

The Town of Bethel Town Board meeting of October 28, 2015 was called to order by Supervisor Daniel Sturm at the Dr. Duggan Community Center at 7:30 p.m.

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

The meeting was opened with the Pledge of Allegiance.

**Request to seek sealed bids for removal of bio solids**

Motion by Mrs. Hendrickson to seek sealed bids for removal of bio solids, seconded by Mrs. Ryder, put to a vote and carried 5-0.

**Cancel Town Board meeting of 11/11 and reschedule for 11/12**

Motion by Mrs. Simpson to cancel Town Board meeting scheduled for November 11, 2015 and reschedule for November 12, 2015, seconded by Bernie Cohen, put to a vote and carried 5-0.

Motion by Mrs. Simpson to cancel Town Board meeting scheduled for November 25, 2015, seconded by Mr. Cohen, put to a vote and carried 5-0.

**Bethel Motor Speedway request for renewal license**

Motion by Mr. Cohen to receive and file Bethel Motor Speedway request for renewal license, seconded by Mrs. Simpson, put to a vote and carried 5-0.

Motion by Mrs. Ryder to set public hearing for Bethel Motor Speedway request for renewal license for November 12, 2015 at 8 p.m., seconded by Mrs. Hendrickson, put to a vote 5-0.

**Sullivan County contract for Snow and Ice removal**

**RESOLUTION TO APPROVE THE 2015-2018  
COUNTY SNOW AND ICE REMOVAL CONTRACT**

**RESOLVED**, that pursuant to Highway Law Section 135-a providing for snow and ice control on County roads with the Town, the Supervisor be and he is directed to execute a contract with the County of Sullivan for the Town to undertake and perform snow and ice control on County Roads located in the Town for the period beginning July 1, 2015 and ending June 30, 2018 and any extension thereof duly authorized as provided in such contract at the rates therein provided or hereafter approved,

	<u>Voting</u>
Supervisor Daniel Sturm	X
Councilman Bernard Cohen	X
Councilwoman Vicky Simpson	X
Councilwoman Dawn Ryder	X
Councilwoman Lillian Hendrickson	X

Motion by Mrs. Simpson to approve Sullivan County Contract for Snow and Ice removal, seconded by Mrs. Ryder, put to a vote and carried 5-0.

**Refinancing of loans for wastewater treatment improvements**

Motion by Mrs. Hendrickson to receive and file refinancing of loans announcement for wastewater treatment improvements, seconded by Mrs. Ryder, put to a vote and carried 5-0.

**Public Hearing #1 7:45 p.m.: 2016 Sewer User Rates**

Town Clerk, Rita Sheehan, read the legal notice as posted in the Sullivan County Democrat.

Motion by Mr. Cohen to recess the regular Town Board Meeting and open the public hearing at 7:45 p.m., seconded by Mrs. Simpson, put to a vote and carried 5-0.

For the record, there were no comments.

Motion by Mrs. Ryder to close the public hearing and reopen the regular Town Board Meeting, seconded by Mr. Cohen, put to a vote and carried 5-0.

**Set 2016 Sewer User Rates (same as 2015)**

Motion by Mrs. Hendrickson to set 2016 Sewer User Rates (same as 2015), seconded by Mrs. Simpson, put to a vote and carried 5-0 as follows:

Kauneonga Lake Sewer Dist year-round	\$427.32 per unit annually
Kauneonga Lake Sewer District seasonal	\$339.92 per unit annually
Kauneonga Lk Rt 17B Sewer Dist Ext year-round	\$600.72 per unit annually
Kauneonga Lk Rt 17B Sewer Dist Ext seasonal	\$513.32 per unit annually

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

**Request for funding from Municipal Facilities Capital Program**

Request funding for the Justice Court – roof, windows, exit doors and frames, locks, HVAC, handicap railing, siding - \$50,000.

Request funding for the Senior Center – roof, exterior ceiling tiles, floor tiles, HVAC, cabinets, countertops, stove, range hood - \$50,000.

Motion by Mrs. Simpson to approve request for funding from Municipal Facilities Capital Program for the Justice Court and Senior Center, seconded by Mrs. Ryder, put to a vote and carried 5-0.

