

The Town of Bethel Town Board Special meeting of November 20, 2014 was called to order by Supervisor Daniel Sturm at 7:00 p.m. at the Dr. Duggan Community Center Meeting Room.

Council members present: Lillian Hendrickson
Vicky Simpson
Bernard Cohen

Council members absent: Dawn Ryder

The meeting was opened with the Pledge of Allegiance.

Set Public Hearing for 2015 Sewer User Rates for December 10th at 7:45 p.m.

Motion by Lillian Hendrickson to set Public Hearing on December 10th at 7:45 p.m. for the 2015 Sewer User Rates, seconded by Bernie Cohen, put to vote and carried 4-0.

Leachate Repair Discussion

Mrs. Simpson asked why the Highway Department wasn't doing this work; Mr. Lilley had made a commitment to do this work. Mr. Sturm indicated that Mr. Crumley stated he did not have the equipment or man power. Mrs. Simpson – This cost would have been unnecessary if he had helped with this project.

Approve Bond Resolution for Leachate repairs

42315-2-26

BOND RESOLUTION
(effective immediately)

At a special meeting of the Town Board of the Town of Bethel, Sullivan County, New York, held at the Dr. Duggan Community Center, in White Lake, New York, in said Town, on the 20th day of November, 2014, at 7 P.M., Prevailing Time.

The meeting was called to order by Daniel Sturm and upon roll being called, the following were

PRESENT: Victoria Simpson
Lillian Hendrickson
Bernard Cohen

ABSENT: Dawn Ryder

The following resolution was offered by Victoria Simpson, who moved its adoption, seconded by Bernard Cohen, to-wit:

BOND RESOLUTION DATED NOVEMBER 20, 2014.

A RESOLUTION AUTHORIZING LEACHATE COLLECTION AND TREATMENT SYSTEM IMPROVEMENTS AT THE LANDFILL IN AND FOR THE TOWN OF BETHEL, SULLIVAN COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$105,000, AND AUTHORIZING THE ISSUANCE OF \$105,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town of Bethel, Sullivan County, New York, as follows:

Section 1. Leachate collection and treatment system improvements at the landfill required pursuant to an Order on Consent with the New York State Department of

Environmental Conservation in and for the Town of Bethel, Sullivan County, New York, including incidental costs and expenses, are hereby authorized at a maximum estimated cost of \$105,000.

Section 2. The plan for the financing of such maximum estimated cost shall be by the issuance of \$105,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision 35 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will not exceed five years.

Section 4 The faith and credit of said Town of Bethel, Sullivan County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of

the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7 The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9 This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Wastewater Treatment Plant Bid Results

Sealed bids were received and publicly opened at the Town Clerk's Office on November 13, 2014 with BJ Gettel and Greg Semenetz present as follows:

<u>Contractor</u>	<u>Bid Amount</u>
Bruch Construction	\$254,631
Carey Construction	\$156,709
Westar Tech Services	\$156,072
Wittcon, Inc.	\$124,500

Award Bid for Re-Construction of Wastewater Treatment Plant Adm. Bldg.

Correspondence has been received from KC Engineering recommending the bid award for the re-construction of wastewater treatment plant administration building to Wittcon. Motion by Lillian Hendrickson to approve Wittcon, Inc. in the amount of \$124,500, seconded by Vicky Simpson, put to vote and carried 4-0.

Rescind resolution to adopt the Unified Solar Permit

Mr. Sturm indicated that at the November 12, 2014 Town Board meeting we adopted the unified solar permit system resolution without fee. Karen London, Green Committee Chairwoman suggested that it could be a problem filing without a fee.

Motion by Bernie Cohen to rescind the resolution adopted on November 12, 2014, seconded by Lillian Hendrickson, put to vote and carried 4-0.

