 405,278
	TOTAL REV. & APPROPF FUND BAL. - APPROPRIATIONS	\$ 37,867	\$ -	\$ -

ACCOUNT	TITLE	ACTUAL 2019	ADOPTED BUDGET 2020	FINAL BUDGET 2021
<b>APPROPRIATIONS</b>				
D/A17.10.4	ADMINISTRATION-CONTRACTUAL (GRIEVANCES)	\$ -	\$ -	\$ 5,000
D/A51.10.1	GENERAL REPAIRS - PERSONAL SERVICES	\$ 71,369	\$ 90,000	\$ 60,000
D/A51.10.4	GENERAL REPAIRS - CONTRACTUAL	\$ 105,047	\$ 130,000	\$ 95,000
D/A51.12.2	IMPROVEMENT - CHIP'S/PAVE NT	\$ 97,671	\$ 96,001	\$ 96,001
D/A51.30.2	MACHINERY - EQUIPMENT	\$ 12,418	\$ 25,000	\$ 8,000
D/A51.30.4	MACHINERY - CONTRACTUAL	\$ 49,162	\$ 48,000	\$ 40,000
D/A51.30.41	MACHINERY - FISCAL AGENT REES - CONTRACTUAL	\$ 4,042	\$ -	\$ -
D/A51.42.1	SNOW REMOVAL - PERSONAL SERVICES	\$ 94,325	\$ 101,000	\$ 67,670
D/A51.42.11	SNOW REMOVAL - CONTRACTUAL	\$ -	\$ -	\$ 20,000
D/A51.42.4	SNOW REMOVAL - CONTRACTUAL	\$ 112,196	\$ 126,000	\$ 126,000
D/A60.10.8	STATE RETIREMENT SYSTEM	\$ 22,966	\$ 29,000	\$ 19,430
D/A60.30.8	SOCIAL SECURITY - EMPLOYEE BENEFITS	\$ 12,464	\$ 12,300	\$ 8,241
D/A60.40.8	WORKERS COMP. - EMPLOYEE BENEFITS	\$ 7,143	\$ 9,750	\$ 6,533
D/A60.55.8	DISABILITY - EMPLOYEE BENEFITS	\$ 325	\$ 400	\$ 400
D/A60.60.8	HOSPITAL & MEDICAL INSURANCE - EMPLOYEE BENEFITS	\$ 49,115	\$ 62,000	\$ 41,540
D/A60.89.8	OTHER EMPLOYEE BENEFITS (BACK BENEFITS)	\$ -	\$ 5,000	\$ 5,000
D/A67.30.6	BOND ANTICIPATION NOTES - DEBT PRINCIPAL	\$ 91,800	\$ 91,800	\$ 95,400
D/A67.30.7	BOND ANTICIPATION NOTES - DEBT INTEREST	\$ 6,956	\$ 4,929	\$ 1,442
<b>TOTAL AP PROPRIATIONS</b>		<b>\$ 736,999</b>	<b>\$ 831,180</b>	<b>\$ 695,657</b>
<b>REVENUES</b>				
D/A11.20	SALES TAX	\$ 313,705	\$ 300,000	\$ -
D/A23.00	SNOW REMOVAL SERVICES - OTHER GOVT	\$ 118,363	\$ 138,384	\$ 140,000
D/A23.01	MOWING SERVICES - OTHER GOVT	\$ 9,936	\$ 12,261	\$ 12,000
D/A24.01	INTEREST AND EARNINGS	\$ 576	\$ 20	\$ 20
D/A26.50	SALES OF SCRAP	\$ 553	\$ -	\$ -
D/A26.65	SALES OF EQUIPMENT	\$ -	\$ -	\$ -
D/A26.80	INSURANCE RECOVERIES	\$ 2,880	\$ -	\$ -
D/A27.01	REFUND OF PRIOR YEAR EXPENDITURES	\$ 652	\$ -	\$ -
D/A27.70	UNCLASSIFIED	\$ 851	\$ -	\$ -
D/A27.71	REVENUE DISTRIBUTION - GENESEE COUNTY (NOT GUARANTEED)	\$ -	\$ -	\$ 60,000
D/A35.01	STATE AID - CHIP'S/PAVE NT	\$ 97,671	\$ 96,001	\$ 96,001
D/A60.31	INTERFUND TRANSFERS	\$ 40,000	\$ 1,253	\$ -
<b>TOTAL REVENUES</b>		<b>\$ 585,187</b>	<b>\$ 547,919</b>	<b>\$ 308,021</b>
<b>APPROPRIATED FUND BALANCE</b>				
		\$ -	\$ 20,000	\$ 116,642
<b>AMOUNT TO BE RAISED BY TAXES</b>				
D/A10.01		\$ 265,238	\$ 263,261	\$ 270,794
<b>TOTAL REVENUES &amp; APPROPRIATED FUND BALANCE</b>				
		\$ 850,425	\$ 831,180	\$ 695,657
<b>TOTAL REV. &amp; APPROP FUND BAL. - APPROPRIATIONS</b>				
		\$ 113,426	\$ -	\$ -

