

The November 13, 2019 Town of Bethel regular Town Board meeting was called to order by Supervisor Daniel Sturm at 7:30 p.m. at the Dr. Dugan Community Center meeting room.

Council members present: Vicky Simpson  
 Dawn Ryder  
 Lillian Hendrickson  
 Bernie Cohen

The meeting was opened with the Pledge of Allegiance.

**Audit of Bills**

Motion by Mrs. Simpson to approve audit of bills.  
 Seconded by Mrs. Hendrickson, put to a vote and carried 4-0.

<u>Fund</u>	<u>Amount</u>	<u>Check Nos.</u>
General Fund	\$120,362.47	8899-8954
Highway Fund	\$214,446.38	2361-2384
Sewer Fund	\$ 28,694.82	1852-1882
Capital Highway	\$ 15,601.99	Bill Pmt-check
Planning Escrow	\$ 1,488.70	1204-1205

Mr. Cohen arrived at this point of the meeting.

**Supervisor’s Monthly Report - November**

Motion by Mrs. Ryder to receive and file Supervisor’s Monthly Report as given by Mr. Sturm. Seconded by Mrs. Simpson, put to a vote and carried 5-0.

**General Fund Budget Transfers**

Motion by Mrs. Simpson under the General Fund to approve a resolution for budgetary transfers between fund account codes, seconded by Mrs. Hendrickson, put to a vote and carried 5-0 as follows:

<u>Acct Code</u>	<u>Title</u>	<u>Debit</u>	<u>Credit</u>
A1420.4	Attorney	20,000.00	
A1990.4	Contingency	15,000.00	
A3120.1	Police .1	10,000.00	
A7140.1	Playgrounds and Rec .1	15,000.00	
A9060.8	Health Insurance	61,789.97	
A1620.1	Town Hall .1		7,000.00
A1910.4	Unallocated Insurance		5,756.43
A3120.2	Police Equipment .2		\$39,572.63
A6999	Uncategorized expenses		\$2,114.56
A7140.4	Playground and Rec .4		\$8,500.00
A7310.1	Youth Program .1		\$5,303.14
A7550.4	Celebrations		\$2,500.00
A7989.4	Cultural Series		\$50,000.00
A9010.8	NYS Retirement		\$1,043.21

**Highway Fund Budget Transfers**

Motion by Mrs. Simpson under the Highway Fund to approve a resolution for budgetary transfers between fund account codes, seconded by Mr. Cohen, put to a vote and carried 5-0 as follows:

Acct Code	Title	Credit (rev)	Credit
Da 3501	State aid Consolidated Hwy	107,991.18	
DA5112.4	Perm Improve Hwy Contr.		107,991.18
		\$107,991.18	\$107,991.18

**Highway Fund Budget Transfers**

Motion by Mrs. Ryder under Highway Fund to approve a resolution for budgetary transfers between fund account codes, seconded by Mrs. Simpson, put to a vote and carried 5-0 as follows:

Acct Code	Title	Debit	Credit
5110.4	Maint of Streets .4	\$55,686.05	
5130.2	Machinery Equipment .2		\$54,728.00
9010.8	NYS Retirement		\$958.05
		\$55,686.05	\$55,686.05

**Sewer Fund Budget Transfers**

Motion by Mrs. Simpson under Sewer Fund to approve a resolution for budgetary transfers between fund account codes, seconded by Mrs. Ryder, put to a vote and carried 5-0 as follows:

Acct Code	Title	Debit	Credit
9710.6	Sewer Bond Principle	\$9,724.00	
9710.7	Sewer Bond Interest		\$9,724.00
		\$9,724.00	\$9,724.00

**Building Department Monthly Report**

October 2019 Fees	\$ 4,060.
October 2018 Fees	\$ 3,691.
October 2019 Construction Totals	\$873,300.
October 2018 Construction Totals	\$533,500.

Motion by Mrs. Simpson to receive and file the building department monthly report as submitted. Seconded by Mrs. Hendrickson, put to a vote and carried 5-0.

**Town Clerk's Monthly Report**

Total fees for October, 2019	\$7,362.99
State Share	\$ 796.92
Town Share	\$6,566.07

Motion by Mrs. Hendrickson to receive and file the town clerk's monthly report as submitted. Seconded by Mrs. Ryder, put to a vote and carried 5-0.

**Sodium Hydroxide Bid Results**

Motion by Mrs. Hendrickson to approve bid response from Kuehne Chemical Co., Inc., Kearny, NJ for 4,000 gallons of sodium hydroxide 25% liquid. Seconded by Mrs. Ryder, put to a vote and carried 5-0.