**Budget Officer/Supervisor’s Budget Comments**

The following is the Budget Officer/Supervisor Budget Statement:

At the last Town Board meeting we had a public hearing in regards to a local law to override the .73 State imposed tax cap for our 2016 Town Budget, if necessary. We had prepared our budget the same this year like we have done over the last 8 years since I have been Supervisor and Budget officer. Meaning always under the 2% tax cap. I think we call stuck together, the board and I, and argued effectively that the tax cap next year is practically impossible to hit. That is due to factors such as insurance increased, equipment increases, workers compensation, etc. Plus additional constabulary needs such as the replacement of 2 aged police cars, and additional manpower to maintain our public safety needs, which are growing. I also expressed my displeasure with the state imposing aa .743 5 tax cap while doing nothing about the tax exempt properties or state mandates that are hurting us and our ability to govern and provide services. At the public hearing residents spoke and clearly relayed a message that although it may be tough we should everything we can to get under the tax cap for next year. At this point, I

would like to commend 2 members of this board; Dawn Ryder and Vicky Simpson, specifically who reached out extensively to me over the last 2 weeks and were relentless with suggestions and ideas going line by line again to make sure we act to get under the cap, and Bernie Cohen knows also and was supportive. In other words, we have heard you all and responded and I have about 5 or 6 adjustments to the preliminary budget to make it happen. Even with these changed, we still have a good sound fiscal plan for next year and we still have enough to continue our services including our public safety needs. Remember this is the town of Bethel and if our residents want something we have to find a way to get it done. We have always been under the cap and that will continue.

Mr. Sturm reviewed changes to the following changes to the preliminary budget:

1. DA available fund balance	\$20,000	
2. General Fund Assorted Revenues:		
A) A1090 from \$25,000 to \$26,000	\$ 1,000	
B) A1170 from \$59,000 to \$60,000	\$ 1,000	
C) A2089 from \$40,000 to \$42,000	\$ 2,000	
D) A2130 from \$50,000 to \$52,000	\$ 2,000	
E) A2750 from \$ 4,000 to \$12,000	\$ 8,000	
F) A3005 from \$82,000 to \$84,000	\$ 2,000	
Total Increase in Revenue		<u>\$36,000</u>
3. General Fund Expenses		
A1990 from \$ 7,000 to \$ 5,000		\$ 2,000
4. General Fund Health Insurance		
From \$508,544.51 to \$498,201.66		\$10,342.85
5. Highway Fund Health Insurance		
From \$402,331.13 to \$397,020.66		\$ 5,310.47
Total Decrease in Expenses		<u>\$17,653.32</u>
Total Savings		<u>\$53,653.32</u>

**Public Hearing #2 8:00 p.m.: 2016 Town Budget**

Town Clerk, Rita Sheehan, read notice for the budget public hearing.

Motion by Mrs. Simpson to recess the regular Town Board Meeting and open the public hearing at 7:45 p.m., seconded by Mrs. Ryder, put to a vote and carried 5-0.

Mrs. Hendrickson stated that she was never asked to participate in the budget process.

Susan Brown-Otto said excellent news, and thank you for listening to us. Dear Supervisor Sturm, Council people; Cohen, Hendrickson, Ryder and Simpson:

**CALENDAR YEAR 2016 BUDGET HEARING**

For the record, I am a registered voter living in the Town of Bethel. I am speaking to you this evening in the capacity as a Town of Bethel resident. As you will all recall, two weeks ago I was here speaking out against the Town of Bethel's proposal to override of Governor Cuomo's .73% property tax cap. I was disappointed to see that the town voted to override the .73% property tax cap. I have reviewed the Tentative Town Budget for 2016. I commend the Town Board for efforts you have made in holding tight, many budget items, including salaries

