

The March 11, 2020 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  
Lillian Hendrickson  
Bernie Cohen

Council member absent: Dawn Ryder

The meeting was opened with the Pledge of Allegiance.

**Audit of Bills**

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

<u>Funds</u>	<u>Amount</u>	<u>Check #'s</u>
General Fund	\$1,165,911.07	9187-9246
Highway Fund	\$ 156,449.16	2494, 2496-2529
Kauneonga Lake Sewer District	\$ 123,544.91	1962-1980
Kauneonga Lake Light District	\$ 4,247.10	1047-1048

**Supervisor’s Monthly Report**

Mr. Sturm reported the general fund is 13.4%, better than last year.  
2018 - .3% interest rates or \$1,100 in interest.  
2019 – 1.75% interest rates or \$11,000 in interest  
Mr. Sturm thanked the Town Board and all departments.  
Expenses are monitored daily.

**Town Clerk’s Monthly Report**

Total fees for February, 2020	\$4,987.95
State Share	\$ 67.24
Town Share	\$4,920.71

Motion by Mrs. Hendrickson to receive and file Town Clerk’s monthly report as submitted. Seconded by Mr. Cohen, put to a vote and carried 4-0.

**Bethel Woods Traffic Management Plan Pavilion Shows**

At a meeting of the Town Board of the Town of Bethel, Sullivan County, NY, on the 11<sup>th</sup> day of March, 2020.

In the Matter of the  Regulation of Traffic within the Town of Bethel during the <b>Bethel Woods Event Series for 2020.</b>
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**TRAFFIC CONTROL ORDER**

**WHEREAS**, the Town Board of the Town of Bethel created the created the PA-Performing Arts Center Development zoning district to facilitate the approval, construction and operation of a performing arts center and related uses near and around the original site of the 1969 Woodstock Music and Arts Festival; and

**WHEREAS**, pursuant to regulations promulgated for the PA-Performing Arts Center Development zoning district, the Bethel Performing Arts Center, LLC received

approvals from the Town of Bethel Planning Board to construct and operate a performing arts center known as the Bethel Woods Center for the Arts; and

**WHEREAS**, the Bethel Woods Center for the Arts will commence operation of its 2020 Pavilion performance season in May 2020; and

**WHEREAS**, a traffic management plan (the “Traffic Plan”) has been prepared for the Bethel Woods Center for the Arts 2020 event season which recommends implementation of certain vehicle traffic restrictions on Town highways during public events conducted at the Bethel Woods Center for the Arts site; and

**WHEREAS**, a copy of the Traffic Plan has been delivered to and reviewed by the members of the Town Board; and

**WHEREAS**, the Town adopts this Order to assist in the management of vehicular traffic in the Town during the times that the Concert attendees will impact local traffic.

**NOW THEREFORE IT IS ORDERED** by the Town Board of the Town of Bethel, pursuant to the authority set forth in section 1660 of the NY Vehicle & Traffic Law, will authorize the implementation of the temporary measures set forth in the Traffic Plan for category A events, category B events and category C events. A copy of the Traffic Plan is attached hereto and incorporated herein by reference; and it is further

**ORDERED**, that notwithstanding the preceding paragraph of this Order,

1. As to each event, the event promoter or organizer will provide advance notice to the Town Supervisor, or his duly authorized designee, whether the event has been classified as a category A, category B or category C event;
2. In every instance where the Traffic Plan provides the following – “Hours of implementation will vary by event date and estimated crowd size, but will generally be between the hours of 8pm to 2am for outbound traffic” – the event promoter or organizer will confer in advance of the event with the Town Supervisor, or his duly authorized designee, regarding the hours of implementation; and

**ORDERED**, that during any event covered by the Traffic Plan, the Town Supervisor, or his duly authorized designee, is authorized to amend any portion of this Order relating to the use of town highways or road closure locations or time periods as local traffic conditions require; and be it further

