

The December 18, 2017 Town of Bethel special Town Board meeting was called to order by Supervisor Daniel Sturm at 7:30 p.m. at the Dr. Duggan Community Center meeting room.

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

Attorney for the Town: Karen Mannino

The meeting was opened with the Pledge of Allegiance.

1A. Audit of Bills

Motion by Mrs. Simpson to approve the audit of bills. Seconded by Mrs. Ryder, put to a vote and carried 5-0.

<u>Fund</u>	<u>Amount</u>	<u>Check No.</u>
General Fund	\$293,776.41	7308-7388
Highway Fund	\$382,215.16	1613-1614 1634-1679
Kauneonga Lake Sewer District	\$ 41,227.64	1352 1369-1388
Kauneonga Lake Light District	\$ 639.41	1019
Planning & Zoning Trust Agency	\$ 144.00	1141
John Driscoll Scholarship	\$ 130.37	
Highway Equip. Capital Special Proj.	\$701,588.81	1045-1049

Supervisor’s Monthly Report

Mr. Sturm said the General Fund is 2.8% down in expenditures.
 Under the budget 104% of revenue is received. 94% of expenses are paid.
 Under the Highway Fund – \$35,000 down in expenditures.

Motion by Mrs. Ryder to receive Supervisor’s monthly report as submitted. Seconded by Mr. Cohen, put to a vote and carried 5-0.

General Fund Budget Modifications

Resolution for Budgetary transfers between fund account codes

Acct Code	Title	Debit	Credit
1110.1	Town Justice		\$4,000.00
1330.1	Tax Collector.1		\$1,500.00
1355.1	Assessor.1		\$3,500.00
1355.4	Assessor.4		\$500.00
1620.1	Town Hall		\$5,600.00
3010.4	Public Safety .4		\$3,000.00
3120.4	Police Contractual.4		\$5,000.00
7140.1	Playground & Rec .1		\$6,000.00
7140.4	Playground & Rec .4		\$8,500.00
7310.1	Youth Program		\$2,045.06
7989.4	Cultural Series		\$11,500.00
9030.8	Social Security		\$3,700.00
1420.4	Attorney .4	26,500.00	
3120.1	Police .1	26,000.00	

7180.1	Special Rec .1	2,345.06	
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\$54,845.06 \$54,845.06

1) Transfer between expense account codes.

Highway Fund Budget Modification

Highway Dept

Resolution for Budgetary transfers between fund account codes

Acct Code	Title	Debit	Credit
5130.1	Machinery .1		\$4,500.00
5130.4	Machinery.4		\$10,000.00
5142.15	Comp time		\$4,522.01
5142.16	Opt out		\$983.34
9030.8	Social Security		\$2,000.00
9050.8	NYS unemployment		\$3,500.00
9720.6	Bonds		\$2,334.41
5110.4	Maint of Streets	\$27,839.76	
		\$27,839.76	\$27,839.76

Transfers between expense account codes.

Sewer Fund Budget Modification #1

Sewer Dept

Resolution for Budgetary transfers between fund account codes

Acct Code	Title	Debit	Credit
S1910.4	Insurance		\$10,778.00
A1670.4	Central Printings and Mail	\$10,400.00	
A8110.4	Admin .4	\$378.00	
		\$10,778.00	\$10,778.00

1) Tranfer between expense account codes.

Sewer Fund Budget Modification #2

Sewer Dept

Resolution for Budgetary transfers between fund account codes

Acct Code	Title	Credit (rev)	Credit
S-599	App. Fund Balance	\$44,600.00	
S8130.1	Sew &Disp .1		\$4,000.00
S8130.4	Sew &Disp .4		\$25,000.00

S9030.8	Social Security		\$600.00
S9060.8	Health Insurance		\$15,000.00
		\$44,600.00	\$44,600.00

1)record appropriated fund balance, Increase Revenues S599

Motion by Mrs. Ryder to approve budget modifications as submitted for General Fund; Highway Fund; Sewer Fund; as submitted. Seconded by Mrs. Simpson, put to a vote and carried 5-0.

