

The October 28, 2020 Town of Bethel Town Board meeting was called to order by Supervisor Daniel Storm at 7:30 p.m. at the Dr. Duggan Community Center meeting room.

Council members present: Vicky Simpson
 Lillian Hendrickson
 Dawn Ryder

Council member absent: Bernie Cohen

The meeting was opened with the Pledge of Allegiance.

Request to close Lake Shore Drive in Smallwood October 31, 2020

Small Civic Association requested that Lake Shore Drive in Smallwood be closed on October 31, 2020 between the hours 2:30 p.m. to 5:30 pm for trick or treat for the children. Motion by Mrs. Simpson to approve the closure of Lake Shore Drive in Smallwood for a trick or treat program. Seconded by Mrs. Ryder, put to a vote and carried 4-0.

Resolution to Settle Assessment Litigation

RESOLUTION TO AUTHORIZE THE TOWN OF BETHEL TO ENTER INTO AN SETTLEMENT OF PENDING LITIGATION (INDEX #2018-1506, E2019-1536, E2020-1042) IN THE MATTER OF ELIEZER BETH AND (INDEX #2018-1505, E2019-1538, E2020-1043) IN THE MATTER OF BAIS LIMUD TORAH

WHEREAS, the Town of Bethel (hereinafter “Town”) has been served with Tax Certiorari proceedings by Eliezer Beth in reference to SBL 8.-1-26, 8.-1-27, 8.-1-29, 8.-1-51.3, 8.-1-51.4 and 8.-1-97 (Index #2018-1506, E2019-1536, E2020-1042) alleging that these properties should be deemed tax exempt; and

WHEREAS, the Town has been served with Tax Certiorari proceedings by Bais Limud Torah in reference to SBL 8.-1-26, 8.-1-30, 8.-1-32.2, 8.-1-32.3 and 8.-1-34.1 (Index #2018-1505, E2019-1538, E2020-1043) alleging that the properties should be deemed tax exempt; and

WHEREAS, Eliezer Beth and Bais Limud Torah are tax exempt religious corporations under the laws of the State of New York; and

WHEREAS, the Town has determined that SBL 8.-1-32.2, 8.-1-32.3 and 8.-1-34.1 meet the criteria for tax exempt status; and

WHEREAS, Eliezer Beth and Bais Limud Torah have agreed, upon the finding of tax exempt status for SBL 8.-1-32.2, 8.-1-32.3 and 8.-1-34.1 to discontinue and/or withdraw application for tax exemption on the remaining eight parcels; and

WHEREAS, Daniel Gettel, as Sole Assessor for the Town of Bethel has recommended that a settlement be entered into to conclude these matters in accordance with the attached Stipulation of Discontinuance and Stipulation of Settlement; and

WHEREAS, Eliezer Beth and Bais Limud Torah, through their attorney, Terry Forman, Esq., have agreed to enter into a Stipulation of Discontinuance and a Stipulation of Settlement reflecting a finding of tax exemption on SBL 8.-1-32.2, 8.-1-32.3 and 8.-1-34.1 and discontinuing the application for exemption on the remaining eight parcels; and

WHEREAS, the proposed Stipulation of Discontinuance and Stipulation of Settlement is attached and made part hereto.

NOW THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Bethel that it hereby determines that it is in the best interest of the Town to settle this matter in accordance with the attached Stipulations; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Bethel hereby approves this settlement; and

BE IT FURTHER RESOLVED, that the Attorney for the Town, Karen Mannino, Esq., is hereby authorized to enter into this Stipulation of Discontinuance and Stipulation of Settlement on behalf of the Town and execute and cause to be filed the Stipulation of Discontinuance and Stipulation of Settlement.

Motion by: Lillian Hendrickson
 Seconded by: Vicky Simpson

Duly adopted 4 ayes and 0 nays upon a roll call vote as follows:

	AYE	NAY
Dawn Ryder	X	
Bernard Cohen	Absent	
Daniel Sturm	X	
Vicky Simpson	X	
Lillian Hendrickson		

Grant tax exemption on three parcels and remove tax exemptions on seven parcels. One parcel was not being used as defined exempt use, now purchased by the Corporation that has legal status to apply for exemptions. Paperwork for exemptions were deplorable, not a reason, Court allows corrections. Mobile home. % of parcels exempt in the town. \$1,500 per year is the Town of Bethel loss.

Public Hearing: 7:45 p.m. 2021 Sewer User Rates

Motion by Mrs. Hendrickson to recess the regularly scheduled Town of Bethel Town Board meeting and open the public hearing on the 2021 Sewer User Rates at 7:45 p.m. Seconded by Vicky Simpson, put to a vote and carried 4-0. Mr. Sturm read the following statement:

The Sewer District because of the new company we hired to run our plant, the Operation and Maintenance is staying the same in both districts for the next year. The Debt Services as we have been discussing for a few years is going up from \$175 to \$192 per year. This is to cover the \$3.1 million project which construction should start this coming year. 0% interest free loan and a \$900,000 New York State grant to offset some of the costs. But remember there are only about 1,000 users in our districts, so we had to raise the funds with limited amount of users. So, as always the more users we have, the better off we are.

Motion by Mrs. Simpson to close the public hearing and re-enter the regularly scheduled Town of Bethel Town Board meeting at 7:50 p.m. Seconded by Mrs. Hendrickson, put to a vote and carried 4-0.