**ORDERED**, that during any event covered by the Traffic Plan, and in accordance with §1660(8) of the NY Vehicle & Traffic Law, any Town Constable, County Sheriff’s Officer, State Policeman or any other peace officer or the Town Supervisor may order the removal and storage of vehicles parked or abandoned on any town highway or found unattended where they constitute an obstruction to traffic or at any place where stopping, standing or parking is prohibited. The owner or operator of any such removed vehicle shall be responsible for the payment of reasonable charges for such vehicle removal and storage; and be it further

**ORDERED**, that the action contemplated by this Order is a Type II action under the State Environmental Quality Review Act (“SEQRA”) and is not subject to review under SEQRA (*see*, 6 NYCRR §§617.5[a] and [c][16] and [20]); and be it further

**ORDERED**, that this Order shall take effect when adopted.

Motion by Town Board member Vicky Simpson, seconded by Town Board member Bernard Cohen and this Order is adopted upon a roll call vote as follows:

\_\_\_\_\_ AYE

\_\_\_\_\_ NAY

Bernie Cohen	Voting	X
Lillian Hendrickson	Voting	X
Vicky Simpson	Voting	X
Daniel Sturm	Voting	X

Duly adopted by 4 ayes, 0 nays on the 11<sup>th</sup> day of March, 2020.

**Bethel Woods Traffic Management Plan Mountain Jam**

At a meeting of the  
Town Board of the  
Town of Bethel,  
Sullivan County, NY,  
on the 11th day of  
March, 2020.

In the Matter of the  
Regulation of Traffic within the Town of Bethel  
during the Mountain Jam Concert weekend.

ORDER

WHEREAS, it appears that Mountain Jam Productions, LLC (the “Promoter”) has received approval from the Town of Bethel Planning Board (the “Planning Board”) to conduct a music concert (the “Concert”) within the Town of Bethel (the “Town”) during the during the dates of May 29, 2020 through May 31, 2020 inclusive; and

WHEREAS, it is anticipated that there will be up to 12,000 attendees at the Concert Site each day during the Concert; and

WHEREAS, the Promoter has developed, with participation from state and local law enforcement authorities, a “Traffic and Mobility Plan”, dated March 6, 2020, to assist in the management of vehicular traffic in the Town prior to, during and after the Concert; and

WHEREAS, the Town adopts this Order to assist in the management of vehicular traffic in the Town during the times that the Concert attendees will impact local traffic based upon the information provided in the 2020 Traffic and Mobility Plan and its experience derived from previous similar concerts.

NOW THEREFORE IT IS ORDERED by the Town Board of the Town of Bethel, pursuant to the authority set forth in section 1660 of the NY Vehicle & Traffic Law, the implementation of the following temporary measures:

1. The Intersection of State Routes 55 and 17B will be monitored by the NYSP and video cameras for congestion issues; and
2. The Smallwood traffic light on 17B and Pine Grove Road will be changed to a blinking yellow for the hours of 10 p.m. until 3 a.m. daily if needed on Friday, May 29, 2020 through Sunday, May 31, 2020; and
3. Specific timings for White Lake and Monticello lights will be coordinate with NYS DOT.
4. The closure of Hurd Road only in an emergency, if needed.

ORDERED, that the Town Supervisor, or his duly authorized designee, is authorized to amend any portion of this Order relating to the use of town highways or road closure locations or time periods as local traffic conditions require; and be it further

ORDERED, that the action contemplated by this Order is a Type II action under the State Environmental Quality Review Act (“SEQRA”) and is not subject to review under SEQRA (see, 6 NYCRR §§617.5[a] and [c][16] and [20]); and be it further ORDERED, that this Order shall take effect when adopted.

