

**TOWN OF BETHANY
YEAR END TOWN BOARD MEETING
27 DECEMBER 2023**

Supervisor Hyde opened the December 27, 2023 Year End 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:

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|----------------------------|---|
| Carl Hyde, Jr., Supervisor | Jeffrey Fluker, Councilman |
| Diane Fowler, Councilwoman | Timothy Embt, Councilman |
| Shauna Klump, Town Clerk | Barbara Czworka, Highway Superintendent |
| | Steve Wells, Councilman |

Darin Loft ZEO- 3 inspections and 1 building permit

Barb Czworka- 2 plow runs and hauling chip stone

Jeff Fluker- 17 calls for the month

Steve Wells- No planning board meeting

Tim Embt- No meeting

Diane Fowler- Next water meeting is set for January 9th.

NEW BUSINESS

Emergency Water Declaration:

**TOWN OF BETHANY
RESOLUTION No. 14
RESOLUTION DECLARING LOCAL STATE OF EMERGENCY FOR WATER SERVICES**

Adopted: December 27, 2023

The Town Board of the Town of Bethany met at an end of the year board meeting at the Town Offices of the Town of Bethany on the 27th day of December 2023, 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, Town of Bethany Water District No. 5 as a project that had been previously approved by the Town of Bethany and the individuals within said proposed district, who would receive service as of January 25, 2021; and

WHEREAS, that as a result of the COVID emergency, costs escalated between the time the project was originally proposed and the time the project was to be bid – following approval by the New York State Comptroller’s Office – causing the estimated costs of the project to increase from \$16 million to \$20 million; and

WHEREAS, As a result of that increase, the Town of Bethany no longer had the authority, either by way of Bond Resolution passed by the Town of Bethany or by the State Comptroller’s Office. As a result, the project has since become dormant. The Town continued to attempt to find alternate forms of funding and continued to diligently work on behalf of the community; and.

WHEREAS, during the spring, summer, fall and winter of 2023, the southeastern portion of Genesee County, including the Town of Bethany, experienced severe drought conditions; and

WHEREAS, as a result of such severe drought conditions approximately one-hundred (100) residences within the Town of Bethany, including two (2) dairy farms which house approximately four-thousand (4000) head of cattle, completely lost all water services; and that said dairy facilities have been hauling sixty thousand (60,000) gallons of water per day to meet the needs of their livestock; and

WHEREAS, the Town Board of the Town of Bethany has determined that the inability to provide water services to the affected parcels imperils the public health and safety; and

WHEREAS, based on the determination that the inability to provide water service to the affected parcels imperils the public health and safety, the Town Board of the Town of Bethany, through Town Supervisor, Carl Hyde Jr., has found it to be in the best interest of the Town of Bethany to declare a local state of emergency due to the drought conditions pursuant to § 24(1) of the New York State Executive Law; and **WHEREAS**,

_____ ; and

WHEREAS,

_____ ; and

WHEREAS,

_____ ; and

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Town Board of the Town of Bethany hereby declares a local state of emergency due to the drought conditions present in Genesee County and the Town of Bethany pursuant to § 24(1) of the New York State Executive Law; and be it further:

RESOLVED, that further pursuant to §24(1) of the New York State Executive Law, said local state of emergency shall be in full force and effect for a period of thirty (30) days or until rescinded by the Town Supervisor, whichever occurs first; and be it further

RESOLVED, that further pursuant to § 24(1) of the New York State Executive Law, the Town Supervisor may issue additional declarations extending the local state of emergency for additional periods not to exceed thirty (30) days until the emergency ceases or is abated; and be it further

RESOLVED, that pursuant to § 24(2) of the New York State Executive Law, this resolution shall be published in a newspaper of general circulation within the Town of Bethany and transmitted to radio and television media for publication and broadcast; and be it further

RESOLVED, that pursuant to § 24(3) of the New York State Executive Law, this resolution shall be executed in quadruplicate and within seventy-two (72) hours of execution shall

be filed in the Town of Bethany Town Clerk’s Office, the Genesee County Clerk’s Office, the office of the Secretary of State, and the State Office of Emergency Management within the Division of Homeland Security and Emergency Services; and be it further

RESOLVED, that the declaration of a TOWN BOARD OF THE TOWN OF local state of emergency shall be effective BETHANY immediately upon adoption of this resolution. DATED: __December 27_____, 2023

- **Water District 5, Fargo Road and Sweetland road are no longer in WD5 due to Bethany having to use PVC pipes instead of ductile iron per MCWA> Carl is working on getting answers about why we can not use certain back flow preventers.**
- **Fuel bid contract is now every two years, and the new bids are due Sept/Oct of 2024.**
- **The proposed WD6 will be going out shortly. Talk to your neighbors we need 51% approval of the total mailed out to proceed. If you are not sure about your water district, please call the town supervisor at (585) 343-1399 x202.**

Adjournment

A **MOTION** was made by Councilman Fluker, duly seconded by Councilman Wells to adjourn the meeting at 8:06 p.m. The motion **PASSED** with All In Favor.

BY ORDER OF THE
BETHANY TOWN BOARD
DATED: December 27, 2023

Respectfully Submitted,
Shauna Klump, RMC
Bethany Town Clerk