

The July 11, 2012 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: Robert Blais
 Vicky Simpson
 Bernard Cohen

Absent: Denise Frangipane

Pledge of Allegiance

The meeting was opened with the Pledge of Allegiance.

Congratulations Denise Frangipane and Family

The Town Board congratulated Councilwoman Denise Frangipane and family on the birth of her son Ian William Hawk Pammer on July 6, 2012.

Approve Monthly Audit of Bills - June

<u>Fund</u>	<u>Amount</u>	<u>Check No.</u>
General	\$103,840.87	2764-2826
Highway	\$123,618.48	1924-1958
Sewer District	\$ 27,000.73	1469-1490
Planning & Zoning Escrow	\$ 484.50	1004
Highway Capital	\$ 6,500.00	1017
Sewer Rehab	\$161,443.73	1036-1038

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

Supervisor’s Monthly Report - June

Motion by Mrs. Simpson to receive and file Supervisors monthly report for June, seconded by Mr. Cohen, put to a vote and carried 4-0.

Building Department Monthly Report - June

2012 June Fees	\$2,981.
2011 June Fees	\$5,109.
2012 June Construction Total	\$403,400
2011 June Construction Total	\$557,050

Motion by Mr. Blais to receive and file Building Department monthly report, seconded by Mrs. Simpson, put to a vote and carried 4-0.

Correspondence – Request for Stop Sign

Correspondence received from Patricia Safina requesting a stop sign on W. Sullivan Place at Hemlock. Motion by Mr. Cohen to receive and file, seconded by Mr. Blais, put to a vote and carried 4-0. Lynden Lilley, Highway Superintendent, was present and advised that a sign can not be put in the middle of a street. Ms. Safina asked about a Yield sign? Mr. Lilley will look into some sort of sign. Motion by Mr. Blais to approve, seconded by Mr. Cohen, put to a vote and carried 4-0.

Correspondence – Parking on Horseshoe Lake Road

Correspondence from Shaun Conner on behalf of Lawrence Roman regarding the parking along Horseshoe Lake Road blocking his driveway and creating a site distance problem. Motion by Mrs. Simpson to receive and file, seconded by Mr. Cohen, put to a

vote and carried 4-0. Mr. Sturm suggesting sending a letter to the county. Mrs. Simpson stated it's a county road and should forward to them with recommendation from Town Board to address the problem, especially by the driveway. Mr. Cohen indicated they should not be parking on sidewalk.

Town Clerk's Monthly Report - June

Total Revenue	\$7,564.45	
State Share		\$ 428.05
Town Share		\$7,136.40

Motion by Mr. Cohen to receive and file Town Clerk's monthly report, seconded by Mrs. Simpson, put to a vote and carried 4-0.

Request for Qualifications for Eng. Services Results

Request for Qualifications for a Sewer Engineer have been received and distributed to the Town Board for review. Motion by Mr. Blais to receive and file, seconded by Mr. Cohen, put to a vote and carried 4-0. Should review carefully and address at next meeting.

Set Pool Rates for Non-Residents

Daily Fees

Children under 5	FREE
Children 5 to 12	\$3.00
Patrons 13 and older	\$5.00

Season Passes

Individual (13 and older)	\$40.
Family of 2	\$80.
Family of 3	\$120.
Family of 4	\$155.
Each additional family member	\$10.

Motion by Mrs. Simpson to approve new pool rates for non-residents, seconded by Mr. Blais, put to a vote and carried 4-0.

Correspondence from BLDC – Community Project Appropriations

Correspondence has been received from the Bethel Local Development Corporation requesting to use \$8,000. of Community Project Appropriations Grant funds for Town Pool and Park improvements. Motion by Mrs. Simpson to receive and file, seconded by Mr. Cohen, put to a vote and carried 4-0.

Youth Update

Mrs. Simpson announced the following additional appointments for the summer programs:

Juan Cano	\$7.50 all day aide
Taylor Bell-Schreiber	\$9.00 Jr. life guard.
Joanna Skoriska	\$9.00 Jr. life guard.

Motion by Mr. Blais to approve salaries and appointments, seconded by Mr. Cohen, put to a vote and carried 4-0.

140 youth enrolled in the morning program (50 of which are all day), both part-time and full-time slots. Attendance at Town Pool on the hot humid days. Mr. Sturm suggested sending a letter to the Director and Asst. Director praising them on their work. Motion by Mrs. Simpson to approve sending letter to, seconded by Mr. Blais, put to a vote and carried 4-0.