of Town of Bethel employees. However, one item stands out in the budget that increased much more than other line items. That has to do with the increase in Police Personal Services budget line item. The proposed amount increases from a budgeted amount for calendar year 2015 of \$135,788.00 to \$198,987.20. This represents an increase of \$63,199.20 or an amount of 46.54%. I question the need for a 46.54% increase in our police personal services line. I have heard some people say, "Well, there was a recent murder in Bethel". Yes, however we could have 1,000 new officers and that would not, in my opinion, prevent that type of murder. Is this increase in the budget for a full-time part-time position? If full time, is this a year-round or seasonal position? What benefits go along with the increased budget amount? I have a question for the Board. How many townships in Sullivan County have their own police force? Does the Town of Delaware, Cocheton, and Callicoon? Yes, I know that the Town of Liberty & Monticello do. Do we, Town of Bethel residents pay less money to Sullivan County for the Sherriff's department because in theory, we should require less Sheriff support as we have a number of police in our employment? Food for thought, for the record, I think that officers Chris McCarthy and Douglas are doing a fantastic job. At the last Town Board meeting, a number of people suggested ways the Town could increase revenue. One item mentioned several times included additional contributions from Bethel Woods. Some people say, Mysteryland needs to make a larger contribution to the township. I appreciate that the promoters behind Mysteryland are a business that strives to make a profit. I suggest that rather than ask the promoters to make a larger contribution, instead ask the people purchasing the tickets, to make a contribution. Say, \$1.00 a ticket.

I don't know how many tickets are sold during the summer concert season, but let's say 150,000 tickets. A dollar a ticket would result in \$150,000 in a contribution to the Town of Bethel budget. In my opinion, someone who is buying a ticket to Bethel Woods is not going to buy a ticket due to a \$1.00 surcharge. I live on Pucky Huddle Road. I see the NYS State Police and Sherriff Department parked at the end of Perry and Hurd Roads on concert nights. I see the Town of Bethel police out and about as well. Who is paying for this presence? What about the broken roads on Hurd, Perry & West Shore Roads due to Bethel Woods traffic? What about increased Town of Bethel court costs due to Bethel Woods arrests for drugs and DWI? Earlier this year I read an article about the Hudson Project music festival. It discussed a festival that was held in July 2014 in Saugerties where the 25<sup>th</sup> Woodstock Anniversary concert was held. What really caught my eye was the last paragraph of the article where the Town of Saugerties supervisor, Greg Helmoortel said that "the town ended up making more than \$70,000 from its cut of ticket sales. That went into his year's budget and fund balance." Yesterday I spoke with Town of Saugerties Supervisor Greg Helmoortel about the money the Town of Saugerties collected. Today I called and spoke with someone who works with the Mayor of Saratoga Springs. Turns out this person was originally from Sullivan County and has been to Bethel Woods. She said that Saratoga Springs is seriously looking at imposing a type of user fee on ticket sales for Saratoga Springs concert events. In closing, I am requesting that the Town Board look at new ways of increasing revenues, including not only a \$1.00 surcharge on Bethel Woods summer concert ticket events but as well, increasing the out of Town of Bethel participation to our summer camp and senior bus trips as well as increasing speed code enforcement through the Route 17B corridor in White Lake. Also, I ask you to review the need for this dramatic increase in police personnel service expenses and rather, look to hiring on a contractual basis. Two weeks ago I spoke about the drip-drip-drip of increasing our property taxes and boiling the frog. They say if you put a frog in cold water and turn up the heat slowly, the frog doesn't realize that soon the water will be boiling and eventually he will be dead. However if you drop a frog in a pot of hot water, he will jump out. Folks, our property taxes keep increasing, drip-drip-drip, just like boiling the frog on slow heat. Enough is enough. I ask that the Town Board go back to the drawing board and re-examine how the budget can come under Governor Cuomo's property tax cap. Thank you for your time.

Constable increase in the budget, increase to \$63,199.00

Bob Barrett – Glad to see the cap is being maintained.

Susan Brown pointed out information that has been brought up before. Budgets are monies coming in and money going out. Very ironic that Montreign coming in, the powers that be did not want to share with outgoing areas. We have a local source, but keep saying it is illegal. The fact is Bethel Woods not wanting to share a \$1 or \$2 is an embarrassment. \$100,000 is easy, look into it; \$10,000 is a drop in the bucket, please look into it seriously.

Mary Ellen Di Carlo - how much is the cost of health insurance per employee? Mr. Sturm – Family \$20,000 (contribution required if hired after 2009); Individual \$9,000; \$5,900 buy-out.

