

The Town of Bethel Town Board meeting March 12, 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.

**Audit of Bills**

Motion by Vicky Simpson to approve monthly audit of bills, seconded by Bernie Cohen, put to vote and carried 5-0 as follows:

<u>Fund</u>	<u>Amount</u>	<u>Check Nos.</u>
General Fund	\$2,494,659.15	4200-4266
Highway Fund	\$ 226,260.89	2657-2701
KL Sewer District	\$ 31,939.04	1939-1956
KL Light District	\$ 3,235.42	1074-1075
Sewer Rehab	\$ 115.00	1075
Planning Escrow	\$ 1,599.35	1034

**Supervisor’s Monthly Report**

Supervisor’s Monthly Report has been filed for the month of February. Mr. Sturm reported that the General Fund Revenue year to date is up 6.9%; General Fund Expenses year to date are down -.2%; Highway Fund Expenses year to date are up 22.6% due to truck purchase which will be wiped out from a budget modification later in the meeting.

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

**Highway Budget Modification**

<u>Account</u>	<u>Title</u>	<u>Debit</u>	<u>Credit</u>
5130.2	Machinery Equipment		\$36,601.22
9010.8	NYS Retirement	\$31,168.35	
9060.80	Health Insurance	\$ 5,432.87	
<b>Totals</b>		<b>\$36,601.22</b>	<b>\$36,601.22</b>

Motion by Vicky Simpson to approve Highway Fund Budget Modification, seconded by Lillian Hendrickson, put to vote and carried 5-0.

**Building Department Monthly Report**

Building Department report for the month of February has been filed.

2014 February Fees	\$2,306.
2013 February Fees	\$5,010.
2014 February Construction Totals:	\$ 384,000.
2013 February Construction Totals:	\$1,395,500.

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

**Town Clerk's Monthly Report**

Town Clerk's monthly report for February has been filed.

Total Fees:	\$	3,521.72
State Revenue:	\$	186.66
Town Share:	\$	3,335.06

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

**Seek sealed bids to remove bio solids**

Sewer Department is requesting sealed bids for removal of bio solids at the sewer treatment plant. Motion by Lillian Hendrickson to seek sealed bids for removal of bio solids, seconded by Dawn Ryder, put to vote and carried 5-0.

**Junkyard License Renewal – Lema**

Junkyard License renewal application has been received from Lema on Gale Road. Motion by Vicky Simpson to authorize Building Department to inspect Lema Junkyard and to report back to Town Board, seconded by Lillian Hendrickson, put to vote and carried 5-0.

**Re-appoint Allan C. Scott as Marriage Officer 1/1/2014-12/31/2017**

Motion by Bernie Cohen to re-appoint Allan Scott as Marriage Officer 1/1/2014 - 12/31/2017, seconded by Lillian Hendrickson, put to vote and carried 5-0.

**Mysterland Traffic Management Plan**

Brian Tamke, ID&T/SFX Mysteryland, LLC was present to discuss the Traffic Management Plan for Memorial Weekend. Mr. Tamke reviewed the road closure plan for Mysteryland USA. Mr. Sturm indicated the Plan has been disseminated to the Town Board for review and suggested to table.

Motion by Lillian Hendrickson to table and review Traffic Management Plan until 2<sup>nd</sup> meeting in March, seconded by Vicky Simpson, put to vote and carried 5-0.

**Fireworks application for Mysteryland 5/25 & 5/26**

Fireworks display application has been received from ID&T/SFX Mysteryland, LLC for May 25<sup>th</sup> and 26<sup>th</sup> Sunday morning and Monday morning at 1:50 a.m. on Best and West Shore Roads. Motion by Vicky Simpson to receive, file and approve, seconded by Lillian Hendrickson, put to vote and carried 5-0. Mrs. Ryder expressed her dissatisfaction with the time.

**Noise Permit application for Mysterland fireworks**

Noise permit application has been received from ID&T/SFX Mysteryland, LLC for the fireworks display on May 25<sup>th</sup> and 26<sup>th</sup>. Motion by Dawn Ryder to approve, seconded by Vicky Simpson, put to vote and carried 5-0.

