

The Town of Bethel Town Board meeting of October 13, 2016 was called to order by Supervisor, Daniel Strum at the Dr. Duggan Community Center at 7:30 p.m.

Council members present: Vicky Simpson
Lillian Hendrickson
Bernie Cohen

Council member absent: Dawn Ryder

The meeting was called to order and opened with the Pledge of Allegiance.

Helen Budrock, Sullivan Renaissance, presented the Town of Bethel Officials with a framed photo/plaque for winning first place, the Golden Feather Award in the amount \$100,000.

Audit of Bills

Motion by Mrs. Simpson to approve monthly audit bills; seconded by Mr. Cohen, put to a vote and carried 4-0.

<u>Fund</u>	<u>Amount</u>	<u>Check Nos.</u>
General Fund	\$130,131.74	6368-6375, 6377-6434
Highway Fund	\$253,955.12	1163-1190
Kauneonga Lake Sewer	14,809.75	1089-1106
Kauneonga Lake Sewer Ext.	\$50,304.88	1001
Kauneonga Lake Light District	\$ 3,978.69	1002-1003

Supervisor’s Monthly Report - September

Motion by Mrs. Hendrickson to receive and file the supervisor’s monthly report for September 2016. Seconded by Mrs. Simpson, put to a vote and carried 4-0.

Building Department Monthly Report – September

2016 September fees	\$ 4,354.00
2015 September fees	\$ 4,022.00
2016 September construction total	\$ 609,100.00
2015 September construction total	\$ 341,500.00

Motion by Mrs. Hendrickson to receive and file building department monthly report as submitted. Seconded by Mrs. Simpson, put to a vote and carried 4-0.

Highway Department Road Agreements

Agreement between the Town Superintendent of the Town of Bethel, Sullivan County, New York. Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$515,140. shall be set aside to be expended for primary work and general repairs upon 146.22 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.
2. PERMANENT IMPROVEMENTS. The following sums shall be set aside to be expended for the permanent improvement of Town highways:
 - a. On the road commencing at Lake Site Drive and leading to Gabriel Road (Walnut) a distance of .12 miles, there shall be expended not over the sum

of \$5,800.00; type 6 and 7 top; width of traveled surface 12 feet; thickness 2”; subbase asphalt; type 7 was used in intersection with other roads.

- b. On the road commencing at 17B State Route and leading to 6,746 feet (Burr Road), a distance of 6,746 feet, there shall be expended not over the sum of \$86,500.00; Type cold mix pave; width of traveled surface 18 feet; thickness 2.5 inches; subbase asphalt. Cost includes #1 stone, oil, seal coat #1a stone and oil plus paver rental – 1087 tons #1 stone.
- c. On the road commencing at Perry Road and leading to Behr Road (Goldsmith Road) a distance of 3,563 feet, there shall be expended not over the sum of \$55,000.00; type mix pave cold; width of traveled surface 18 feet; thickness 2.5 inches; subbase asphalt. Cost includes #1 stone, oil plus #1a stone and oil for sealing and cost of paver rental – 615 tons #1 stone.
- d. On the road commencing at Hurd Road and leading to Behr Road (Jim Stephenson Road); a distance of 6010 feet, there shall be expended not over the sum of \$79,500.00; type cold mix pave; width of traveled surface 18 feet; thickness 2.5 inches; subbase asphalt. Cost includes #1 stone and oil plus #1a stone and oil for sealing plus cost of paver rental – 847 tons #1 stone.

Motion by Mrs. Simpson to receive and file highway road agreements. Seconded by Mrs. Hendrickson, put to a vote and carried 4-0.

4. Town Clerk’s Monthly Report

Total fees	\$10,303.67
State share	\$ 3,432.44
Town share	\$ 6,871.23

Motion by Mrs. Hendrickson to receive and file town clerk’s monthly report. Seconded by Mrs. Simpson, put to a vote and carried 4-0.

Sewer Department

Motion by Mrs. Hendrickson to seek sealed bids for 4,000 gallons commercial grade Liquid Aluminum Sulfate 48% meeting American Water Works Association for potable water. Delivery to Kauneonga Lake Waste Water Treatment Plant at 3626 Route 55, Kauneonga Lake, NY 12749; quote as price per gallon delivered. Seconded by Mrs. Simpson, put to a vote and carried 4-0.

Set 2017 Sewer User Rates Public Hearing

Motion by Mrs. Hendrickson set a public hearing for the 2017 sewer user rates for the Kauneonga Lake Consolidated Sewer District and Kauneonga Lake Route 17B Sewer District Extension on October 26, 2016 at 7:45 p.m. Seconded by Mr. Cohen.