Brian Harrell – Social Security income not going up, I’m glad you kept under 2%. Asked about Highway Department building? It is deplorable, any thoughts on renovating? Going to need a port-a-john again for the winter? Bernie, the building is not worth working on, it was built in 1954.

Mrs. Simpson stated in 2008 we were ready to bond a new building. Then the market tanked and it was put on hold. Green committee is looking into it.

Motion by Mrs. Ryder to close the public hearing at 8:10 P.M. and reopen the regular scheduled Town Board Meeting, seconded by Mrs. Simpson, put to a vote and carried 5-0.

**Approve Changed to Preliminary Budget**

Motion by Mrs. Simpson to approve suggest changes to Preliminary Budget, seconded by Mrs. Ryder, put to a vote and carried 5-0.

**Resolution to adopt 2016 Town Budget**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BETHEL  
TO ADOPT A BUDGET FOR FISCAL YEAR 2016**

**WHEREAS**, a Preliminary Town Budget for the fiscal year 2016 was submitted to the Town Board of the Town of Bethel (the “Town Board”) by the Town Budget Officer on October 14, 2015; 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, 2015, the Town Board conducted a public hearing during which comments were presented and received in connection with the preliminary budget for fiscal year 2016;

**WHEREAS**, it appears that although the Town adopted a local law to exceed the 0.73% tax cap, certain amendments to the Preliminary Budget will be made as summarized in the final proposed budget as incorporated by reference herein in order to enable the final budget to remain within the statutorily imposed 0.73% tax cap.

**NOW THEREFORE, BE IT RESOLVED**, that the proposed final budget for the fiscal year 2016, as amended, 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 Dawn Ryder, 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 28<sup>th</sup> day of October, 2015.

**Introduce Local Law #4 to rescind LL #2 and to set public hearing**

**RESOLUTION OF TOWN BOARD OF THE TOWN OF BETHEL  
TO INTRODUCE A LOCAL LAW TO REPEAL LL #2 OF 2015.**

**WHEREAS**, on June 24, 2011 New York State enacted a limit on the levy of real property taxes by County, City, Town, Village, Fire Districts and Special Districts, pursuant to General Municipal Law §3-C, and

**WHEREAS**, on October 14, 2015, the Town Board of the Town of Bethel (the “Town Board”) enacted Local Law No. 2 of 2015 that authorized the Town Board to adopt a budget for the fiscal year 2016 that could result in a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, §3-C, and

**WHEREAS**, the Town Board determined that it was in the best interests of the Town to enact Local Law No. 2 of 2015 in order to adopt a cautionary measure to be utilized if necessary to override the tax levy limit for the 2016 fiscal year, and

**WHEREAS**, upon approval of the final budget for the 2016 fiscal year there is no need to override the tax levy limit for the 2016 fiscal year and the powers provided to the Town through the enactment of Local Law No. 2 of 2015 are not necessary, and

**WHEREAS**, the adoption of a local law is necessary to repeal Local Law No. 2 of 2015; and

**WHEREAS**, the Town Board determines that the proposed local law is not subject 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).

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board hereby introduces the proposed Local Law No. 4 of 2015 (a copy which is attached hereto); and be it

**FURTHER RESOLVED**, that a public hearing on the proposed Local Law shall be scheduled for November 12, 2015 at 7:45 p.m. which public hearing shall be conducted at the Dr. Duggan Community Center, Meeting Room, 3460 Route 55, White Lake, NY 12786 and proper notice of the public hearing shall be duly given; and be it

**FURTHER RESOLVED**, this Resolution shall become effective when adopted.

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

		<u>AYE</u>	<u>NAY</u>
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 28<sup>th</sup> day of October, 2015.

**Town Board Comments**

Mrs. Hendrickson stated that the Sewer Department is doing wonderfully trying to get as much septage as they can. Working hard before it freezes.

**Adjournment**

There being no further business, Mrs. Ryder moved to adjourn the meeting, seconded by Mrs. Simpson, put to a vote and carried 5-0.

Respectfully submitted,

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Rita J. Sheehan, Town Clerk