

The Town of Bethel Town Board meeting of January 22, 2014 was called to order by Supervisor Daniel Sturm at 7:30 p.m. at the Dr. Duggan Community Center Meeting Room.

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

The meeting was opened with the Pledge of Allegiance.

Mr. Sturm summarized the re-organizational meeting. The attendance was low due to the weather conditions on January 2<sup>nd</sup>.

Under Tax Cap  
Daily oversight  
Green Committee reappointment  
Encouraged new business growth  
Continue to be open & transparent

**Presentation - Pop Warner Cheerleading Nationals 2nd Place Winners**

Bethel residents Olivia Steigler and Krista Novello were present to announce their 2<sup>nd</sup> place winning at the Pop Warner Cheerleading Nationals in Orlando, FL.

**Revised December Building Dept. Report**

2013 December Fees	\$4,840.
2012 December Fees	\$1,811.
2013 December Construction Totals	\$ 598,000.
2012 December Construction Totals	\$ 85,000.

Motion by Dawn Ryder to receive and file, seconded by Vicky Simpson, put to vote and carried 5-0.

**2013 Year-End Report**

Total Fees Collected	\$ 69,635.
Total Construction Costs	\$10,694,000.

In 2013 - 36 new homes; 21 new wells; 47 septic.

Motion by Vicky Simpson to receive and file, seconded by Lillian Hendrickson, put to vote and carried 5-0.

**Highway Department Report**

Highway Superintendent William Crumley was present and thanked his crew and new foreman Ron Weiss for their hard work so far this year; the weather has been a challenge.

**Correspondence NYS DOT re: 17B cautions signs**

Correspondence has been received from NYS Dept. of Transportation regarding our request on 17B for no passing and signage. The DOT has approved double lines at Dancing Cat Saloon just before Hurd Road but has not approved Pedestrian sign and Hill Ahead sign.

Motion by Vicky Simpson to receive and file, seconded by Dawn Ryder, put to vote and carried 5-0. Mr. Sturm will contact Dancing Cat property owner.

**Public Hearing #1 Continuation: Bethel Motor Speedway License Renewal**

Motion by Vicky Simpson to open Public Hearing at 7:45 p.m., seconded by Lillian Hendrickson, put to vote and carried 5-0. There were no comments.

Motion by Vicky Simpson to close Public Hearing, seconded by Bernie Cohen, put to vote and carried 5-0.

**Correspondence Split Second Racing re: Woodstock Triathlon**

Correspondence has been received from Split Second Racing sponsors of the 2<sup>nd</sup> annual Woodstock Triathlon. The staging, start and stop will be held at Lake Superior Park. Motion by Lillian Hendrickson to receive and file, seconded by Vicky Simpson, put to vote and carried 5-0.

Motion by Lillian Hendrickson to approve, seconded by Bernie Cohen, put to vote and carried 5-0. Contingent upon plans being approved by NY State Police.

**Correspondence DEC & Larry Seitelman re: Aquatic Species at Boat Launches**

Notice has been received from the NYS Dept. of Env. Conservation regarding proposed legislation for regulatory changes to prevent the introduction of Aquatic Invasive Species at state boat launches. Public Comments are due by 2/24/2014.

Vicky Simpson would like to send a letter in support of legislation and to include how are they enforcing? And that there be no unfunded mandates.

Motion by Vicky Simpson to send letter, seconded by Lillian Hendrickson, put to vote and carried 5-0.

**Larry Seitelman Letter**

Letter has been received from Larry Seitelman that he has sent to the DEC and residents on White Lake. Mr. Seitelman is supporting the legislation to regulate aquatic invasive species. Motion by Lillian Hendrickson to receive and file, seconded by Vicky Simpson, put to vote and carried 5-0.

**Approve Out of the Darkness 2014 Awareness Walk for 9/14**

Request has been received by Hudson Valley Chapter of the American Foundation for Suicide Prevention to hold their annual awareness walk on September 14<sup>th</sup>. Motion by Dawn Ryder to approve, seconded by Bernie Cohen, put to vote and carried 5-0.