County Proposal to Create a Law Enforcement Commission

Copy of Proposal by the Sullivan County to create a Sullivan County law enforcement commission has been received by the Town Board. Motion by Mrs. Simpson to receive and file, seconded by Mr. Cohen, put to a vote and carried 4-0. Mr. Sturm would not recommend this; the Sheriff is elected and it should be created by him. Mr. Blais agreed; County Legislature should not be doing this. Mrs. Simpson also feels it should be to the sheriff.

Resolution Declining to Support the Formation of a Law Enforcement Commission

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BETHEL
DECLINING TO SUPPORT THE FORMATION OF A COUNTY LAW
ENFORCEMENT COMMISSION**

WHEREAS, the Town Board of the Town of Bethel (hereafter, the “Town Board”) has received information that the Sullivan County Legislature is exploring the formation of a Law Enforcement Commission with a purported function to review and inventory law enforcement needs throughout Sullivan County; and

WHEREAS, the Town Board understands and supports the evaluation of current law enforcement needs and costs on a County-wide basis and supports such efforts, and

WHEREAS, the chief law enforcement official of the County of Sullivan is the duly elected Sullivan County Sheriff and any such review and inventory of law enforcement needs within the County should be undertaken, and any recommendations made by, the County Sheriff who has the requisite popular mandate and professional experience for the task; and

WHEREAS, the formation of a County Law Enforcement Commission to perform the tasks more appropriately undertaken by the County Sheriff is unnecessary.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Bethel declines to support the creation of a County Law Enforcement Commission as currently proposed; and be it

FURTHER RESOLVED, that if the Sullivan County Legislature determines that a review and inventory of law enforcement needs throughout the County is desirable, the Town Board urges the County Legislature to request the County Sheriff to perform those tasks, and be it

FURTHER RESOLVED, that if the Sullivan County Legislature creates a County Law Enforcement Commission, the Town Board respectfully requests that its membership include the County Sheriff, the County Undersheriff, and a variety of elected officials chosen from the towns and villages within the County of Sullivan.

Motion by Councilman Robert Blais seconded by Councilman Bernard Cohen and upon a roll call vote the Town Board voted as follows:

	<u>AYES</u>	<u>NAYS</u>
Robert Blais, Councilman	X	
Bernard Cohen, Councilman	X	
Victoria Simpson, Councilman	X	
Daniel Sturm, Town Supervisor	X	

This Resolution was duly adopted by 5 ayes, 0 nays the 11th day of July, 2012.

Effective Date: This Resolution shall take effect upon adoption.

Bid results for purchase of new Building Department Truck

Sealed bids were received and publicly opened and read on June 29, 2012 at 11 a.m. with Greg Semenetz and Allison Pennel present as follows:

Robert Green 2012 Chevrolet Colorado Crew Cab 4WD \$24,916.

Motion by Mrs. Simpson to approve bid submitted by Robert Green in the amount of \$24,916; seconded by Mr. Blais, put to a vote and carried 4-0.

Bid results for sale of surplus equipment

Sealed bids were received by private auction from Auctions Internationals at 6:30 p.m. on July 10, 2012. Bids were received as follows:

1998 Ford F-150XL Pickup	\$1,375.
1999 Dodge 3500 Ram Van	\$ 340.
1982 Dodge Oshkosh Plow Truck	\$4,650.
1973 Oshkosh Plow Truck	\$3,000.
1969 Oshkosh Plow Truck	\$5,100.
Swenson Spreader	\$1,675.
1997 Monroe Spreader	\$1,875.
1995 Heil Dump Body	\$1,801.

Motion by Mr. Blais to accept and approve bids, seconded by Mrs. Simpson, put to a vote and carried 4-0.

Multi Municipal Task Force Resolution to accept Final Generic Env. Impact

Motion by Mrs. Simpson to table until next meeting, seconded by Mr. Cohen, put to a vote and carried 4-0.

Donation from Swinging Bridge Homeowner's Association

Correspondence has been received from the Swinging Bridge Homeowner's Association (SBHO) thanking the Town for use of the Dr. Duggan Community Center. They would like to make a donation to the Town. Motion by Mrs. Simpson to accept donation for use of Community Center and to apply funds to the BLDC 2 Many Cats fundraiser, seconded by Mr. Blais, put to a vote and carried 4-0.

Correspondence Time Warner Cable construction completion –

Correspondence has been received from Time Warner informing the Town that construction is complete on Strong Road and Lt. Brender Highway passing 34 homes. Motion by Mr. Blais to receive and file correspondence, seconded by Mr. Cohen, put to a vote and carried 4-0.

