

The Town of Bethel Town Board meeting of September 9, 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.

**Audit of Bills**

<u>Fund</u>	<u>Amount</u>	<u>Check Nos.</u>
General Fund	\$174,139.62	5457-5516
Highway Fund	\$167,927.61	3426-3458
Sewer Fund	\$ 41,376.00	2349-2365
Planning & Zoning Escrow	\$ 15,221.00	1086-1089
Light District	\$ 1,804.77	1096

Motion by Mrs. Simpson to approve monthly audit of bills, seconded by Mr. Cohen, put to a vote and carried 5-0.

**Supervisor’s Monthly Report**

Motion by Mrs. Simpson to receive and file Supervisor’s monthly report, seconded by Mrs. Ryder, put to a vote and carried 5-0.

**Building Department Monthly Report**

Building Department Report for the month of August has been filed with the Town Clerk.

2015 fees \$6,709	2014 fees \$5,278
2015 August construction Total \$4,873,100	
2014 August construction Total \$3,042,000	

Motion by Mrs. Simpson to receive and file the Building Department monthly report for August, 2015, seconded by Mr. Cohen, put to a vote and carried 5-0.

**Town Clerk’s Monthly Report**

Total Fees Collected	\$8,137.76
State Share	\$1,797.49
Town Share	\$6,340.27

Motion by Mrs. Hendrickson to receive and file the Clerk’s monthly report, seconded by Mr. Cohen, put to a vote and carried 5-0.

**Resolution to authorize Code Enforcement Officer to enter property**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BETHEL  
AUTHORIZING ENTRY ONTO CERTAIN LAND AND PREMISES**

**WHEREAS**, The Town Board of the Town of Bethel is in receipt of a report from the Town Code Enforcement Officer that the owner and/or operator of certain land and premises described on the tax map for the Town as SBL No. 46.-15-2.4 and SBL No. 46.-15-4.2 and located at 52 Taconic Trail (the “Subject Premises”) was in violation of §279-5 of the Town Code in that the Subject Premises contained more than ten unregistered motor vehicles, trailers and heavy equipment; and

**WHEREAS**, on July 14, 2015, it appears that at the direction of the Code Enforcement

Officer a compliance order was served personally by a Town Constable on Ronald Herbert, the operator of the Subject Premises, and in addition thereto, on July 10, 2015 a copy of said order was served by the Code Enforcement Officer by (i) certified mail on the owner of the Subject Premises and (ii) regular mail on the operator of the Subject Premises; and

**WHEREAS**, the compliance order required Mr. Herbert to dispose of all unlicensed and unregistered motor vehicles within ten days of receipt of the compliance order; and

**WHEREAS**, the Code Enforcement Officer reported to the Town Board that the requirements of the compliance order were not observed and the Subject Premises remained in violation of the Town Code; and

**WHEREAS**, pursuant to Town Code §279-5(B)(4) the Town Board conducted a public hearing on August 12, 2015 in connection with the status and condition of the Subject Premises and written notice of the public hearing was served on the owner and operator by certified mail return receipt requested at their last known addresses, and after taking testimony from members of the public, the public hearing was closed.

**NOW, THEREFORE BE IT RESOLVED**, the Town Board of The Town of Bethel hereby authorizes the entry on the Subject Premises by the Town Code Enforcement Officer in order to determine if the motor vehicles located on the Subject Premises are properly registered, licensed and inspected in accordance with NY Vehicle & Traffic Law and to gather and copy any relevant title information regarding said motor vehicles; and be it

**FURTHER RESOLVED**, the authorization for entry granted by this Resolution is subject to the issuance of an administrative warrant by a Court of competent jurisdiction and is otherwise subject to any conditions contained in said warrant; and be it

**FURTHER RESOLVED**, that the Code Enforcement Officer may be accompanied by a Town Constable, Sullivan County Sheriff’s Deputy, State Police Officer or other duly authorized peace officer during the entry onto the Subject Premises as may be authorized by the terms and conditions of the administrative warrant; and be it;

**FURTHER RESOLVED**, that the action contemplated by this resolution is a Type II action under the State Environmental Quality Review Act in accordance with 6 NYCRR 617.5 (29) because the authorization provided by this Resolution is part of a civil or criminal enforcement proceeding; and be it

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

Motion by Town Board member Mrs. Simpson, seconded by Town Board member Mr. Cohen, 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 9<sup>th</sup> day of September, 2015.

**Public Comment**

Maura Stone, Kauneonga Lake, read her letter in regards to an incident involving one of the town boat constables. Ms. Stone disagrees with Constable’s request to put her registration stickers on the wooden hull of her antique boat. Ms. Stone has checked with the Coast Guard and the Antique Boat Society and they both concur with Ms. Stone and that putting on the windshield is sufficient.

**September 9, 2015**

**Audit Meeting**

Motion by Town Board member Mrs. Vicky Simpson to receive and file, seconded by Mrs. Lillian Hendrickson, put to a vote and carried 5-0.

**Adjournment**

There being no further business, Mr. Cohen 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