Motion by Town Board member Lillian Hendrickson, seconded by Town Board member Vicky Simpson, and this Order is adopted upon a roll call vote as follows:

		AYE	NAY
Bernie Cohen	Voting	X	
Lillian Hendrickson	Voting	X	
Vicky Simpson	Voting	X	
Daniel Sturm	Voting	X	

Duly adopted by 4 ayes, 0 nays the 11<sup>th</sup> day of March, 2020.

**Public Hearing 7:45 p.m. Eugene Haffner (SBL #41-25-18)**

Motion by Mrs. Simpson the recess the regularly scheduled Town of Bethel Town Board meeting and open the scheduled public hearing at 7:45 p.m. Seconded by Mr. Cohen, put to a vote and carried 4-0.

Town of Bethel Town Clerk read the legal notice as published in the Sullivan County Democrat.

No comments.

Motion by Mrs. Simpson to close the scheduled public hearing and reenter into the Town of Bethel regularly scheduled Town Board meeting. Seconded by Mrs. Hendrickson, put to a vote and carried 4-0.

**Fireworks Contract for July 3<sup>rd</sup> & Sept. 5<sup>th</sup>**

Motion by Mrs. Hendrickson to receive and approve July 3<sup>rd</sup> at a cost of \$8,000 and September 5<sup>th</sup>, 2020 at a cost of \$4,500 Fireworks Contract between Santore’s World Famous Fireworks, LLC and the Town of Bethel. Seconded by Mrs. Simpson, put to a vote and carried 4-0.

**Certificates of Training Zoning Board Members**

Letters dated 2/26/2020 from Sullivan County, Division of Planning & Community Development that the following Zoning Board members received credit hours in continuing education training:

Dan Brey, Wendy Brown, James Crowley, Jr. received 1 credit hour in SEQR – The Short EAF

Dan Brey, James Crowley, Jr., received 1 credit hour in Spot Zone or Grant the Illegal Use Variance

Dan Brey, Wendy Brown, James Crowley, Jr. received 1.5 credit hours in The Code: What Every Local Official Should Know

Motion by Mrs. Hendrickson to receive, file and approve certificates of training for the Zoning Board members as stated in the letters dated 2/26/2020 from Sullivan County, Division of Planning & Community Development. Seconded by Mr. Cohen, put to a vote and carried 4-0.

**Community Solar Project PILOT Agreement**

Mr. Sturm spoke regarding the Town of Bethel Community Solar Project PILOT. The town sent a letter to the County of Sullivan IDA (CSIDA) to enter into a PILOT agreement with Psychedelic Solar, LLC. Location commonly known as 608/636 Old White Lake Turnpike, tax map #18.-1-25.2.

1. 25 – 30K a year the Town of Bethel could receive in revenue.
2. Town of Bethel residents who sign up could get a 10-13% credit on their electric bill.
3. Town of Bethel could possibly receive a 13% credit on the Town's electric bill.
4. The Town of Bethel is a Community Smart-Silver level. By entering into this PILOT program the Town could receive points and be up-graded to the Community Smart - Bronze level.

Construction could start late summer/early fall of 2020. The Town is planning public outreach by summer with a community meeting(s).

Motion by Mrs. Simpson to receive and file in support of the Community Solar Project PILOT. Seconded by Mr. Cohen, put to a vote and carried 4-0.

**23 Woodland Way (Simeone) SBL #48.-3-20**

Mr. Simeone (property owner) contacted the Town of Bethel and asked that the process be put on hold as he may have a buyer for the parcel by the end of the month. Motion by Mrs. Simpson to give the owner, Mr. Simeone till the end of the month. Seconded by Mr. Cohen, put to a vote and carried 4-0.

**3 Thompson Place (Matthews) SBL #41.-25-20**

Report suspended until property owner can meet with Building Department. Motion by Mrs. Hendrickson to receive and file report. Seconded by Mrs. Simpson, put to a vote and carried 4-0.