**Municipal Shelter Inspection Report**

Motion by Mrs. Hendrickson to receive and file municipal shelter inspection report dated 10/22/2019 from the NYS Agriculture and Market reported that the dog shelter services were rated satisfactory. Seconded by Mrs. Ryder, put to a vote and carried 5-0.

**Dog Control Officer Inspection Report**

Motion by Mrs. Hendrickson to receive and file dog control officer inspection report from the NYS Agriculture and Markets reported that DCO services were rated satisfactory. Seconded by Mrs. Ryder, put to a vote and carried 5-0.

**Public Hearing: 7:45 p.m. Property Violations SBL #42.-28-5**

Motion by Vicky Simpson to recess the regularly scheduled Town of Bethel Town Board meeting at 7:45 p.m. and enter into the scheduled public hearing. Seconded by Lillian Hendrickson, put to a vote and carried 5-0.

Rita Sheehan, Bethel Town Clerk, read the legal notice regarding unsafe structure, SBL#: 42.-28-5, 49 Overlook, Smallwood, NY 12778 assessed to Charles & Christie Schwamberger as posted in the Sullivan Democrat.

There were no comments.

Motion by Mrs. Hendrickson to close the scheduled public hearing and re-enter the regularly scheduled Town of Bethel Town Board meeting. Seconded by Mrs. Simpson, put to a vote and carried 5-0.

**Division of Planning Training Certificate**

Motion to receive and file letter dated 10/23/2019 from the Sullivan County Division of Planning and Community Development for (1) credit hour of continued education training in Planners & Pizza: Dark Skies was attended by Cirino Bruno. Seconded by Mr. Cohen, put to a vote and carried 5-0.

**Town Hall Retrofit Consultant Proposal Results**

Bids for a Town Hall Retrofit Consultant Proposal were received and opened publicly read on 9/18/2019 at 3 p.m. The following bids were received:

	<b>Contractor</b>	<b>Amount</b>	<b>Analysis</b>	<b>Total</b>
1	Daylight Savings Co.	0	0	0
2	EME Group	\$60,000	24500	84500
3	River Architects	\$72,500	\$6,000	\$78,500
4	CTA Architects			\$95,000
5	Buck Moorhead Architect	\$96,500	\$16,750	\$113,250
6	Anthony Erdman & Assoc.	\$115,200	\$29,400	\$144,600
7	Ashley McGraw	\$150,800	\$8,500	\$159,300
8	M/E Engineering	\$173,010	\$38,125	\$211,135

Motion by Mrs. Simpson to approve River Architects proposal for a Town Hall Retrofit as submitted. Seconded by Mrs. Ryder, put to a vote and carried 5-0.

**2019 Standard Workday and Reporting Resolution**

Be it Resolved that the Town of Bethel hereby establishes the following standard workday (6 hours) for these titles and will report to the NYSLR based on their record of activities: Building Inspector, Recreation Director and Board of Assessment.

Motion by Mr. Cohen to approve the 2019 standard workday and reporting resolution. Seconded by Mrs. Hendrickson, put to a vote and carried 5-0.

**Resolution to Relevy for Unsafe Structure (Haffner) SBL #41.-25-18**

**RESOLUTION OF THE TOWN OF BETHEL TOWN BOARD TO AUTHORIZE SPECIAL RELEVY ON THE TOWN OF BETHEL 2020 TAX ROLL FOR REMOVAL OF UNSAFE STRUCTURE**

**WHEREAS**, the Town Board of the Town of Bethel hereby adopts the following resolution to relevy the cost of engineering fees as authorized by the Town of Bethel Code Chapter 113-10, Buildings, Unsafe,

**BE IT RESOLVED**, that the Sullivan County Legislature relevy the following property in the amount specified on the Town of Bethel 2020 Tax Roll, and

**BE IT FURTHER RESOLVED**, that the Town Clerk shall file this resolution with 2017 budget submitted to the Sullivan County Legislature and to file a copy with the Sullivan County Clerk.

<u>Owner</u>	<u>S-B-L</u>	<u>Amount</u>
Eugene J. Hafner 19 Grandview Ave Glen Rock NJ 07452	41.-25-18	\$371.75

Motion by: Councilwoman Lillian Hendrickson  
Seconded by: Councilwoman Dawn Ryder

**Resolution to Relevy for unpaid Kauneonga Lake Sewer District**

**RESOLUTION TO AUTHORIZE RELEVY OF UNPAID SEWER RENTS FOR KAUNEONGA LAKE CONSOLIDATED SEWER DISTRICT ON THE 2020 TAX ROLL**

**WHEREAS**, that the Town Board of the Town of Bethel has adopted the following resolution for the relevy of unpaid sewer user charges in the Kauneonga Lake Consolidated Sewer District,

**RESOLVED**, that the Town Board of the Town of Bethel does hereby authorize the Supervisor to transmit to the Sullivan County Legislature for presentation the following list of properties against which there are past due sewer user charges owed to the Kauneonga Lake Consolidated Sewer District for 2019,

**FURTHER**, that the County Legislature relevy as unpaid sewer user charges the sum specified against the properties as identified by section, block and lot number preceding the amount of arrears on the 2020 Tax Roll of the Town of Bethel as attached.

