

TOWN OF BETHANY**REGULAR TOWN BOARD MEETING****14 NOVEMBER 2022**

Supervisor Hyde opened the November 9, 2020 Town Board Meeting at 7:00 p.m. with the Pledge of Allegiance.

Town Officials in Attendance were:

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

Attendees to the Meeting were:

Bill Elsasser	Joe Nowakowski	Jeff Wolak
Jim Phillips		

FINANCES

Supervisor Hyde presented the finances for October 2022.

General Fund	\$853,502.68
Highway Fund	\$520,381.22
AP/PR Account	\$72,453.40
Trust & Agency Account	\$7,321.31
Highway Checking	\$11,361.83
Supervisor	\$502,060.21
Water District #2	\$41,599.48
Petty Cash	\$ 200.00
NY Class	\$251,030.11
Capital Projects	\$1,549.03
Water District #4	\$593.05
Water District #5	\$0.00
Total	\$2,262,052.32
Revenues Received	
Shauna Klump, Town Clerk	\$633.50
Co. of Genesee	\$101,680.94
US Post Office	\$100.00
Joe Nowakowski, Justice	\$1,448.00
Jeff Wolak, Justice	\$435.00
Future Development	\$51.16
Total Revenue	\$106,336.27

Town Clerk Report – Shauna Klump

- Presented the Minutes of the October 14, 2022, Regular Town Board meeting.

A **MOTION** was made by Councilwoman Fowler, duly seconded by Councilman Fluker, to approve the minutes of the October 14, 2022, Regular Town Board meeting as presented. Motion **PASSED** with All In Favor.

- The Clerk's Monthly Report and Bank Statements for October 2022 were reviewed by the Town Board.
- Resolution for Tax Collector Diane 1st, Jeff 2nd all in favor motion has been passed.

Highway Superintendent Report – Barbara Czworka

Graded Dublin Rd added 54 ton of 1 inch crusher down the road
Hosed off all equipment in preparation of Rust-kote spraying, this year we added the loader to the list.

All 10 wheelers are inspected, and we are getting them ready for snow.

1204 went to Marquarts for 2 front tires, front end alignment and we had to have battery cables rebuilt they were rotting.

Land Pro has been to visit 2 more times

Still have roadsides being mowed. And using shared arm mower to get some places with scrub trees.

Having some transmission issues with bucket truck.

We have put in driveway pipe and changed a cross culvert on Paradise rd. on paradise rd. one more cross culvert to do if weather doesn't get too bad.

Resolution for snow and ice removal was discussed within board for a 5-year agreement. Motion was first approved by Jeff Fluker and seconded by Steve Wells all approved. Resolution is approved.

Resolution for fuel and propane bid was discussed within the board. Motion to approve resolution first Steve Wov ells Diane Fowler second and all approved. Resolution was passed.

Board Committee Reports:

Councilman Fluker: Low on calls, One fire. Tractor fire with Stafford a few ambulance calls.

Supervisor Hyde: Soil and water meeting tomorrow about salt shed needed for highway.

Re-levy resolution for water bills resolution was discussed within the board. Motion was 1st by Diane Fowler and seconded by Jeff Fluker all approved. Resolution was passed.

Water District #4 resolution was discussed within the board all in favor resolution has been passed.

2022 Justice amounts

Old Town Hall Demolition into a green space. Leaving the cupola and the bell. No asbestos or lead was found inside the building.

Town Board Budget final approval Jeff Fluker and Diane Fowler all in favor.

Councilwoman Fowler: No water Meeting, No update.

Councilman Wells: Planning Board meeting was canceled

Councilman Embt: No meeting

Darin loft:

2 zoning permits pending

- 2 building permits pending
- 11 field inspections
- 16 calls for info or set up inspections
- 1 certificate of Occupancy

OLD BUSINESS

Water District #5 – Update, No new updates

RESOLUTION #-2022 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 – aye Councilman Fluker – aye
 Councilman Embt –aye Councilman Wells – aye
 Councilwoman Fowler – aye

RESOLUTION #-2022 ADOPTION OF 2023 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, 2022 and after which a Public Hearing was held on November 9, 2022 for all interested parties to be heard with the public hearing notice being published and posted on November 9, 2022.

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 2023 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 2023 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 –aye Councilman Fluker -aye Councilman Embt
 –aye Councilman Wells– aye
 Councilwoman Fowler - aye

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.

Adjournment

A **MOTION** was made by Councilman Fluker, duly seconded by Councilwoman Fowler, to adjourn the meeting at 7:59 p.m. The motion **PASSED** with All In Favor.

BY ORDER OF THE
 BETHANY TOWN BOARD

Respectfully Submitted,

DATED: November 14, 2022

Shauna Klump
Bethany Town Clerk