**73 W. Reed (Bednarowski) SBL #47-19-23**

Glenn L. Smith, P.E. submitted an engineering report dated March 9, 2020. Recommend that the front building be removed. The rear building appears to be potentially salvageable. Motion by Mrs. Simpson to receive and file engineering report dated 3/9/2020. Seconded by Mrs. Hendrickson, put to a vote and carried 4-0.

Mr. Sturm - there is no asbestos report. Next step is get an asbestos inspection performed.

Motion by Mrs. Hendrickson to request an asbestos inspection and report. Seconded by Mr. Cohen, put to a vote and carried 4-0.

**Public Hearing 8:00 p.m. Lee Cole Home Corp. (SBL #9.-1-4**

Motion by Mrs. Simpson to recess the regularly scheduled Town of Bethel Town Board meeting and enter into the public hearing at 8:00 P.M.

Seconded by Mrs. Hendrickson, put to a vote and carried 4-0.

No comments.

Motion by Mrs. Simpson to close the public hearing and re-enter the regularly scheduled Town of Bethel Town Board meeting.

**21 E. Corwin (Ottway) SBL #48.-3-6**

Glenn L. Smith, P.E. submitted an engineering report dated March 9, 2020. Recommendation is removal of this structure and the entire site should be graded off, raked, seeded and mulched to establish a vegetative cover over all disturbed surfaces. Also, asbestos report required.

Motion by Mrs. Hendrickson to seek asbestos report. Seconded by Mrs. Simpson, put to a vote and carried 4-0.

**9 Thompson Place (Haffner) SBL #41-25-18**

Engineering report on file dated 5/8/2019 from Glenn L. Smith, P.E. recommending the removal of the cabin structure, site should be graded off, raked, seeded, and mulched to establish a vegetative cover over all disturbed surfaces. Asbestos report received, could not get inside, deemed asbestos.

Motion by Mrs. Hendrickson to seek bids from asbestos contractors. Seconded by Mrs. Simpson, put to a vote and carried 4-0.

**192 Lee Cole Road (Lee Cole Home Corp.) SBL #9.-1-4**

The owner's attorney called the Building Department and stated that the next door neighbor wants to remove the building(s).

Motion by Mrs. Simpson to hold up on status for thirty (30) days. Seconded by Mrs. Hendrickson, put to a vote and carried 4-0.

**96 E. Thompson Place (Leventure) SBL #43-6-28**

Per B. J. Gettel – she took new photos today at 1:30 p.m. 3/11/2020. Chimney and other pieces of building still there. If not done by next meeting? Bids are due 3/17/2020.

Motion by Mrs. Hendrickson to table this item until our March 25, 2020 Town Board meeting. Seconded by Mrs. Simpson, put to a vote and carried 4-0.

**Approve Clean-up Agreement with Sullivan County**

The Town of Bethel has entered into an agreement with the Sullivan County Department of Public Works to participate in the 2020 municipal cleanup to improve the appearance of Sullivan County.

Motion by Mrs. Hendrickson to approve the agreement with Sullivan County DPW in the 2020 municipal cleanup. Seconded by Mrs. Simpson, put to a vote and carried 4-0.

**Set clean-up dated May 2 & 3**

Motion by Mrs. Simpson to approve May 2 & 3, 2020 as Town of Bethel 2020 cleanup dates. Seconded by Mrs. Hendrickson, put to a vote and carried 4-0.

**Set rules: 4 free tires per household/reduce refrigeration units from \$15 to \$10 each.**

Motion by Mr. Cohen to approve the four (4) free tires per household and reduce the refrigeration fee from \$15.00 per unit to \$10.00 per unit.

**Note: this set of rules only apply for May 2 & 3, 2020 clean-up days.**

Seconded by Mrs. Simpson, put to a vote and carried 4-0.