Set 2017 Budget Public Hearing

Motion by Mrs. Simpson to set a public hearing on October 26, 2016 at 8:00 p.m. for the 2017 Preliminary Budget. Seconded by Mrs. Hendrickson, put to a vote and carried 4-0.

Bid Results for Unsafe Structure Althaus Tax Map SBL #42.-8-8

Sealed bids were received and publicly open and read on October 12, at 11 a.m. at the Town Clerk’s Office as follows:

Reeves Mountain Construction, Inc.	\$14,058
Tweedie Construction Services, Inc.	\$10,500
Gary Myers Excavation, Inc.	\$17,994
Riley Platt	\$ 7,800
Decker Contractors, Inc.	\$ 7,950.
Jupiter Environmental Services, Inc.	\$17,800
M & k Landscaping	\$17,300
Rockbusters, Ltd.	\$ 9,620
Kalveski Excavating	\$17,150
Woodbourne Lawn & Garden	\$11,400

Motion by Mrs. Simpson to approve/award the low bidder, Riley Platt in the amount of \$7,800. for removal of the unsafe structure(s) on Tax Map SBL#42.-8-8 known as 13 W. Sullivan Place, Smallwood, NY. Seconded by Mrs. Hendrickson, put to a vote and carried. 4-0.

Bid Results for Unsafe Structure Copeland Tax Map SBL #43.-6-28

Sealed bids were received and publicly open and read on October 12, at 11 a.m. at the Town Clerk’s Office as follows:

Reeves Mountain Construction, Inc.	\$19,675
Tweedie Construction Services, Inc.	\$16,800
Gary Myers Excavation, Inc.	\$21,994
Riley Platt	\$11,500
Decker Contractors, Inc.	\$12,400.
Jupiter Environmental Services, Inc.	\$27,400
M & K Landscaping	\$17,500
Rockbusters, Ltd.	\$14,990
Kalveski Excavating	\$19,625
Woodbourne Lawn & Garden	\$10,600

Motion by Mrs. Hendrickson to approve/award the low bidder to Woodbourne Lawn & Garden in the amount of \$10,600. for removal of the unsafe structure(s) on Tax Map SBL #43.-6-28, 96 E. Thompson Place, Smallwood, NY. Seconded by Mr. Cohen, put to a vote and carried 4-0.

Bid Results for Unsafe Structure Romaniv Tax Map SBL#9.-1-82

Sealed bids were received and publicly open and read on October 12, at 11 a.m. at the Town Clerk’s Office as follows:

Reeves Mountain Construction, Inc.	\$14,876
Tweedie Construction Services, Inc.	\$13,711
Kalveski Excavating	\$16,375
Gary Myers Excavation, Inc.	\$ 7,994
Riley Platt	\$ 7,900
Taylor Montgomery	\$18,895
NES Construction	\$26,200
Decker Contractors, Inc.	\$ 7,400

Motion by Mrs. Simpson to approve/award the low bidder, Decker Contractors, Inc. in the amount of \$7,400.00 for removal of the unsafe structure(s) on Tax Map SBL #9.-1-82, 527 Lt. Brender Highway, Ferndale, NY 12734. Seconded by Mrs. Hendrickson, put to a vote and carried 4-0.

Town of Liberty Joint Fuel Bid

Sealed bids were received in the Town of Liberty Town Clerk’s office on August 11, 2016 for a joint fuel bid as follows:

Diesel & Kerosene

Bidder	#2 Fuel Oil Tank Wagon Price			Kerosene Tank Wagon Price			Diesel Tank Wagon Price			Off Road Diesel Tank Wagon Price		
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	Published	Adj	Total	Published	Adj	Total	Published	Adj	Total	Published	Adj	Total
Ultra Power PO Box 946 Monticello, NY 12701	1.3520	+.0483	1.4003	1.6800	+.1313	1.8113	1.4065	+.0742	1.4807	N/B		
Mirabito PO Box 5306 Binghamton, NY 13902	1.3520	+.0875	1.4395	1.6800	+.0876	1.7676	1.4065	+.0875	1.4940	1.4115	+.0875	1.4990
County Petroleum PO Box 247 Ferndale, NY 12734	1.3520	+.095	1.4470	1.6800	+.195	1.8750	1.4065	+.125	1.5315	1.4065	+.125	1.5315

Bidder	87% Octane Unleaded Tank Wagon	89% Octane Unleaded Tank Wagon	92% Octane Unleaded Tank Wagon
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Un-Branded Regular & Unleaded Gasoline