**TOWN OF BETHEL  
2014 NOISE PERMIT  
ID&T/SFX Mysteryland, LLC**

Upon resolution of the Town Board of the Town of Bethel (the "Town") dated March 12, 2014, the application of ID&T/SFX Mysteryland, LLC (the "Applicant"), dated March 11, 2014 for a permit pursuant to Chapter 220 of the Bethel Town Code is hereby granted upon the following terms and conditions:

1. The noise to be generated pursuant to this Permit in conjunction with the permit to display fireworks shall occur only on the following dates and times:
  - a) Sunday, May 25, 2014 (1:50 a.m. - 2:00 a.m.)
  - b) Monday, May 26, 2014 (1:50 a.m. – 2:00 a.m.)  
(prevailing time)
2. Any revocation or suspension of the Special Use Permit issued to the Applicant by the Town of Bethel Planning Board on December 3, 2013 may result in the revocation or suspension of this Permit;
3. 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.

Dated: March 14, 2014

**Noise Permit application for Mysteryland 5/23-5/26**

Noise permit application has been received from ID&T/SFX Mysteryland LLC for the campground located on Best Road for the dates May 23<sup>rd</sup>, 24<sup>th</sup> and 25<sup>th</sup>. Motion by Lillian Hendrickson to approve, seconded by Vicky Simpson, put to vote and carried 5-0.

**TOWN OF BETHEL  
2014 NOISE PERMIT  
ID&T/SFX Mysteryland, LLC**

Upon resolution of the Town Board of the Town of Bethel (the “Town”) dated March 12, 2014, the application of ID&T/SFX Mysteryland, LLC (the “Applicant”), dated March 11, 2014 for a permit pursuant to Chapter 220 of the Bethel Town Code is hereby granted upon the following terms and conditions:

4. The noise to be generated pursuant to this Permit shall occur only on the following dates and times for the camping area located on Best Road:
  - a) Friday, May 23, 2014 (10:00 a.m. – 2:00 a.m.)
  - b) Saturday, May 24, 2014 (10:00 a.m. – 2:00 a.m.)
  - c) Sunday, May 25, 2014 (10:00 a.m. – 2:00 a.m.)
  - d) Monday, May 26, 2014 (10:00 a.m. – 12:00 a.m.)(Separate noise permit has been issued for Fireworks display on May 25<sup>th</sup> and 26<sup>th</sup>)
5. Any revocation or suspension of the Special Use Permit issued to the Applicant by the Town of Bethel Planning Board on December 3, 2013 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.
7. This Permit shall expire on Monday, May 26, 2014 at 12:00 a.m.

Dated: March 14, 2014

**Resolution in support of class III casino gaming in Sullivan County**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BETHEL,  
SULLIVAN COUNTY, NEW YORK SUPPORTING THE SITING OF THE  
FIRST TWO CLASS III GAMING CASINO DESTINATION RESORTS IN THE  
CATSKILL REGION STRICTLY IN THE COUNTY OF SULLIVAN**

**WHEREAS**, the exceptional efforts of Governor Andrew M. Cuomo and the New York State Legislature brought about the enactment of the Upstate NY Gaming Economic Development Act, which included an amendment to the New York State Constitution to allow Class III Gaming in New York State,

**WHEREAS**, New York State will now develop up to four casinos in upstate New York; and

**WHEREAS**, on November 5, 2013, the voters of the State of New York voted for and supported the enactment of the constitutional amendment authorizing Class III Gaming in New York State,

**WHEREAS**, on November 5, 2013, the voters of Sullivan County provided the largest plurality of votes for such enactment of the constitutional amendment authorizing Class III Gaming in New York State,

**WHEREAS**, the passage of said constitutional amendment and the concurrent legislation authorized the establishment of four destination gaming resorts in three distinct regions (Regions 1, 2 and 5), in Upstate New York, with a maximum of two projects to be located in any one Region

**WHEREAS**, Sullivan County is located in the Catskill/Hudson Valley Region 1, and

**WHEREAS**, Sullivan County has been recognized as the premiere vacation destination in New York State for generations and has historically served as host to some of the world's most famous destination resorts; and

**WHEREAS**, Sullivan County was home to multiple destination resorts which contained thousands of hotel rooms and accompanying amenities such as retail, entertainment, and sports attractions.