**Public Hearing #2 8:00 - #48-1-3 (Keller Avenue) (Carp/Altman)**

Motion by Lillian Hendrickson to open public hearing at 8 p.m., seconded by Bernie Cohen, put to vote and carried 5-0. Town Clerk read legal notice. Town Clerk informed the town board that the Certified Return Receipt was received by owner. Building Department received a phone call from the owner and could not make meeting tonight due to the weather. Mr. Sturm indicated we can give the owners until 2/12/14

Motion by Dawn Ryder to continue Public Hearing on February 12, 2014 at 7:45 p.m., seconded by Bernie Cohen, put to vote and carried 5-0.

**Approve 4 Training Credit hours per year for Energy Efficiency**

Correspondence has been received from Planning Board member Steve Simpson requesting training credits for on-the-job Energy Efficiency presentations he attends 2 to 4 times a month.

Motion by Lillian Hendrickson to approve 4 credits per year and to carryover any additional credits to the following year, seconded by Bernie Cohen, put to vote and carried 4-0 with Mrs. Simpson recusing herself.

**Approve Article 7 Settlement re: Lee Cole Home Corp.**

**RESOLUTION OF TOWN BOARD OF THE TOWN OF BETHEL  
AUTHORIZING THE SETTLEMENT OF LITIGATION**

**WHEREAS**, it appears that Lee Cole Home, Corp. owner of real property located within the Town of Bethel commenced a special proceeding pursuant to Article 7 of the Real Tax Property Law seeking to reduce the tax assessment for a lot identified on the tax map as SBL #9.-1-3 for the Town of Bethel as identified in a petition filed on its behalf. The Town of Bethel Board of Assessment Review and the Town Assessor have been named as respondents in the case; and

**WHEREAS**, a settlement of the litigation has been proposed and a copy of the proposed settlement documents are attached to this Resolution; and

**WHEREAS**, the proposed settlement is summarized in a memorandum, dated January 21, 2014 which memorandum was prepared by special counsel to the Town and which recommends acceptance of the proposed settlement terms; and

**WHEREAS**, the Town of Bethel Town Board declares itself to be 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 determines that it is the best interests of the Town to accept the terms and conditions and recommendation of the proposed settlement as set forth in the memorandum of special counsel referenced herein; and be it

**FURTHER RESOLVED**, the Supervisor of the Town of Bethel, the Town Assessor, and special counsel are hereby authorized to sign and deliver any such documents necessary to achieve settlement and to complete any remaining tasks required to complete the settlement process; and be it

**FURTHER RESOLVED**, that the implementation of the settlement is a type II action under SEQRA (6 NYCRR §617.5[20]) and no environmental review is required under SEQRA.

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

		AYE	NAY
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 22<sup>nd</sup> day of January, 2014.

**Public Hearing #3 - 8:15 - #46-16-3 (Taconic Trail) (Panaro/Benamou)**

Town Clerk read legal notice. Motion by Vicky Simpson to open public hearing at 8:15 p.m., seconded by Dawn Ryder, put to a vote and carried 5-0.

There were no public comments. Mr. Sturm indicated the property owner is uncooperative.

Motion by Mrs. Hendrickson to close public hearing, seconded by Mrs. Simpson, put to a vote and carried 5-0.

**Repair, remove or remedy structure at SBL #46-16-3 (Taconic Trail) (Panaro/Benamou)**

Mr. Sturm indicated there was a fire, property was cleaned up by town and an engineering report was performed with major safety issues. Mr. Sturm suggested seeking sealed bids for removal.

Motion by Lillian Hendrickson to seek sealed bids based upon engineering report, seconded by Dawn Ryder, put to vote and carried 5-0.