Monthly Report Building Department

November 2017 Fees	\$ 6,376.00
November 2016 Fees	\$ 2,935.00
November 2017 Construction Total	\$1,268,385
November 2016 Construction Total	\$ 312,400

Motion by Mrs. Simpson to receive and file monthly Building Department Report as submitted. Seconded by Mrs. Hendrickson, put to a vote and carried 5-0.

Town Clerk’s Monthly Report

Total fees for November, 2017	\$6,970.01
State Share	\$1,591.62
Town Share	\$5,378.39

Motion by Mrs. Ryder to receive and file monthly Town Clerk’s Monthly Report as submitted. Seconded by Mrs. Hendrickson, put to a vote and carried 5-0.

Set 2018 re-organizational meeting for 1/3/18

Motion by Mr. Cohen to set Town of Bethel Town Board Re-organizational meeting for Wednesday, January 3, 2018 at 7:30 p.m. Seconded by Mrs. Ryder, put to a vote and carried 5-0.

Animal Shelter Contract Renewals

Motion by Mrs. Simpson to approve the animal shelter service contract renewals for the following: Port Jervis Humane Society; Middletown Humane Society; Town of Thompson Animal Shelter; and Town of Cocheton Animal Shelter as submitted. Seconded by Mrs. Hendrickson, put to a vote and carried 5-0.

Public Hearing 7:45 p.m. – Proposed Local Law #2-2017

Town Clerk, Rita Sheehan read the public hearing notice as published in the paper of record, Sullivan County Democrat, for the Town of Bethel.

Karen Mannino, Attorney for the Town of Bethel, reviewed the purpose of the law. The Town of Bethel Code was in excess of what the State Law required for removal of Planning Board and Zoning Board members.

Motion by Mrs. Hendrickson to close the regularly scheduled Town of Bethel Town Board Meeting and open the scheduled public hearing at 7:45 p.m. Seconded by Mrs. Ryder, put to a vote and carried 5-0.

There were no comments.

Motion by Mrs. Simpson to close the scheduled public hearing and reopen the regularly scheduled Town of Bethel Town Board Meeting. Seconded by Mrs. Hendrickson, put to a vote and carried 5-0.

Correspondence from Bethel Green Committee

Motion by Mr. Cohen to receive and file correspondence received from the Bethel Green Committee (Jeffrey C. Allison) dated December 11, 2017 regarding the conversion of street lights to LED. The Bethel Green Committee recommends the Town of Bethel undertake the purchase and conversion of its street lights to LED.

Authorization to sign NY Power Authority Letter to Proceed

Motion by Mrs. Simpson to receive, file and approve Letter to Proceed dated September 29, 2017 from NY Power Authority. Seconded by Mrs. Ryder, put to a vote and carried 5-0.

Mr. Sturm said if the town does not proceed we will need to pay back the cost of the engineering and design, NY Power Authority will negotiate with NYSEG for the cost of the purchase of the lights.

Resolution to set 2018 County Snow and Ice Contract amounts

RESOLUTION OF THE TOWN OF BETHEL TOWN BOARD TO APPROVE A CONTRACT AMENDMENT FOR THE 2015 – 2018 COUNTY SNOW AND ICE CONTRACT REMOVAL

WHEREAS, the county of Sullivan and the Town of Bethel entered into contract for Snow and Ice control on County Roads from July 1, 2017 through June 30, 2018.

WHEREAS: the contract states the Town will be paid the amount Sullivan County received from the State of New York for snow and ice control on state highways the previous snow and ice season; and

WHEREAS, said section of the Highway Law of the State of New York requires the approval by resolution of each of the legislative bodies of such County, Towns;

NOW, THEREFORE, BE IT RESOLVED, that the County of Sullivan pay the amount of \$4,916.95 per centerline mile for two lane highways and \$7,375.43 for three lane highways to the Town for the contract year July 1, 2017 – June 30, 2018.

Motion by Mr. Bernie Cohen to adopt resolution, seconded by Mrs. Vicky Simpson, put to a vote and carried 5 ayes and 0 nays.