**Kauneonga Lake Consolidated Sewer District      \$86,007.66**

Motion by: Councilwoman Lillian Hendrickson  
Seconded by: Councilwoman Dawn Ryder

**Resolution to Relevy unpaid Kauneonga Lake Sewer District Extension**

**RESOLUTION TO AUTHORIZE RELEVY OF UNPAID SEWER RENTS FOR  
KAUNEONGA LAKE SEWER DISTRICT EXTENSION  
ON THE 2020 TAX ROLL**

**WHEREAS**, that the Town Board of the Town of Bethel has adopted the following resolution for the relevy of unpaid sewer user charges in the Kauneonga Lake Sewer District Extension,

**RESOLVED**, that the Town Board of the Town of Bethel does hereby authorize the Supervisor to transmit to the Sullivan County Legislature for presentation the following list of properties against which there are past due sewer user charges owed to the Kauneonga Lake Sewer District Extension for 2019,

**FURTHER**, that the County Legislature relevy as unpaid sewer user charges the sum specified against the properties as identified by section, block and lot number preceding the amount of arrears on the 2020 Tax Roll of the Town of Bethel as attached.

**Kauneonga Lake Sewer District Extension                    \$5,273.26**

Motion by: Councilwoman Lillian Hendrickson  
Seconded by: Councilwoman Dawn Ryder

**Resolution to Relevy unpaid Stevensville Water**

**RESOLUTION TO AUTHORIZE RELEVY OF UNPAID WATER RENTS  
FOR OUT OF DISTRICT USERS OF THE STEVENSVILLE WATER DISTRICT  
ON THE 2020 TAX ROLL**

**WHEREAS**, that the Town Board of the Town of Bethel has adopted the following resolution for the relevy of unpaid water rents for out of district users in the Stevensville Water District,

**RESOLVED**, that the Town Board of the Town of Bethel does hereby authorize the Supervisor to transmit to the Sullivan County Legislature for presentation the following list of properties against which there are past due water rents owed to the Stevensville Consolidated Water District for 2019,

**FURTHER**, that the County Legislature relevy as unpaid water rents the sum specified against the properties as identified by section, block and lot number preceding the amount of arrears on the 2020 Tax Roll of the Town of Bethel as attached.

**Stevensville Water District                    \$13,887.43**

Motion by: Councilwoman Lillian Hendrickson  
Seconded by: Councilwoman Dawn Ryder

**Resolution to Relevy unpaid Swan Lake Sewer**

**RESOLUTION TO AUTHORIZE RELEVY OF UNPAID SEWER RENTS  
FOR OUTSIDE USERS SWAN LAKE/BRISCOE ROAD CONSOLIDATED  
SEWER DISTRICT ON THE 2020 TAX ROLL**

**WHEREAS**, that the Town Board of the Town of Bethel has adopted the following resolution for the relevy of unpaid sewer rents for outside users in the Swan Lake/Briscoe Road Consolidated Sewer District,

**RESOLVED**, that the Town Board of the Town of Bethel does hereby authorize the Supervisor to transmit to the Sullivan County Legislature for presentation the following list of properties against which there are past due sewer rents owed to the Swan Lake/Briscoe Road Consolidated Sewer District for 2019,

**FURTHER**, that the County Legislature levy as unpaid sewer rents the sum specified against the properties as identified by section, block and lot number preceding the amount of arrears on the 2020 Tax Roll of the Town of Bethel as attached.

**Swan Lake/Briscoe Road Consolidated Sewer District \$180.52**

Motion by: Councilwoman Lillian Hendrickson

Seconded by: Councilwoman Dawn Ryder

**Public Hearing: 8:00 p.m. Property Violations SBL #43.-6-28**

Motion by Mrs. Simpson to recess the regularly scheduled Town of Bethel Town Board meeting and open the scheduled public hearing at 8 p.m. Seconded by Mrs. Hendrickson, put to a vote and carried 5-0. Mr. Mannino was present for the public hearing.