**Approve Bethel Motor Speedway License Renewal**

After careful consideration and review the town board has approved the following for the 2014 Bethel Motor Speedway license renewal:

The period beginning on the 5<sup>th</sup> day of April 2014 and every Saturday thereafter through October 4<sup>th</sup> including Sunday, May 18<sup>th</sup>, Sunday, June 1<sup>st</sup> (car show only, rain date June 8<sup>th</sup>), July 6<sup>th</sup>, September 7<sup>th</sup> (car show only, rain date September 21<sup>st</sup>), and Sunday, October 5<sup>th</sup> with the exceptions listed:

- 1) **Pit gates open:** 2:30 p.m. - Saturdays  
Noon - Sundays  
(To unload without any unreasonable noise)
- 2) **Grandstands open:** Anytime
- 3) **Racing on Saturdays:** 4:30 p.m. - 11:00 p.m.  
**Racing on Sundays:** 2:00 p.m. – 8:00 p.m.
- 4) **Young racers practice:** 3:00 p.m. – 5:00 p.m.  
Maximum of two Saturdays per month. **Bandoleros** and **4 cylinders** only beginning at 3:00 p.m.; Legends maybe included beginning at 4 p.m.

- 5) Saturday, April 5<sup>th</sup> (one car at a time).
- 6) Saturday, August 2<sup>nd</sup> (ten hours of track time)
- 7) **Reserved rain dates:** During the course of the regular season, a maximum of two Sundays per month may be used as rain dates.
- 8) Reserved rain dates of April 20<sup>th</sup>, April 27<sup>th</sup>, June 8<sup>th</sup> and August 3<sup>rd</sup>. Reserved rain dates of October 12<sup>th</sup>, 19<sup>th</sup>, and 20<sup>th</sup> may be used if race dates of 10/4, 10/5 and 10/13 are rained out.

Motion by Mrs. Simpson to approve, seconded by Lillian Hendrickson, put to vote and carried 5-0.

#### **8I. Approve Bethel Motor Speedway Noise Permit**

1. The permit application fee of \$25.00 must be paid in full to the Town of Bethel prior to April 1, 2014;
2. The noise to be generated pursuant to this Permit shall occur only during the hours of operation of the racetrack as specified in the Racetrack Permit issued to the Applicant. In particular, and not in any limitation of this requirement, no noise requiring a permit shall be generated after 11:00 PM;
3. There shall be no material alteration of the existing public address system without the prior authorization and subsequent inspection by the Town Code Enforcement Officer;
4. All race cars shall be fitted with functioning mufflers;
5. Any revocation or suspension of the Racetrack Permit issued to the Applicant may result in the revocation or suspension of this Permit;
6. Any violation of this Permit shall be subject to § 220-8 of the Bethel Town Code and any other remedy available to the Town at law. In addition thereto, if there are repeated violations of this Permit, and said Permit is not revoked by the Town, the Town may require the monitoring of noise levels at the Racetrack by a decibel meter operated by, or at the direction of, the Town at the expense of the Applicant; and
7. This Permit shall expire on November 1, 2014.

Motion by Lillian Hendrickson to approve Bethel Motor Speedway Noise Permit, seconded by Bernie Cohen, put to vote and carried 5-0.

#### **Public Comment**

Ken Brucher mentioned that Ramsay's will engrave the names at his cost of the servicemen from the Town of Bethel that have served in the armed services. He suggested that the Town Board contact the V.F.W.

#### **Executive Session**

Motion by Lillian Hendrickson to go into executive session at 8:30 p.m. to discuss the Deputy Court Clerk position and inviting Judge Barber & Chris McCarthy, seconded by Bernie Cohen, put to a roll call vote and adopted 5-0 with all in favor.

Motion by Bernie Cohen resume the regular meeting at 9:50 p.m., seconded by Lillian Hendrickson, put to a vote and carried 5-0.

#### **Adjournment**

Motion by Lillian Hendrickson to adjourn the meeting, seconded by Vicky Simpson, put to a vote and carried 5-0.

Respectfully submitted,

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Rita J. Sheehan, Town Clerk