		<u>AYE</u>	<u>NAY</u>
Bernie Cohen	Voting	yes	
Lillian Hendrickson	Voting	yes	
Dawn Ryder	Voting	yes	
Vicky Simpson	Voting	yes	
Daniel Sturm	Voting	yes	

Duly adopted by 5 ayes, 0 nays the 18th day of December, 2017.

Correspondence from Bethel Planning Board

Motion by Mrs. Hendrickson to receive and file correspondence from the Town of Bethel Planning Board dated December 5, 2017, by unanimous vote recommend the Town Board to adopt the proposed Local Law #2 of 2017. Seconded by Mrs. Simpson, put to a vote, and carried 5-0.

M-239 Response from County Planning

Motion by Mrs. Simpson to receive and file correspondence from Sullivan County, Division of Planning, Commissioner Freda C. Eisenberg, AICP dated December 4, 2017. The Sullivan County Division of Planning has conducted a review in accordance with GML 239-L, -M & N with a recommendation of approval for proposed Local Law #2 of 2017. Seconded by Mrs. Ryder, put a vote and carried 5-0.

Resolution to Adopt Negative Declaration Local Law #2-2017

**TOWN BOARD OF THE TOWN OF BETHEL
NEGATIVE DECLARATION UNDER SEQRA**

**RESOLUTION DETERMINING SIGNIFICANCE UNDER SEQRA WITH
RESPECT TO PROPOSED LOCAL LAW 2 OF 2017 TO
AMEND CHAPTERS 48 “PLANNING BOARD” AND 345
“ZONING” OF THE TOWN CODE OF THE TOWN OF BETHEL**

WHEREAS, the Town Board of the Town of Bethel (“Town Board”) heretofore adopted a Zoning Code under the authority of the NY Town Law § 261, which Zoning Code appears as Chapter 345 of the Town Code of the Town of Bethel (the “Town Code”); and

WHEREAS, the Town Board heretofore adopted Chapter 48 of the Town of Bethel Town Code entitled “Planning Board”; and

WHEREAS, the Town Board has determined that revisions of Chapters 48 (Planning Board) and 345 (Zoning) of the Town Code are desirable and necessary; and

WHEREAS, the Town Board, which declared itself to be lead agency under SEQRA by resolution, dated November 15, 2017, determined that the revisions to the Town Code (hereafter, the “action”) are subject to the State Environmental Quality Review Act (ECL, Article 8) and its implementing regulations (6NYCRR Part 617) (collectively, “SEQRA”) and determined further that the proposed action is an unlisted action under SEQRA; and

WHEREAS, the Town caused to be prepared a Short Environmental Assessment Form (“EAF”) for the proposed action, which EAF has been fully reviewed by the Town Board.

NOW THEREFORE, BE IT RESOLVED, that, pursuant to SEQRA, the Town Board of the Town of Bethel, based upon its review of the EAF, makes the determinations set forth below and as set forth in Part 3 of the EAF; and be it

FURTHER RESOLVED, that the Town Supervisor is authorized to execute the EAF on behalf of the lead agency; and be it

FURTHER RESOLVED, that the Town Board determines that according to its review of the EAF there will be no significant adverse impacts on the environment as measured against the criteria for determining significant under 6NYCRR 617.7(c); and be it

FURTHER RESOLVED, that this resolution is a Negative Declaration under SEQRA and the information required by 6NYCRR 617.12(a) is attached hereto and incorporated herein; and be it

FURTHER RESOLVED, the Town Board hereby directs that a copy of this resolution be filed with (a) the Supervisor of the Town of Bethel, (b) the lead agency, (c) any involved agencies, and (d) any person who has requested a copy; and be it

FURTHER RESOLVED, this Resolution shall become effective when adopted.

Motion by Town Board member Mrs. Dawn Ryder,

Seconded by Town Board member Mrs. Lillian Hendrickson,

and adopted upon a roll call vote as follows:

		A YE	N AY
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 18th day of December, 2017.

