

The Town of Bethel Town Board meeting of October 10, 2012 was called to order by Supervisor Daniel Sturm at the Dr. Duggan Community Center Meeting Room at 7:30 p.m.

Council Members Present: Denise Frangipane  
 Robert Blais  
 Bernard Cohen  
 Vicky Simpson

The meeting was opened with the Pledge of Allegiance

**Announcements**

Mr. Sturm announced that the Professional Women of Sullivan County are honoring Denise Frangipane as *2012 Woman of the Year*. The audience gave a round of applause.

**Audit of Bills**

| <b><u>Fund</u></b>         | <b><u>Amount</u></b> | <b><u>Check Nos.</u></b>           |
|----------------------------|----------------------|------------------------------------|
| Kauneonga Lake Light Dist. | \$ 1,252.86          | 1041-1042                          |
| Sewer Rehab                | \$ 2,957.00          | 1045                               |
| Planning & Zoning Escrow   | \$ 3,31870           | 1008                               |
| Kauneonga Lake Sewer Dist. | \$ 28,631.55         | 1544-1566                          |
| Highway                    | \$416,422.28         | 2035-2038,<br>2040-2041, 2044-2067 |
| General Fund               | \$178,774.12         | 2977-3039                          |

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

**Supervisor’s Monthly Report-September**

Supervisor’ Monthly report for September has been received by the Town Clerk. Motion by Mr. Blais to receive and file, seconded by Mr. Cohen, put to a vote and carried 5-0.

**Building Department Monthly Report - September**

Motion by Ms. Frangipane to receive and file Building Department Monthly Report for September, seconded by Mrs. Simpson, put to a vote and carried 5-0.

2012 September fees \$2,698.  
 2011 September fees \$8,719.

2012 September Const. total \$ 5,370,600  
 2011 September Const. total \$ 5,325,400

**Seek sealed bids for Ice Control Sand**

Highway Superintendent is requesting to seek sealed bids for ice control sand. Motion by Mr. Blais to seek sealed bids for ice control sand, seconded by Mr. Cohen, put to a vote and carried 5-0. Mr. Blais mentioned that there is enough sand for 1<sup>st</sup> part of winter, almost out of sand and may use more salt to conserve, will be a major cost forever. Mr. Sturm noted that there is enough sand until January. Salt is already on State Contract.

**Speed limit for Old Taylor Road**

Motion by Mr. Cohen to request 30 mph speed on Old Taylor Road from the Town of Delaware line to Goldsmith Road, seconded by Ms. Frangipane, put to vote and carried 5-0.

**Town Clerk's Monthly Report - September**

Motion by Mrs. Simpson to receive and file Town Clerk's September Monthly Report, seconded by Mr. Blais put to vote and carried 5-0.

|             |            |
|-------------|------------|
| Total Fees  | \$8,437.62 |
| State Share | \$3,511.40 |
| Town Share  | \$4,926.22 |

**Public Hearing – 7:45 p.m. Bethel Motor Speedway 2013 License Renewal**

Motion by Ms. Frangipane to open Public Hearing at 7:45 p.m., seconded by Mr. Blais, put to a vote and carried 5-0

Joe Graff, owner Bethel Motor Speedway, indicated the racetrack was 20% rained out this season, did better because of Town Board support and flexibility. Explained how the track supported the community through various projects. Mr. Graff also explained the national program Friday's Bandereros. Discussed the paving of pit area – reviewed photos of paving area with Town Board. Mr. Graff advised that on October 17<sup>th</sup> Rotondo Paving Co. coming in to finish, discussed the tentative schedule.

Kathy Neunenhoff – does not want to see the track go away, son very involved, rather have him on the track than in the bar.

John Van Fradenburgh – better job this year, still noise, speakers are better. Did not know about the IMEX race on 8/15 & 16 & 17 until tonight. Will there be camping in lots? Mr. Graff - will have to address the camping with town if it comes up. Mr. Fradenburgh – power in pits? Or running generators? Mr. Graff - not possible to have electric. Mr. Graff – Bethel is 1<sup>st</sup> choice for the IMEX racing.

Dawn Ryder – this is a wonderful family business, do whatever we can to support them.

Mr. Sturm read correspondence from John, Marge, Faith Anne and Chad Foster in support of the track.