<b>APPROPRIATED FUND BALANCE</b>				
		\$ -	\$ 20,000	\$ 116,642
<b>AMOUNT TO BE RAISED BY TAXES</b>				
D/A10.01		\$ 265,238	\$ 263,261	\$ 270,794
<b>TOTAL REVENUES &amp; APPROPRIATED FUND BALANCE</b>				
		\$ 850,425	\$ 831,180	\$ 695,657
<b>TOTAL REV. &amp; APPROP FUND BAL. - APPROPRIATIONS</b>				
		\$ 113,426	\$ -	\$ -

ACCOUNT	TITLE	ACTUAL 2019	ADOPTED BUDGET 2020	FINAL BUDGET 2021
<b>APPROPRIATIONS</b>				
SW 1 8310.4	WATER ADMIN- CONTRACT	\$ 3,371	\$ 3,520	\$ 3,520
<b>TOTAL APPROPRIATIONS</b>		<b>\$ 3,371</b>	<b>\$ 3,520</b>	<b>\$ 3,520</b>
<b>REVENUES</b>				
<b>TOTAL REVENUES</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>APPROPRIATED FUND BALANCE</b>				
			<b>\$ 149</b>	<b>\$ -</b>
SW 1 1001	AMOUNT TO BE RAISED BY TAXES	\$ 3,414	\$ 3,371	\$ 3,520
	TOTAL REVENUES & APPROPRIATED FUND BALANCE	\$ 3,414	\$ 3,520	\$ 3,520
	TOTAL REV. & APPROP FUND BAL. - APPROPRIATIONS	\$ 43	\$ -	\$ -

ACCOUNT	TITLE	ACTUAL 2019	ADOPTED BUDGET 2020	FINAL BUDGET 2021
<b>EXPENDITURES</b>				
SW2 8389.4	OTHER WATER, CONTRACTUAL	\$ -	\$ -	\$ 13,000
SW2 9710.6	SERIAL BONDS - DEBT PRINCIPAL	\$ -	\$ 12,000	\$ 20,121
SW2 9710.7	SERIAL BONDS - DEBT INTEREST	\$ 10,303	\$ 20,449	\$ 33,121
TOTAL APPROPRIATIONS		\$ 10,303	\$ 32,449	\$ 33,121
<b>REVENUES</b>				
SW2-2401	INTEREST & EARNINGS	\$ 61	\$ -	\$ -
SW2-2770	UNCLASSIFIED REVENUE	\$ -	\$ 663	\$ -
TOTAL REVENUES		\$ 61	\$ 663	\$ -
<b>APPROPRIATED FUND BALANCE</b>				
		\$ -	\$ -	\$ -
A1001	AMOUNT TO BE RAISED BY TAXES	\$ 30,465	\$ 31,786	\$ 33,121
TOTAL REVENUES & APPROPRIATED FUND BALANCE				
		\$ 30,526	\$ 32,449	\$ 33,121
TOTAL REV. & APPROP FUND BAL. - APPROPRIATIONS				
		\$ 20,223	\$ -	\$ -