Request for Street Lights on Route 17B in Mongaup Valley

Correspondence received from Ercole Alleva requesting street lights on Route 17B in Mongaup Valley. Motion by Mr. Cohen to receive and file, seconded by Mrs. Simpson, put to a vote and carried 4-0. Mr. Sturm is forwarding their letter to Building Department before entertaining giving them lights. Mr. Sturm wants some property issues taken of first. Motion by Mrs. Simpson to receive and file, seconded by Mr. Cohen, put to a vote and carried 4-0.

Correspondence NYS Dept. of Public Service regarding Lifeline

Correspondence received from NYS Department of Public Service regarding lifeline telephone program. Motion by Mrs. Simpson to receive and file and send copy to Senior Committee, seconded by Mr. Blais, put to a vote and carried 4-0.

Resolution Accepting the Map, Plan and Report White Lake Mansion House

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BETHEL
AUTHORIZING THE ACCEPTANCE OF THE MAP, PLAN AND REPORT FOR
EXTENSION OF THE KAUNEONGA LAKE SEWER DISTRICT**

WHEREAS, the Town Board of the Town of Bethel, Sullivan County, New York, convened as the Kauneonga Lake Sewer District board, (the “Town Board”) is in receipt of a petition (the “Petition”) filed on behalf of White Lake Mansion, LLC, accompanied by part one of a short-form EAF, seeking an extension of the Kauneonga Lake Sewer District to accommodate a portion of certain lands and premises located at 1623 State Route 17B, and known on the Tax Map for the Town as SBL 33.-5-2.1; and

WHEREAS, the Town Board has duly caused to be prepared a map, plan and report for the extension of the Kauneonga Lake Sewer District (“KLSD”) and it appears that the map, plan and report provides that the petitioner intends to construct (i) a replica of the White Lake Mansion to include conference rooms, offices, a restaurant, a retail component, and (ii) two hotel-style buildings with 72 rooms with a subterranean parking area (the “Project”) on 6.5 acres of land, 4.7 acres of which are not located in the KLSD; and

WHEREAS, upon review of the Petition and part one of the short form EAF, the Town Board has determined that the project is subject to the State Environmental Quality Review Act (ECL, Article 8) and its implementing regulations (6 NYCRR Part 617) (collectively, “SEQRA”); and

WHEREAS, the Town Board has compared the Petition and the short form EAF to the thresholds for classifying this action as set forth in 6 NYCRR §§ 617.4 and determined that the extension of the KLSD constitutes an Unlisted action pursuant to SEQRA; and

WHEREAS, pursuant to SEQRA, the Town Board desires to act as the Lead Agency for the Project under SEQRA and to conduct a coordinated SEQRA review of the proposed action with all Involved Agencies; and

WHEREAS, the Involved Agency for this action is the New York Department of Health; and

WHEREAS, SEQRA requires the Town Board to distribute the EAF and a copy of the Petition to all Involved Agencies and notify them that a SEQRA lead agency must be agreed upon within 30 calendar days from the distribution of these documents;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, convened as the Kauneonga Lake Sewer District board, authorizes the acceptance of the map, plan and estimate duly prepared by Jess D. Sudol, P.E; Passero Associates, Consulting Engineers (engineers licensed by the State of New York) and the same shall be filed with the NY State Department of Health, the Town Clerk, and available for review by the public; and be it

FURTHER RESOLVED, that the ORDER attached to this resolution is hereby adopted and the Town Supervisor is hereby authorized to execute the same in the name of the Town Board; and be it

FURTHER RESOLVED, that the Town Board declares its intent to serve as lead agency under the New York State Environmental Quality Review Act; and be it

FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to circulate a Lead Agency designation letter to any Involved Agencies together with a distribution package including the EAF and the Petition.

Motion by Councilwoman Victoria Simpson, seconded by Councilman Bernard

Cohen, the adoption of the foregoing was duly put to a vote and upon roll call as follows:

	<u>AYES</u>	<u>NAYS</u>
Robert Blais, Councilman	X	
Bernard Cohen, Councilman	X	
Victoria Simpson, Councilman	X	
Daniel Sturm, Town Supervisor	X	

On a vote of 4 ayes and 0 nays, the Town Supervisor declared this Resolution adopted.

Order Accepting Map Plan Report – White Lake Mansion House

At a meeting of the Town Board of the Town of Bethel, Sullivan County, NY, on the 11th day of July, 2012, sitting as the Kauneonga Lake Sewer District Board.