Cancel 11/11 and 11/25 Town Board meetings

Motion by Mrs. Hendrickson to cancel November 11th Town Board meeting due to Veterans Day and November 25th the day before Thanksgiving Day. Seconded by Mrs. Simpson, put to a vote and carried 4-0.

Schedule Special meeting for Thursday, November 19th at 7:30 p.m.

Mrs. Simpson asked to hold the next Town of Bethel Town Board meeting on November 19th as a ZOOM meeting due to the number of COVID-19 cases going up.

Motion by Mrs. Hendrickson to schedule the next Town Board meeting on November 19, 2020 at 7:30 via ZOOM. Seconded by Mrs. Simpson, put to a vote and carried 4-0.

Public Hearing 8:00 p.m. 2021 Preliminary Budget

Motion by Mrs. Simpson to recess the regularly scheduled Town of Bethel Town Board meeting and open the scheduled public hearing at 7:55 p.m. Seconded by Mrs. Ryder, put to a vote and carried 4-0

Mr. Sturm read the following Budget Statement

Lighting – Usually the lighting is the most boring fund, but not this year. Due to an error, there were no charges to anyone in the lighting district for 2020. So those funds need to be recouped in the 2021 budget. This budget makes the adjustments needed. Other than making these corrections, the lighting district charges would be the same no increases. (balance out over two years) and we are looking forward to the LED Project which will save us all money for the long term and be a move green and environmentally friendly.

Highway - Added funds for maintenance of streets, personnel, and machinery equipment .4. Snow codes pretty much the same, never knowing what the winter is going to bring, but we are budgeting plenty to cover any winter needs. Retirement going up a bit, health insurance is scheduled to go up. This year’s numbers were well within the budget protections, which allowed us to purchase needed equipment (like two rollers and a big truck) without the need to bond. We are using fund balance and available operating funds. We are still saving about \$100,000 a year by using our own funds, which should continue for at least the next 50 years. (about 5 million dollars savings)

General Funds - Health insurance scheduled to go up, retirement going up a bit, workers compensation going up slightly. State aid I have been told will be cut up to 20% for this year, and next year. That is 45,000 cut down to about 36,000. That hurts a little bit. Fiscal stress score grant credit rating review from Moody’s Investors Services. Refinanced sewer extension savings of 200,000 over the next9 years.

So generally, we are under the cap, which this year is 1.56% not 2%. No frills, bare bones budget, we are taking care of our youth, our seniors, our employees, taking care of our roads, assets and most importantly our tax payers in these difficult economic times. Because of our oversight and conservative budget and management practices, we are in a good financial position in these very difficult times. Good sound fiscal plan.

Motion by Mrs. Hendrickson to close the public hearing and reenter the regularly scheduled Town of Bethel Town Board meeting at 8 p.m. Seconded by Mrs. Simpson, put to a vote and carried 4-0.

Adopt 2021 Sewer User Rates (KL Sewer Dist. and KL Extension)

The adopted rates for 2021 are as follows:

Kauneonga Lake Consolidated Sewer District year-round	\$505.28 per unit annually
Kauneonga Lake Consolidated Sewer District seasonal	\$412.56 per unit annually
Kauneonga Lake Route 17B Sewer District Ext. year-round	\$618.58 per unit annually
Kauneonga Lake Route 17B Sewer District Ext seasonal	\$525.96 per unit annually

and/or as further provided in Chapter 257 of the Town of Bethel Code.

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

		AYE	NAY
Bernie Cohen	Voting	Absent	

Lillian Hendrickson	Voting	X
Dawn Ryder	Voting	X
Vicky Simpson	Voting	X
Daniel Sturm	Voting	X

Duly adopted by 4 ayes and 0 nays the 28th day of October, 2020.

Adopt 2021 Town Preliminary Budget as 2021 Final Town Budget

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BETHEL
TO ADOPT A BUDGET FOR FISCAL YEAR 2021**

WHEREAS, a Preliminary Town Budget for the fiscal year 2021 was submitted to the Town Board of the Town of Bethel by the Town Budget Officer on October 14, 2020; and

WHEREAS, the Town Board provided due notice of a public hearing for the annual Town budget by publishing timely notice of the public hearing in a newspaper of general circulation in the Town of Bethel; and

WHEREAS, on October 28, 2020, the Town Board conducted a public hearing during which comments were presented and received in connection with the preliminary budget for fiscal year 2021;

NOW THEREFORE, BE IT RESOLVED, that the proposed final budget for the fiscal year 2021 is hereby adopted and may be implemented by the Town Supervisor; and be it

FURTHER RESOLVED, the Town Board determines that the proposed action to adopt a budget is not subject to review pursuant to the State Environmental Quality Review Act (ECL, Article 8) and its implementing regulations (6 NYCRR Part 617) (collectively, “SEQRA”) because it is a type II action as set forth at 6 NYCRR §617.5 (20); and be it

FURTHER RESOLVED, this Resolution shall become effective when adopted.

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

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

Duly adopted by 4 ayes, 0 nays the 28th day of October, 2020.

Adjournment

There being no further items on the agenda, by Mrs. Simpson moved to adjourn the October 28, 2020 Town of Bethel Town Board meeting, Seconded by Mrs. Hendrickson, put to a vote and carried 4-0.

Respectfully submitted,

Rita J. Sheehan
Bethel Town Clerk