Resolution to Adopt Local Law #3-2017

**RESOLUTION OF TOWN BOARD OF THE TOWN OF BETHEL
TO ENACT LOCAL LAW #3 OF 2017 TO AMEND
CHAPTERS 48 “PLANNING BOARD” AND 345 “ZONING”
OF THE TOWN CODE OF THE TOWN OF BETHEL**

WHEREAS, the Town Board of the Town of Bethel (“Town Board”) heretofore adopted a Zoning Code under the authority of the NY Town Law § 261, which Zoning Code appears as Chapter 345 of the Town Code of the Town of Bethel (the “Town Code”); and

WHEREAS, the Town Board heretofore adopted Chapter 48 of the Town of Bethel Town Code entitled “Planning Board”; and

WHEREAS, it appears to be in the best interests of the Town to make amendments to Chapter 48 (Planning Board) by repealing and replacing Sections 48-9 as it relates to removal of Planning Board Members; and

WHEREAS, it appears to be in the best interests of the Town to make amendments to Chapter 345 (Zoning) by repealing and replacing Sections 345-48(E) as it relates to removal of Zoning Board of Appeals Members; and

WHEREAS, on November 15, 2017, the Town Board introduced the proposed local law, set a public hearing date and established itself as lead agency for State Environmental Quality Review Act (“SEQRA”) purposes; and

WHEREAS, a copy of the proposed local law was forwarded to the Sullivan County Department of Planning and Environmental Management, along with a full statement of the proposed action, for review and recommendations in accordance with New York State Town Law 239-m; and

WHEREAS, a copy of the proposed local law was forwarded to the Town of Bethel Planning Board for its review and recommendation in accordance with Town Code 48-2.B; and

WHEREAS, the Town, acting as lead agency under SEQRA, has declared a negative declaration for the proposed legislation; and

WHEREAS, a public hearing was held on December 18, 2017 at 7:45 p.m. at which public comments on the local law were heard; and

WHEREAS, the Town received and reviewed all comments that were submitted.

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby enacts proposed Local Law #2 as numbered Local Law 3 of 2017; and be it

FURTHER RESOLVED, that a copy of local law as enacted shall be filed with the Department of State; and be it

FURTHER RESOLVED, that Local Law #3 of 2017 shall become effective upon filing with the Department of State.

Motion by Town Board member Mrs. Dawn Ryder, Seconded by Town Board member Mrs. Lillian Hendrickson,

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 18th day of December, 2017.

Correspondence Senator John Bonacic – Clean Energy Community

Motion by Mr. Cohen to receive and file letter from John Bonacic, NY State Senator dated December 4, 2017 congratulating the Town of Bethel as a Clean Energy Community. Seconded by Mrs. Ryder, put to a vote and carried 5-0.

Sullivan’s Health & Wellness Medal for Excellence

Mr. Sturm presented the certificate and gold medal to the Town of Bethel in recognition of the Town’s commitment to health and wellness in Sullivan County. Mr. Sturm recently attended the ceremony sponsored by Cornell Cooperative.

Re-appoint member to the SC Fire Advisory Board

Motion by Mrs. Simpson to appoint George Roosevelt to the Sullivan County Fire Advisory Board. Seconded by Mr. Cohen, put to a vote and carried 5-0.

Adopt-a-Road application – The Howard Family

Motion by Mrs. Ryder to receive, file and approve adopt-a-road application from Zachary Howard to adopt 34 Yasgur Road, Bethel, NY in the family name “The Howard Family”. Seconded by Mr. Cohen, put to a vote and carried 5-0.

Resignation of Victor Kask, Zoning Board member

Motion by Mrs. Ryder to receive, file and accept e-mail dated December 12, 2017 from Victor Kask tendering his resignation from the Zoning Board of Appeals. Seconded by Mrs. Hendrickson, put to a vote and carried 5-0.

As liaison to the Zoning Board of Appeals Mrs. Ryder said the ZBA will address the vacancy after the New Year.

Public Comment

John Driscoll addressed the Town Board asking for more lights in Kauneonga Lake (Horseshoe Lake Road). Mr. Sturm said eight years ago the Town of Bethel upgraded lighting at the Town Square.

Adjournment

There being no further items on the agenda, motion by Mrs. Hendrickson to adjourn. Seconded by Mrs. Simpson, put to a vote and carried 5-0.

Respectfully submitted,

Rita J. Sheehan, Clerk