In the Matter of the

Extension of the Kauneonga Lake Sewer District in the Town of Bethel, Sullivan County, New York, pursuant to Article 12-A of the Town Law

**ORDER ACCEPTING
MAP, PLAN AND
REPORT**

WHEREAS, a map, plan and report, dated April 2012, has been prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Bethel, relating to the extension of the Kauneonga Lake Sewer District (“KLSD”) in said Town; and

WHEREAS, said map, plan and report was prepared Jess D. Sudol, P.E., Passero Associates, Consulting Engineers (a competent engineering firm duly licensed by the State of New York) which map, plan and report set forth the boundaries of the proposed extension and a general plan of the said system and a report of the proposed method of operation; and

WHEREAS, said map, plan and report, as supplemented by the petition filed herein, describes all proposed facilities together with the location and general description of all public works required, including lands and easements to be acquired and improvements proposed, which improvements include the installation of infrastructure allowing 4.7 acres of the White Lake Mansion Project area, as more specifically described in the enabling resolution authorizing this Order, to connect with the existing KLSD facilities; and

WHEREAS, the boundaries of the proposed district extension are particularly described in attachment B of said map, plan and report, a copy of which is attached hereto as Exhibit 1 and incorporated herein; and

WHEREAS, the district extension area improvements will be paid entirely by the owners of the real property in question who shall be fully responsible for said costs with no cost and expense to the KLSD; and

WHEREAS, the owners of the real property in question shall convey to the KLSD all necessary easements, rights-of-way, and improvements to the KLSD upon completion of the improvements; and

WHEREAS, the estimated costs to the typical property in the proposed district extension area is \$469.80 per dwelling unit annually in sewer rents consisting of

operation and maintenance costs and debt service payments; and

WHEREAS, the estimated amount of costs to a property owner to hook up to the sewer main is \$100.00 per linear foot.

NOW, ON MOTION OF Councilman Bernard Cohen, and seconded by Councilman Robert Blais; it is hereby

ORDERED, that the Town Board of the said Town of Bethel accepts the map, plan and report as provided in accordance with the terms and recitations contained in this ORDER and a copy of said map, plan and report shall be filed in the Office of the Town Clerk; and be it

FURTHER ORDERED, that a public hearing regarding this petition to extend the KLSD extension area shall be held on the 22nd day of August in the Dr. Duggan Community Center (located at the former Dr. Duggan School) 3460 Route 55, White Lake, NY 12786 beginning at 7:45 PM and a copy of this Order, giving due notice of such public hearing, shall be posted on the signboard of the Town and published in the official newspaper not less than ten nor more than twenty days before the hearing date; and be it

FURTHER ORDERED, that a certified copy of this ORDER shall be filed with the Office of the State Comptroller on or about the date of its publication.

The adoption of the foregoing was duly put to a vote and upon roll call as follows:

	<u>AYES</u>	<u>NAYS</u>
Robert Blais, Councilman	X	
Bernard Cohen, Councilman	X	
Victoria Simpson, Councilman	X	
Daniel Sturm, Town Supervisor	X	

The Order was thereupon declared duly adopted.

Agricultural Committee Update

There will not be any July or August Meetings.

Supervisor’s Comments

Mr. Sturm – Friends would like to have a golf tournament on August 26th, 2012 at the Swan Lake Golf & Country Club. Donations will go to the youth program.

Approve Smallwood Fireworks Expenditure

Mr. Sturm requested approval for fireworks in Smallwood at a cost of \$1,500 to \$2,000. Motion by Mrs. Simpson to approve fireworks expense, seconded by Mr. Cohen, put to a vote and carried 4-0.

Change Time of August 8th Meeting

Mr. Sturm requested to change the August 8th Town Board meeting to 8:00 p.m. because of the Summer Camp talent show (so Board members can go). Motion by Mrs. Simpson to change August 8th meeting to 8:00 pm, seconded by Mr. Cohen, put to a vote and carried 4-0.

Town Board’s Comments

Mr. Blais thanked the White Lake Fire Department for letting the town use their beach to set up fireworks.

July 11, 2012

Audit Meeting

Mrs. Simpson reported that the town was very busy for fireworks and thanked Ron Borella for the music.

Mr. Cohen mentioned that users in the Sewer District are running sump pumps into sewer drains and are flooding the sewer. Maybe they can run them outside instead of into sewer. Maybe put letter in paper or send letters to owners.

Adjournment

Motion by Mrs. Simpson to adjourn, seconded by Mr. Cohen, put to a vote and carried 4-0.

Respectfully submitted,

Dina Sturm for Rita Sheehan, Town Clerk