ACCOUNT	TITLE	ACTUAL 2019	ADOPTED BUDGET 2020	FINAL BUDGET 2021
<b>APPROPRIATIONS</b>				
SW3 8310.4	WATER ADMIN- CONTRACT	\$ 6,932	\$ 6,971	\$ 6,971
<b>TOTAL APPROPRIATIONS</b>		<b>\$ 6,932</b>	<b>\$ 6,971</b>	<b>\$ 6,971</b>
<b>REVENUES</b>				
<b>TOTAL REVENUES</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>APPROPRIATED FUND BALANCE</b>				
		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
SW3 1001	AMOUNT TO BE RAISED BY TAXES	\$ 6,933	\$ 6,971	\$ 6,971
	TOTAL REVENUES & APPROPRIATED FUND BALANCE	\$ 6,933	\$ 6,971	\$ 6,971
	TOTAL REV. & APPROP FUND BAL. - APPROPRIATIONS	\$ 1	\$ -	\$ -

ACCOUNT	TITLE	ACTUAL 2019	ADOPTED BUDGET 2020	FINAL BUDGET 2021
<b>EXPENDITURES</b>				
SW4 9710.6	SERIAL BONDS - DEBT PRINCIPAL	\$ -	\$ -	9,000
SW4 9710.7	SERIAL BONDS - DEBT INTEREST	\$ -	\$ -	6,750
	<b>TOTAL APPROPRIATIONS</b>	\$ -	\$ -	15,750
<b>REVENUES</b>				
SW4-240L	INTEREST & EARNINGS	\$ -	\$ -	-
	<b>TOTAL REVENUES</b>	\$ -	\$ -	-
	<b>APPROPRIATED FUND BALANCE</b>	\$ -	\$ -	-
SW4-100L	AMOUNT TO BE RAISED BY TAXES	\$ -	\$ -	15,750
	<b>TOTAL REVENUES &amp; APPROPRIATED FUND BALANCE</b>	\$ -	\$ -	15,750
	<b>TOTAL REV. &amp; APPROP FUND BAL. - APPROPRIATIONS</b>	\$ -	\$ -	-

**RESOLUTION #56-2020 AUTHORIZING SUPERVISOR TO SIGN SPECTRUM CABLE TELEVISION FRANCHISE AGREEMENT**

STATE OF NEW YORK  
 Town of Bethany  
 County of Genesee

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In the Matter of the Granting of a Cable Television Franchise Held by Spectrum Northeast, LLC in the Town of Bethany, County of Genesee, New York

RESOLUTION

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An application has been duly made to the Board of the Town of Bethany, County of Genesee, New York, by Spectrum Northeast, LLC, an indirect subsidiary of Charter Communications, Inc. ("Charter"), a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 2604 Seneca Avenue, Niagara Falls, NY 14305, for the approval of a renewal agreement for Charter's cable television franchise for fifteen (15) years commencing with the date of approval by the Public Service Commission.

The franchise renewal agreement would bring the franchise into conformity with certain

provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

A public hearing was held in the Town of Bethany, New York on November 9, 2020 at 7:00 P.M. and notice of the hearing was published in the Daily News on November 3, 2020.

NOW, THEREFORE, the Board of the Town of Bethany finds that:

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Spectrum Northeast, LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Spectrum Northeast, LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Board of the Town of Bethany hereby grants the cable television franchise of Spectrum Northeast, LLC and the Town of Bethany for fifteen (15) years commencing with the date of approval by the Public Service Commission and expiring fifteen (15) years hence.

BE IT FURTHER RESOLVED that the Board of the Town of Bethany hereby confirms acceptance of this franchise renewal agreement.

The foregoing having received a 3-2 vote was thereby declared adopted.

Dated: November 9, 2020

\_\_\_\_\_  
Town of Bethany Clerk

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

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

**FUEL BIDS**

- Supervisor Hyde noted that he spoke with Genesee County Highway Superintendent about being able to request bids as a group with other



municipalities, schools, etc. After some research it was not feasible or practical because Bethany does not have a fuel farm and would have to drive to other locations to fuel up. Supervisor Hyde asked for and received permission from the Board to speak with the town’s attorney concerning multi-year bids to see if it is possible and if it would save the town any money.