	Published	Adj	Total	Published	Adj	Total	Published	Adj	Total
Mirabito	1.4105	+.0875	1.4980	1.5185	+.1456	1.6605	1.6588 * Bid is for 91% Octane	+.1456	1.8044
County Petroleum	1.4105	+18	1.5905	N/B			N/B		
Ultra Power	N/B			N/B			N/B		

Branded Regular & Unleaded Gasoline

Bidder	87% Octane Unleaded Tank Wagon	89% Octane Unleaded Tank Wagon	92% Octane Unleaded Tank Wagon
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	Published	Adj	Total	Published	Adj	Total	Published	Adj	Total
Ultra Power	1.3560	+.1100	\$1.4660	N/B			N/B		

Motion by Mrs. Hendrickson to awards bid to low bidder. Seconded by Mrs. Simpson, put to a vote and carried 4-0.

State and Municipal Facilities Capital Program Grant Award \$50,000

Motion by Mr. Cohen to receive and file letter from Senator Bonacic announcing the Town’s award for being selected a \$50,000. grant through the State and Municipal Facilities Capital Program to be used for the salt shed/barn located at the Town of Bethel Transfer Station. Seconded by Mrs. Simpson, put to a vote and carried 4-0. Highway Superintendent would rather use the branded unleaded 87% octane at a lower cost than the unbranded.

Motion by Mrs. Hendrickson to send a thank you letter to Senator Bonacic for his support. Seconded by Mrs. Simpson, put to a vote and carried 4-0.

Toronto Reservoir East Access Area Update:

Response Letters to Congressmen and

Motion by Mr. Cohen to receive and file letters sent from the Town of Bethel (dated October 4, 2016) to U.S. Senator Schumer, U.S. Senator Gillibrand, and U.S. Congressman Gibson asking for their assistance regarding Toronto Reservoir East Access Area. Seconded by Mrs. Hendrickson, put to a vote and carried 4-0,

Response from U. S. Senator Gillibrand

Motion by Mrs. Hendrickson to receive and file e-mail dated October 6, 2016 from Senator Gillibrand indicating the response may take 30 days regarding Toronto Reservoir East Access Area. Seconded by Mrs. Simpson, put to a vote and carried 4-0.

Congressman Gibson's response

Motion by Mrs. Simpson to receive and file response letter from U.S. Congressman Gibson dated October 11, 2016, regarding Toronto Reservoir East Access Area. Congressman Gibson is requesting FERC to fine Eagle Creek and for them to uphold their license. Seconded by Mrs. Hendrickson, put to a vote and carried 4-0.

Per Mrs. Hendrickson, a special thank you to Mr. Sturm, Supervisor, and Mrs. Sheehan, Town Clerk for sending out the letters and the attention given this matter.

Letter to Brian Miner, NYS Dept. of Health

Motion by Mrs. Hendrickson to receive and file letter sent to NYS DOH, dated October 4, 2016, from Daniel Sturm, Town of Bethel Supervisor regarding the Administrative Tribunal Hearing on October 19, 2016 with Eagle Creek for the Toronto Reservoir East Access Area (DOH Docket No. 20160452) requesting an opportunity for public comment. Seconded by Mrs. Simpson, put to a vote and carried 4-0,

DOH Response

Motion by Mrs. Hendrickson to receive and file e-mail from Mark Fleischer dated October 7, 2016, NYS DOH regarding letter of October 4, 2016 sent to Brian Miner. Since this an adversarial enforcement proceedings (10 NYCRR Part 5) to solely determine whether the respondent, Robert Gates, principal of North American hydro holdings, has violated the State Sanitary Code and, whether civil monetary penalties should be assessed against him as a result of the violations. So only the parties to this proceeding DOH and Mr. Gates and any witnesses they choose to call have a right to testify and be heard at this hearing. However the hearing is open to the public. Seconded by Mrs. Simpson, put to a vote and carried 4-0.

Motion by Mrs. Simpson to receive and file e-mail from Mark Fleischer dated October 7, 2016, NYS DOH regarding Toronto Reservoir stating that public comments can be submitted, but cannot say whether the judge will accept or consider them. Seconded by Mrs. Hendrickson, put to a vote and carried 4-0.

Public Comment

Bob Barrett and Peter Conroy thanked the Town Board for their effort regarding Toronto Reservoir situation.

Adjournment

There being no further business, Mrs. Simpson moved to adjourn the meeting. Seconded by Mrs. Hendrickson, put to a vote and carried 4-0.

Respectfully submitted,