Fusco Engineering report dated 11/13/2019, completed plans are ready for submission to the building department and start the permit process. Plan provides that the contractor is to utilize the existing crawlspace and replace any piers and girders that have been comprised due to the fire. Foundation in area of crawlspace is constructed of CMU block and will be reinforced by filling every course with concrete plus a new pressure treated sill plate. The contractor is to investigate the existing piers and replace them as required. Mr. Mannino has spent thousands cleaning debris.

Motion by Mrs. Simpson to close the public hearing at 8:05 p.m. and re-enter the regularly scheduled Town of Bethel Town Board meeting. Seconded by Mrs. Hendrickson, put to a vote and carried 5-0.

Mr. Sturm had pictures he took today and showed the board. Mr. Sturm asked to give him another sixty (60) days.

**Property Violation Updates Schwamberger – SBL #42.-28-5**

Motion by Mrs. Hendrickson to allow Mr. Schwamberger and additional sixty (60) days more. Seconded by Mr. Cohen, put to a vote and carried 5-0.

**Property Violation Updates Leventures, LLC – SBL #43.-6-28**

In 2016 Glenn L. Smith, P.E. Consulting Engineer determined the structure unsafe in his engineering report. You purchased this property from the County. In 2019 the owner did clean up debris. August 2019 the town required an engineering report. November 2019 the property is still unsafe.

Mr. Sturm submit plans to the building department tomorrow. Mr. Mannino – as soon as they issue the permit, we will start and have done in fifteen (15) days.

Motion by Mrs. Hendrickson to table this item until our December 11, 2019 Town of Bethel Board meeting. Seconded by Mrs. Ryder, put to a vote and carried 5-0.

**Correspondence Planning Board – Vacancy**

Motion by Mrs. Hendrickson to receive and file a memo from Steve Simpson dated 11/5/2019 with a recommendation to advertise for vacancy of a board member and the vacancy of an alternate board member. Seconded by Mrs. Ryder, put to a vote and carried 5-0.

**Grant from Jen Metzger for \$100,000.00 for the Forest Reserve**

**RESOLUTION OF TOWN BOARD OF THE TOWN OF BETHEL  
AUTHORIZING THE COMPLETION OF AN APPLICATION FOR A STATE  
AND MUNICIPAL FACILITIES PROGRAM GRANT FOR THE**

**CONSTRUCTION OF AN INFORMATION AND COMFORT STATION FOR THE FOREST RESERVE AT SMALLWOOD AND FOR THE EXPENDITURE OF LOCAL FUNDS AND THE EXECUTION OF A GRANT AGREEMENT**

**WHEREAS**, the Town of Bethel is making application for a State and Municipal Facilities Capital Program Grant to be awarded by the Dormitory Authority of the State of New York (hereinafter “DASNY”) in the amount of \$100,000 (the “Grant Application”); and

**WHEREAS**, it appears that the Grant Application submitted by the Town has been received and is awaiting authorization for the issuance of the grant funds for the purposes set forth in the Grant Application, which is for the construction of an Information and Comfort Station for the Forest Reserve at Smallwood to be used by residents and visitors (hereinafter the “Project”); and

**WHEREAS**, the Town of Bethel is willing to make the necessary commitment to provide the municipal share of funding for the Project in the event that the Grant Application is approved; and

**WHEREAS**, the Town of Bethel Town Board declares itself as the lead agency for the purposes of environmental review under State Environmental Quality Review Act (“SEQRA”) for the action contemplated by this Resolution.

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Bethel hereby authorizes the Town Supervisor to complete any necessary Grant Application requirements in order to secure the funds provided by the State and Municipal Facilities Grant Program for the purposes identified in the Grant Application or this Resolution; and be it

**FURTHER RESOLVED**, that the Town of Bethel hereby commits to provide funds in an amount not to exceed \$75,000 as the Town’s contributory share for the completion of the Project, said funds to be provided from the Town’s General Fund; and be it

**FURTHER RESOLVED**, that the Supervisor of the Town of Bethel is hereby authorized on behalf of the Town of Bethel to negotiate, sign and properly deliver any agreements received from DASNY or other State agency related to the Grant Application or funding for the Project and to complete any remaining tasks and execute and deliver any necessary documents required to complete the Grant Application, receive the grant funds and implement any necessary agreements; and be it

**FURTHER RESOLVED**, the Town Supervisor is hereby authorized to expend funds in excess of the municipal share of the grant award if necessary, to complete the Project; and be it

**FURTHER RESOLVED**, that the action contemplated under this Resolution is a type II action under the State Environmental Quality Review Act (“SEQRA”) (6 NYCRR 617.5[b][1] & [2] and no further environmental review pursuant to SEQRA is necessary; and be it

**FURTHER RESOLVED**, that this Resolution shall become effective immediately upon its passage.

Motion by Town Board member Lillian Hendrickson  
 Seconded by Town Board member Vicky Simpson

Adopted upon a roll call vote as follows:

		<u>AYE</u>	<u>NAY</u>
Bernie Cohen	Voting	X	
Lillian Hendrickson	Voting	X	
Dawn Ryder	Voting	X	
Vicky Simpson	Voting	X	

Daniel Sturm    Voting    X

Duly adopted by 5 ayes, 0 nays the 13th day of November, 2019.

