

## **TOWN OF BETHANY**

### **REGULAR TOWN BOARD MEETING**

**12 August 2024**

Supervisor Hyde opened the August 14, 2024 Regular 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  
(Absent) Jeffrey Fluker, Councilman  
David DiMatteo, Attorney

Timothy Embt, Councilman  
Eli (Attorney)  
Diane Fowler, Councilwoman

Steve Wells, Councilman

Shauna Klump, Town Clerk

Barbara Czworka, Highway Superintendent

#### **Town Clerk Report – Shauna Klump**

- Presented the Minutes of the July 2024 Regular Town Board meeting.

On **MOTION** made by Councilman Wells, duly seconded by Councilman Embt, to approve the Minutes of the July 2024 Regular Town Board meeting as presented. Motion passed with All In Favor.

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

#### **Highway Superintendent Report – Barbara Czworka**

- We graders paved the intersection of Chaddock road and topped pines on Paul Road, Paradise Road, and Torrey Road with the help from Batavia, Bergen, Darien and Alexander.
- Cut trees at Putnam Road cemetery.

- Worked for County doing Mill-Fill shoulders, for 2 weeks.
- Black and White sign is on Cupola.
- Had trees and large branches to clean up after the storm on July 15, 2024.
- Along with this, Mr. Fox from Old East Road called about the water in his pasture, wants Town to install another pipe to get water out of his pasture. Pasture seems to only fill with water when we get 3-4 inches of rain in a short period of time.
- 1204 was at the repair shop for brakes locking up.
- Helped Middlebury pave for 2 days.
- We are going to lose an employee, as of September 15, 2024. Due to the Town Board never acknowledged the need for a cost-of-living increase. And this is going to always be an issue until the Board recognizes the need to retain employees.
- 1210 died at George- Swedes, Pavilion helped us trailer it to Jeffre's for repair, was wire off starter.
- 6300 tractors had a pressure sensor go causing the oil to start pouring out, got tractor back to shop, and we are working on it.

### **Board Committee Reports**

**Councilman Wells-** Planning board meeting approved land separation

**Councilwoman Fowler-** water meeting had no new updates

**Councilman Embt** No meeting this month.

**Supervisor Hyde-** Informed Barb with bringing up highway employee pay issues she was in violation of the Taylor Law.

### **NEW BUSINESS**

- **New furnace and Ac units have been installed and are working wonderfully.**

- **Town board Passed a resolution to reduce the number of Town Justice Officials by one subject to permissive referendum.**

**TOWN OF BETHANY**

**RESOLUTION No.   15**

**REDUCING THE NUMBER OF TOWN JUSTICE OFFICIALS IN THE TOWN OF BETHANY BY ONE SUBJECT TO PERMISSIVE REFERENDUM**

Adopted: August 12, 2024

The Town Board of the Town of Bethany met at a regular board meeting at the Town Offices of the Town of Bethany on the 12<sup>th</sup> day of August, commencing at 7:00 p.m., at which time and place the following members were:

Present:     Supervisor         Carl Hyde Jr      
                   Councilman        Jeffrey Fluker      
                   Councilman        Timothy Embt      
                   Councilman        Steven Wells      
                   Councilman        Diane Fowler    

Absent:         \_\_\_\_\_

**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**, the Town Board of the Town of Bethany (herein called “Town Board” and “Town”, respectively) held a regularly scheduled board meeting on the 8<sup>th</sup> day of July 2024 to address considering reducing the number of elected Town Justice positions from two to one; and

**WHEREAS**, the Town Board of the Town of Bethany having passed a resolution on the 8<sup>th</sup> day of July 2024, finding that a reduction of the number of Town Justices from two and eliminating one position will result in a reduction of costs to the taxpayers and reduce the annual amount in the Town of Bethany Budget which is expended toward local judicial, and administrative matters; and

**WHEREAS**, the Town Board of the Town of Bethany having passed a resolution on the 8<sup>th</sup> day of July 2024, finding that it be in the public interest to reduce the number of Town Justices from two to one, and that such reduction will not impact public safety; and

**WHEREAS**, the Town Clerk of the Town of Bethany was Ordered pursuant to the July 8, 2024 resolution to: (1) post a copy of the July 8, 2024 resolution on the Town's website, (2) and also post a copy of the July 8, 2024 resolution on the signboard of the Town of Bethany; and (3) Publish an abstract of the July 8, 2024 resolution in the official Town Newspaper within 10 days; and

**WHEREAS**, the Town Clerk of the Town of Bethany having: (1) posted a copy of the July 8, 2024 resolution on the Town's website, (2) and also having posted a copy of the July 8, 2024 resolution on the signboard of the Town of Bethany; and (3) having published an abstract of the July 8, 2024 resolution in the official Town Newspaper within 10 days; and

**WHEREAS**, the Bethany Town Board having opened a thirty (30) day period on July 8, 2024 for petitions to be filed subject to permissive referendum in opposition to the proposed reduction in the number of Town Justices from two to one ; and

**WHEREAS**, the thirty (30) day period for the filing of petitions in opposition of the proposed reduction in the number of Town Justices from two to one has now closed; and

**WHEREAS**, the Town Clerk of the Town of Bethany having certified that no such petitions in opposition to the reduction in number of Town Justices from two to one have been received by the Town of Bethany; and

**NOW ON MOTION OF** \_\_\_\_Steve Wells\_\_\_\_ which has been duly seconded by \_\_\_\_DIANE FOWLER\_\_\_\_, therefore, it is

**ORDERED**, that the Town Board of the Town of Bethany, New York, hereby reduces the number of Elected Officials serving as Town Justices from two to one; and be it

**FURTHER ORDERED**, that the Town Clerk of the Town of Bethany file a certified copy of this resolution and Order with the Office of the State Comptroller and the Genesee County Board of Electors; and be it

**FURTHER ORDERED**, that this resolution and Order shall be effective upon the filing of the same with the Office of the State Comptroller and the Genesee County Board of Electors.

DATED: August 12, 2024

TOWN BOARD OF THE  
TOWN OF BETHANY

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Shauna Klump, Town Clerk

Approved on Roll Call as follows:

Supervisor	Carl Hyde Jr.	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent
Councilmember	Jeffrey Fluker	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent
Councilmember	Timothy Embt	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent
Councilmember	Steven Wells	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent
Councilmember	Diane Fowler	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent

### **Adjournment**

A **MOTION** was made by Councilman Fluker, duly seconded by Councilwoman Fowler to adjourn the meeting at 7:39 p.m. The motion **PASSED** with All In Favor.

BY ORDER OF THE

Respectfully Submitted,

BETHANY TOWN BOARD  
DATED: August 12, 2024

Shauna Klump, RMC  
Bethany Town Clerk