**Discussion on contract with JCO Environmental Services**

Mr. Sturm discussed the status of the Wastewater Treatment Plant:

We were notified recently that two of our three sewer employees were giving notice and are now gone from the sewer department. One moved and one transferred to the highway department. We have one employee left, who is a certified 3A operator (Chris Graffeo) We have bumped up his salary at the last Town Board meeting to that of the last sewer superintendent, and authorized some overtime if needed to cover.

We posted in the paper three times for laborers and certified operators. I have 37 application for laborers and two for the sewer superintendent position (including the current operator). One applicant was looking for at least \$80,000 to run the plant.

We got two quotes from companies interested in taking over and helping to maintain the sewer operation. We have received quotes from two companies to run the sewer plant. One company wanted \$180,000. JCO Environmental Services, Wurtsboro, NY said \$161,000 per year and would keep Chris Graffeo. Chris has been made an offer from JCO that is very good. JCO would interview the laborer applications received.

Town Law requires two licensed sewer operators.

Pro's by using an outside company: The town will save money by using an outside company. Three salaries together would have cost \$182,000 for a year. By using an outside company the price is only \$161,000 total. We would save \$21,000 a year plus clothing, cellphones, and health insurance and retirement money that we pay.

JCO has made our one employee (Chris Graffeo) 3A operator an offer at a reasonable salary. They will interview our list of candidates for the laborer position. So maybe a local person can get the laborer job.

JCO has come highly recommended and they have been fully vetted, and our attorney has reviewed the contract.

The town needs at least two licensed operators, having one licensed operator would not meet our facility requirements.

Also, a commitment to accepting septage, and more septage as allows which is a way for us to increase revenues.

I believe for the long term this is the best option financially, provide the best care and maintenance of our facility and protect our sewer district users.

Motion by Mrs. Simpson to authorize the Town Supervisor to sign the contract and negotiate a contract for one year. Seconded by Mrs. Hendrickson, put to a vote and carried 4-0.

**Letter from Town of Bethel Senior Building Committee**

Mr. Sturm read a letter from the Senior Building Committee dated 2/27/2020 regarding the contract slabs being raised quite a bit being a safety hazard. Please address this accident waiting to happen ASAP!

Mr. Sturm reported that this situation has been resolved as of Monday morning. We had already planned to remedy this as soon as the weather cleared up.

I think the board and everyone knows how much we value our seniors. We have invested in the building, most recently replacing the roof in 2016 (new floor tiles, new ceiling tiles, handicap doors, all kitchen cabinets, etc.). We keep up with the landscaping around the building and work to keep the walkways sanded and salted during the winter.

The Town Board and I are always available to listen to concerns and answer questions on anything that the seniors need and I think our record on this is exemplary beyond reproach and my door is always open Monday through Sunday, anytime. As of 3/9/2020 this situation has been corrected.

Motion by Mrs. Hendrickson to receive and file letter from the Bethel Senior Center Building Committee dated 2/27/2020.

Seconded by Mr. Cohen, put to a vote and carried 4-0.

**Bob Feeney** – President of the Senior Building Committee, thanked the town board for everything they do for them. You are always taking care of our needs.

**Ken Brucher** - Last year we mentioned the structure across from the town hall on the old Barber property. What is happening?

**B.J. Gettel** - I have it on my list.

**Glen Acosta** – Old Tacy Road is now becoming a major artery. The usage is high. I would like it paved – at least part of it.

**Garrett Gabriel** – I have sent six e-mails in the last two weeks to the town board, no response. Seems like a simple question – should I call, write? You don't want to interact with me?

**Dan Gabriel** - Why do you use cursive font on the FOIL requests? It makes it hard to read. Why do we need a full-time supervisor? Change font for everything like agenda so everyone can see what you are doing.

### **Adjournment**

There being no further items on agenda motion by Mrs. Simpson to adjourn the March 11, 2020 Town of Bethel Town Board meeting. Seconded by Mr. Cohen, put to a vote and carried 4-0.

Respectfully submitted,

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Rita J. Sheehan, Town Clerk