**RESOLUTION #57-2021 FUEL BIDS – AWARD**

**WHEREAS**, one bid(s) for propane was received and opened as follows:

	<u>Supplier</u>	<u>Average</u>	
	<u>Price/Gal</u>	<u>Rack Price</u>	<u>Total</u>
Reisdorf Oil & Propane			\$1.299
			Locked In

and,

**WHEREAS**, 1 bid(s) for gas and diesel was received and opened as follows:

	<u>Supplier</u>	<u>Average</u>	
	<u>Price/Gal</u>	<u>Rack Price</u>	<u>Total</u>
Reisdorf Oil & Propane			
#2 Diesel-Low Sulfur	\$0.13	\$1.2615	\$1.3915
On-Road Diesel			
Unleaded Gasoline	\$0.15	\$1.2315	\$1.3815
Min Octane 87			

**WHEREAS**, Reisdorf Oil and Propane is the lowest bidder for propane, and

**WHEREAS**, Reisdorf Oil and Propane is the lowest bidder for diesel and gas, now

**ON MOTION** made by Councilwoman Fowler, duly seconded by Councilman Fluker, be it

**RESOLVED** that the 2021 propane bid is awarded to Reisdorf Oil and Propane, and be it

**FURTHER RESOLVED** that the 2021 gas and diesel bid is awarded to Reisdorf Oil and Propane.

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

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

**COURT CONSOLIDATION**

- A committee has been formed consisting of members from each town.
- Alexander will be visiting the Bethany site to see the facilities.
- Consolidation will be a savings to both towns.
- Potential Justices will have to run in both towns and can be qualified voters in either town. The candidates (2) with the most votes win.

**RESOLUTION #58-2020 AUTHORIZING SUPERVISOR TO EXECUTE JOINT RESOLUTION FOR STUDY OF JUSTICE COURT CONSOLIDATION**

**WHEREAS**, Board Members, having due notice of said meeting, and 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**, pursuant to Governor Andrew Cuomo’s Executive Orders put into place in consideration of the COVID-19 pandemic and the guidelines put in place during Phase IV of New York Forward, said meeting was held in accordance with social distancing protocol and face coverings were worn by all Board Members and public attendees; and

**WHEREAS**, the Town Board of the Town of Bethany finds it in the best interest of the Town of Bethany to consolidate their Town Justice Court with the Town of Alexander’s Justice Court, as a cost-saving measure; and

**NOW ON MOTION OF** Councilwoman Fowler which has been duly seconded by Councilman Fluker, now, therefore be it

**RESOLVED**, that the Town Board of the Town of Bethany hereby authorizes and empowers Carl Hyde Jr., Supervisor of the Town of Bethany, to execute this Joint Resolution, as well as the same adopted by the Town of Alexander, to undertake a study of the effects of two Justices; and be it further

**RESOLVED**, an original or certified copy of this Joint Resolution shall be filed with the Town Clerk of Bethany, as well as the Town Clerk of Alexander.

**TOWN OF ALEXANDER**

**TOWN OF BETHANY**

\_\_\_\_\_  
David Miller, Supervisor

\_\_\_\_\_  
Carl Hyde Jr., Supervisor

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

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

**NEW BUSINESS**

No new business was brought to the table.

**Warrant**

- The Board approved payment of the bills as follows:

	<u>Prepaid</u>	<u>Total</u>
General Fund	\$ 1,557.37	\$ 12,056.64
Highway Fund	\$ 0.00	\$ 17,615.17
Trust & Agency	\$ 0.00	\$ 0.00
Highway Capital Funds Project	\$ 0.00	\$ 0.00
Fire Protection Fund	\$ 0.00	\$ 0.00
Water Fund	\$ 10,145.62	\$ 18,616.12
Justice Fund	\$ 0.00	\$ 0.00

**Adjournment**

A **MOTION** was made by Councilman Fluker, duly seconded by Councilwoman Fowler, to adjourn the meeting at 7:56 p.m. The motion **PASSED** with All In Favor.

BY ORDER OF THE  
BETHANY TOWN BOARD  
DATED: November 12, 2020

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