Motion by Mrs. Simpson to close Public Hearing, seconded by Ms. Frangipane, put to vote and carried 5-0

**Bethel Motor Speedway 2013 License Renewal**

Asking to start practice one week early April 12, 2013. There will be no racing on Thursday, August 15<sup>th</sup> for the IMEX event.

Motion by Mr. Blais to approve 2013 racetrack permit with the addition of racing on Friday, August 16<sup>th</sup> and the 2013 Noise Permit, seconded by Mr. Cohen, put to a vote and carried 5-0.

**Set Public Hearing for 2013 Town Budget**

Motion by Mrs. Simpson to set Town Board meeting for October 24<sup>th</sup> at 8:00 p.m. and 2013 Town Budget Public Hearing at the same time, seconded by Mr. Cohen, put to a vote and carried 5-0.

**Bond Resolution for Capital Projects**

**BOND RESOLUTION**

(effective immediately)

At a regular meeting of the Town Board of the Town of Bethel, Sullivan County, New York, held at the Dr. Duggan Community Center, White Lake, New York, in said Town, on the 10<sup>th</sup> day of October, 2012, at 7:30 P.M., Prevailing Time.

The meeting was called to order by Supervisor Daniel Sturm, and upon roll being called, the following were

PRESENT: Robert Blais, Town Councilman  
Denise Frangipane, Town Councilwoman  
Vicky Simpson, Town Councilwoman  
Bernard Cohen, Town Councilman

ABSENT: None

The following resolution was offered by Vicky Simpson who moved its adoption, seconded by Denise Frangipane, to-wit:

**BOND RESOLUTION DATED OCTOBER 10, 2012**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF \$445,000  
BONDS OF THE TOWN OF BETHEL, SULLIVAN COUNTY, NEW  
YORK, TO PAY THE COST OF VARIOUS PURPOSES IN AND FOR  
SAID TOWN.**

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town of Bethel, Sullivan County, New York, as follows:

Section 1. The following are hereby authorized in and for the Town of Bethel, Sullivan County, New York:

- a) The purchase of a truck for the Building Department, at a maximum estimated cost of \$25,000, being a specific object or purpose having a period of probable usefulness of ten years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law;
- b) The purchase of a Constable vehicle, at a maximum estimated cost of \$35,000, being a specific object or purpose having a period of probable usefulness of three years pursuant to subdivision 27 of paragraph a of Section 11.00 of the Local Finance Law;
- c) NYS DEC remediation, at a maximum estimated cost of \$83,000, being a specific object or purpose having a period of probable usefulness of five

years pursuant to subdivision 35 of paragraph a of Section 11.00 of the Local Finance Law; and

- d) The purchase of highway trucks, at a maximum estimated cost of \$302,000, being a class of objects or purposes having a period of probable usefulness of fifteen years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law.

Section 2. The total maximum estimated cost of the aforesaid objects or purposes is \$445,000, and the plan for the financing thereof is by the issuance of \$445,000 bonds of said Town hereby authorized to be issued therefor pursuant to the Local Finance Law, to be allocated in accordance with the maximum estimated costs set forth in Section 1 hereof.

Section 3. It is hereby further determined that the maximum maturity of the bonds herein authorized will not exceed five years.

Section 4 The faith and credit of said Town of Bethel, Sullivan County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor,

the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7 The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9 This resolution, which takes effect immediately, shall be published in summary form in the official newspaper designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

|                   |     |
|-------------------|-----|
| Daniel Sturm      | aye |
| Robert Blais      | aye |
| Denise Frangipane | aye |
| Vicky Simpson     | aye |
| Bernard Cohen     | aye |

The resolution was thereupon declared duly adopted.

**Presentation by RUPCO**

Presentation by RUPCO on NYSERDA energy audits. Distributed Municipal resolution to support Green Jobs/Green New York.

**Public Comment**

Colin McCluney, Gale Road, 22 – Wheelers – Is there a weight limit? Mr. Blais - no. Mr. Blais some of the trucks are Lema. Mr. McCluney – this is no road for them, can't make turns. Mr. Blais – trucks have always been there, not being used more, Mr. McCluney - roads won't last. Ms. Frangipane – can we regulate hours of sand/gravel mine?

**Adjournment**

Motion by Mrs. Simpson to adjourn, seconded by Ms. Frangipane, put to vote and carried 5-0.

Respectfully submitted,

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Rita J. Sheehan, Town Clerk