**WHEREAS**, the local infrastructure of Sullivan County was always sufficiently able to handle all economic, social and environmental direct and indirect impacts of the many destination resorts; visiting tourists, and the employees who worked in these facilities; and

**WHEREAS**, Sullivan County's tourist economy was one of the cornerstones of vibrant, middle class that comprised many of its towns, villages, and hamlets;

**WHEREAS**, Sullivan County, has experienced a significant downturn in its tourist economy over the last half century and stands now as one of the most economically challenged areas in New York State;

**WHEREAS**, Sullivan County's working class and small businesses, as well as tax ratables, have significantly suffered from this downturn;

**WHEREAS**, Sullivan County ranked last in New York State in year 2013 job creation and was the only area in the Hudson Valley that experienced a year-over-year decrease in private-sector employment, according to Johnny Nelson, labor market analyst for the state, and

**WHEREAS**, Sullivan County, through its local and state officials and local business community has historically sought the legalization of Class III Casino Gaming for more than four decades, and

**WHEREAS**, gaming, as a single component within a destination resort, will provide the much needed catalyst to stimulate further economic growth in Sullivan County; and

**WHEREAS**, the current proposals in Sullivan County are for sustainable resort destinations that will comply with New York State’s environmental regulations to mitigate all environmental impacts, and

**WHEREAS**, the development of destination gaming resorts and the siting of TWO Casino Gaming Destination Resorts would bring thousands of much needed quality jobs and economic growth to Sullivan County that now already exists in neighboring counties that are in the Catskill Region I; and

**WHEREAS**, the establishment of destination resorts in Sullivan County will provide financial support for education and desperately needed property tax relief for Sullivan County taxpayers and communities statewide; and

**WHEREAS**, the establishment of destination resorts will stop the flow of revenues for tourism and gaming crossing our borders into neighboring states and keep those dollars in Sullivan County and New York State; and

**NOW THEREFORE BE IT RESOLVED**, that the Town of Bethel Town Board enthusiastically supports the siting of TWO Class III Gaming Destination Resorts in Sullivan County to meet the intent and language of the constitutional amendment authorizing Class III Gaming in New York State, and

**BE IT FURTHER RESOLVED**, that the Town of Bethel Town Clerk is hereby directed to send a certified copy of this resolution to NYS Governor Andrew M. Cuomo, NYS Assemblywoman Aileen M. Gunther, NYS Senator John J. Bonacic, and Mark D. Gearan, Chairman, NYS Gaming Commission, and the NYS Resort Gaming Facility Location Board.

Moved by Bernard Cohen, seconded by Victoria Simpson, put to a vote and adopted 4 ayes and 1 nays on the 12<sup>th</sup> day of March, 2014 upon a roll call vote as follows:

Dawn Ryder		nay
Bernard Cohen	aye	
Daniel Sturm	aye	
Vicky Simpson	aye	
Lillian Hendrickson	aye	

**Bid results for light scrap iron**

Bids were received and publicly opened and read at the Town Clerk’s Office on March 12, 2014 for light scrap iron as follows:

<b><u>Bidder</u></b>	<b><u>Net Ton</u></b>	<b><u>Gross Ton</u></b>
Mobile Metal	\$250.	\$280.
Ben Weitsman	\$232.14	\$260.
Sims	\$221.	\$247.52

Motion by Lillian Hendrickson to award bid to Mobile Metal, seconded by Bernie Cohen, put to vote and carried 5-0.

**Town Board Comments**

Motion by Dawn Ryder motion to re-appoint Ag Committee members and would like to be the Chairman and Liaison. Mr. Sturm stated the Ag Committee expired in December 2013. Mr. Sturm commented that committees are created by law by the Town Supervisor; wasn't ready tonight; will need goals and who is interested? Mrs. Ryder stated the committee had specific goals laid out in plan, re-zoning suggestions. Mr. Sturm indicated he would be happy to discuss forming a new committee.

**Public Comment**

Marcia Salton commented on the Highway Department keeping the roads clear, they did a great job.

**Adjournment**

Motion to adjourn by Dawn Ryder at 8:30 p.m., seconded by Bernie Cohen, put to vote and carried 5-0.

Respectfully submitted,

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Rita J. Sheehan, Town Clerk