Mr. Sturm – The Town of Bethel has a continuing plan to develop a recreational and community park on 126 acres of publicly owned property in the hamlet of Smallwood. We have created a network of walking trails that we are steadily upgrading and expanding. A walking loop with outdoor exercise equipment and a dog park have been constructed. Programs for youth and the community focusing on outdoor activities have been put in place and are also being steadily expanded in line with the Town of Bethel’s goal to create a healthier community.

In support of these projects and plans, and for the purposes of this grant application, we propose to construct an approximately 400 square foot (20 x 20) information and comfort station on a small piece of property the Town separately own at the entrance to the park property at the end of Golf Park Road in Smallwood. This will include bathrooms, a 16-space parking lot, and a informational kiosk for visitors outlining the trail system and an educational component focusing on the flora/fauna of the property. We would also propose to install a compostable restroom at the second entrance to the Forest Reserve property located off Mohican Lane in Smallwood.

This is a matching grant in which we have to commit to the funds to complete the work which can also be in kind work (highway department).

**Authorize Town Clerk to attend NYSTCA Regional Meeting 12/9/2019**

Motion by Mrs. Simpson to approve Rita Sheehan, Town Clerk, to attend NYS Town Clerks Association December 9, 2019 education Program on NYSDOH Vital Records. Cost including room, mileage and meals is approximately \$150. Funds are in Clerk’s budget. Seconded by Mrs. Hendrickson, put to a vote and carried 5-0.

**Cancel Town Board Meeting of November 27, 2019**

Motion by Mrs. Ryder to cancel the November 27, 2019 Town of Bethel Town Board meeting. Seconded by Mr. Cohen, put to a vote and carried 5-0.

**Correspondence from NYS Police re: Court Assistance**

Motion by Mrs. Hendrickson to receive and file letter dated 10/29/2019 from the NY State Police in appreciation for the Town of Bethel Court and in particular Judge Barber and Chief Clerk Mary Prince. Letters should be placed in their personnel files. Seconded by Mrs. Simpson, put to a vote and carried 5-0.

**Solar Lease with BQ Energy**

There will be between \$23-\$30,000 lease payments to the town. 12% reduction in electric to residents; town can also buy. Start construction in the spring. This is the first solar project before the Planning Board. Mr. Sturm thanked the Green Committee, Karen and Jeff, NYSERDA and EPA.

Mrs. Ryder it’s a twenty-five (25) year lease; de-commissioning built in and can cancel any time.

Mr. Sturm - Karen Mannino has reviewed the proposal.

Motion by Town Board member Mrs. Simpson. Seconded by Town Board member Mrs. Ryder put to a roll call vote and carried 5-0 as follows:

		<u>AYE</u>	<u>NAY</u>
Mrs. Simpson	voting	X	
Mrs. Hendrickson	voting	X	



Mrs. Ryder	voting	X
Mr. Cohen	voting	X
Mr. Sturm	voting	X

**Public Comment**

Dan Gabriel – Any way of putting electric on top of vapors? Solar panels have a 45-year life, parts won't be available from manufacturer.

Susan Brown Otto - reminder, November 16<sup>th</sup> starts rifle season.

Garrett Gabriel - Solar is a good idea; town hall needs to be up-graded and also the Highway department. Do we really need thermal for the town hall? Forest Reserve/Dog Park - \$100,000 with a \$175,000 match, sounds like a visitor center.

Mr. Sturm - Geothermal is only in review. Long way off of what is going in the Town hall.

Mr. Sturm- Parks master plan.

Dan Gabriel - Who is maintaining comfort station? Garbage? Vandalism? The upkeep is costly.

Debra Gabriel - Are there grants for broad band? Mr. Sturm - No grants at the local level. Grants are for companies per Assemblywoman Gunther and Senator Metzger.

**Adjournment**

There being no further items on the agenda motion by Mrs. Simpson to adjourn the Town of Bethel Town Board meeting.

Seconded by Mrs. Hendrickson, put to a vote and carried 5-0.

Respectfully submitted,

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Rita J. Sheehan, Town Clerk