Resolution to adopt the Unified Solar Permit for Small-Scale and to set fee

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF
BETHEL TO ADOPT THE UNIFIED SOLAR PERMIT
AND EXPEDITED PERMITTING PROCESS**

WHEREAS, as part of New York State's Cleaner, Greener Communities Program, NYSERDA is encouraging municipalities to adopt a streamlined permitting process for photovoltaic (PV) systems of 12 kW or less by offering incentive payments of \$2,500 for a municipality of the Town of Bethel's population; and

WHEREAS, adoption of New York State's Unified Solar Permit and expedited solar permitting process offers numerous benefits including simplifying, and making consistent, permitting requirements in municipalities across the State, increasing the quality and accuracy of installer applications, and ensuring that fair, flat fees are set for small-scale PV installations; and

WHEREAS, adoption of the New York State Unified Solar Permit and permitting process demonstrates that the Town is open for solar business and serves to facilitate PV installations.

NOW THEREFORE, BE IT RESOLVED, that the Town hereby adopts the Expedited Solar Permit Process for Small-Scale Photovoltaic Systems outlined in the "Requirements for Application Submittal-Step 1" and including the Unified Solar Permit for Small-Scale Photovoltaic Systems Eligibility Checklist-Step 2, both as attached hereto and incorporated herein by reference; and be it

FURTHER RESOLVED, that the Town hereby adopts the Unified Solar Permit for Small-Scale Photovoltaic Systems Application-Step 3, in the form attached hereto and incorporated by reference, as the Permit to be utilized for all installations of grid-tied photovoltaic systems of 12 kW or less and otherwise complying with the requirements for expedited permitting; and be it

FURTHER RESOLVED, the Town Board of the Town of Bethel authorizes the Town

Supervisor or his designee acting on behalf of the Town, to sign all necessary documents and to perform all acts required to participate in the referenced expedited permitting program and to obtain the incentive; and be it

FURTHER RESOLVED, that the action contemplated under this Resolution involving the implementation of a permitting program is a type II action under the State Environmental Quality Review Act and its implementing regulations (“SEQRA”) for which no environmental review is required (6 NYCRR §617.5 [c][20]); and be it

FURTHER RESOLVED, that the Schedule of Fees set forth in Chapter A351 (Fees) of the Town Code is hereby be amended to provide that the application fee for a Unified Solar Permit shall be the amount of \$50.00. The amount of the application fee shall be set forth on the form of permit adopted by this Resolution; and be it

FURTHER RESOLVED, this Resolution shall become effective when adopted.

Motion by Town Board member Vicky Simpson to adopt, seconded by Town Board member Bernie Cohen, and 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 20th day of November, 2014.

Approve training request for Highway Mechanic to attend Training Seminar

Motion by Bernie Cohen to approve highway mechanic attending training seminar, seconded by Lillian Hendrickson, put to vote and carried 4-0.

Letter of resignation James McBride, Sewer Superintendent

Letter of resignation as been received from James McBride, Sewer Superintendent, dated November 20, 2014 and effective January 1, 2015 after running out a portion of his earned sick time. Motion by Lillian Hendrickson to receive, file and approve, seconded by Vicky Simpson put to vote and carried 4-0.

Town Board Comments

Mr. Sturm requested that the Town Board approve using sick time until end of year.

Motion by Lillian Hendrickson to approve Mr. McBride using his accrued sick time until December 31, 2014, seconded by Vicky Simpson, put to vote and carried 4-0.

Mr. Sturm looked at all options to run treatment plant. Chris Graffeo and Mike Collins can run for next two weeks, not decided on part time or full time.

Post Position: Sewer Treatment Operator 3A.

Motion by Vicky Simpson to post for position for Wastewater Treatment Operator 3A, seconded by Lillian Hendrickson, put to vote and carried 4-0.

Mr. Sturm getting quotes for a contractor to come in 2 hours a day and a company to come in and hire them privately.

Adjournment

Motion by Vicky Simpson to adjourn, seconded by Lillian Hendrickson, put to vote and carried 4-0.

Respectfully submitted,