

The Town of Bethel 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: Denise Frangipane
Bernie Cohen
Vicky Simpson
Lillian Hendrickson

The meeting was opened with the Pledge of Allegiance.

Building Department Monthly Report

Building Department for August has been received.

August 2013 Fees: \$3,264. August 2012 Fees: \$6149.
August 2013 Construction Total: \$255,500 August 2012 Construction Total: \$878,900

Motion by Vicky Simpson to receive and file, seconded by Bernie Cohen, put to vote and carried 5-0.

Update on Condition of 99 East Oak Street

Correspondence has been received with photographs from the Building Department on the property condition at 99 East Oak, Smallwood. The property is littered with garbage, tires, and the owner has vacated the property. Motion by Lillian Hendrickson to receive and file, seconded by Denise Frangipane, put to vote and carried 5-0.

Motion by Denise Frangipane to authorize quotes to remove garbage from outside, seconded by Lillian Hendrickson, put to vote and carried 5-0. Town to pay bill and relevy.

Resolution in support of Constitutional Amendment Authorizing Class III Gaming

Mr. Sturm read resolution.

A RESOLUTION INTRODUCED OF THE TOWN BOARD OF THE TOWN OF BETHEL, SULLIVAN COUNTY, NEW YORK IN SUPPORT OF THE ENACTMENT OF A CONSTITUTIONAL AMENDMENT AUTHORIZING CLASS III GAMING IN THE STATE OF NEW YORK

WHEREAS, Governor Andrew M. Cuomo and the New York State Legislature have enacted the Upstate NY Gaming Economic Development Act, which includes an amendment to the New York State Constitution to allow Class III Gaming in New York State and authorizes the development of up to seven casinos; and

WHEREAS, the legislation authorizes the establishment of four destination gaming resorts in three distinct regions (Regions 1, 2 and 5), in Upstate New York, with a maximum of two projects to be located in the Catskills/Hudson Valley region (Region 1); and

WHEREAS, Sullivan County has been recognized as a premiere vacation destination in New York State for generations and has historically served as host to some of the world's most famous destination resorts; and

WHEREAS, Sullivan County, like the rest of New York State and the Country, has suffered significant negative economic impacts as a result of the recent global economic downturn; and

WHEREAS, Sullivan County has sought the legalization of Class III Casino Gaming for more than four decades, and

WHEREAS, gaming, as a single component within a destination resort, will

provide the much needed catalyst to stimulate further economic growth in Sullivan County and support of our local community; and

WHEREAS, the development of destination gaming resorts would bring thousands of much needed quality jobs to Sullivan County; and

WHEREAS, the establishment of destination gaming resorts in Sullivan County will provide financial support for education and desperately needed property tax relief for Sullivan County taxpayers and communities statewide; and

WHEREAS, the establishment of destination gaming resorts will stop the flow of revenues for tourism and gaming crossing our borders into neighboring states and keep those dollars in New York State;

BE IT THEREFORE RESOLVED that this resolution be sent to NYS Governor Andrew M Cuomo, NYS Assemblywoman Aileen Gunther, NYS John J. Bonacic and the Sullivan County Legislature.

Motion by Lillian Hendrickson to adopt, seconded by Vicky Simpson, roll call vote 4-1 as follows:

| | <u>Aye</u> | <u>Nay</u> |
|---------------------|------------|------------|
| Daniel Sturm | X | |
| Denise Frangipane | | X |
| Bernard Cohen | X | |
| Vicky Simpson | X | |
| Lillian Hendrickson | X | |

Ms. Frangipane is not comfortable on voting as a Board Member not knowing what the community’s position is collectively. Not prepared to represent Town’s opinion at this point.

Set 2014 Budget Work Sessions

Motion by Denise Frangipane to set Budget Work Session for 9:00 a.m. on October 7, 2013 at Town Hall, seconded by Lillian Hendrickson, put to vote and carried 5-0.

Resolution to amend the Highway Dept. Collective Bargaining Agreement

**RESOLUTION OF TOWN BOARD OF THE TOWN OF BETHEL
AUTHORIZING THE IMPLEMENTATION OF
AN AMENDMENT TO A COLLECTIVE BARGAINING AGREEMENT**

WHEREAS, the employees of the Town of Bethel Highway Department are represented for collective bargaining purposes by New York Public Employees Local Union No. 750, Council 66, American Federation of State, County and Municipal Employees, AFL-CIO (hereafter, the “Union”); and

WHEREAS, the Union and the Town entered into an agreement regarding terms and conditions of employment, including wages, compensation and benefits for the employees of the Town Highway Department (hereafter, the “collective bargaining agreement”), which agreement carries a three year term ending on December 31, 2014; and

WHEREAS, the collective bargaining agreement contains a reopener for several terms and conditions, including wages, and the Town and Union representatives recently

concluded negotiations, which negotiations produced an agreement for an increase in wages which increase has been approved by the Union membership; and

WHEREAS, the respective representatives of the Town and the Union have agreed to the finalization of a salary structure during the three year term of the collective bargaining agreement during which there was no wage increase for employees of the Town Highway Department under the first year of the agreement, a two percent (2%) increase during the second year of the agreement and a three percent (3%) for the third and final year of the agreement for an increase of 1.66% over the full term of the agreement; and

WHEREAS, the action contemplated by this Resolution is a type II action under the State Environmental Quality Review Act (6 NYCRR §§617.5 [22]; [27]) and no environmental review is necessary.

NOW THEREFORE, BE IT RESOLVED, the Town Board of the Town of Bethel hereby approves an across the board salary increase for all full time employees of the Town Highway Department commencing on January 1, 2014 for the final year of the three year term of the collective bargaining agreement as set forth in this Resolution; and be it

FURTHER RESOLVED, that the only amendment to the collective bargaining agreement shall be the increase in wages set forth in this Resolution and said agreement shall otherwise remain unchanged; and be it

FURTHER RESOLVED, the Supervisor of the Town of Bethel and the Town Highway Superintendent are hereby authorized to sign and deliver any documents necessary to effectuate the terms and conditions of this Resolution and implement same on behalf of the Town of Bethel; and be it

FURTHER RESOLVED, this Resolution shall take effect upon its adoption. Motion by Councilman Vicky Simpson seconded by Councilman Lillian Hendrickson and adopted upon a roll call vote as follows:

| | | _____ AYE _____ | _____ NAY _____ |
|---------------------|--------|-----------------|-----------------|
| Bernie Cohen | Voting | X | |
| Denise Frangipane | Voting | X | |
| Lillian Hendrickson | Voting | X | |
| Vicky Simpson | Voting | X | |
| Daniel Sturm | Voting | X | |

Duly adopted by 5 ayes, 0 nays the 25th day of September, 2013.

Resolution to amend Personnel Policy for non-collective bargaining employees

**RESOLUTION OF TOWN BOARD OF THE TOWN OF BETHEL
TO AMEND THE TOWN OF BETHEL PERSONNEL POLICY MANUAL**

WHEREAS, the Town Board of the Town of Bethel (“Town Board”) adopted a Personnel Policy Manual applicable to all current Town employees who are not members of a recognized collective bargaining unit and not covered by a collective bargaining agreement; and

WHEREAS, the Town Personnel Policy Manual sets forth, among other things, terms and conditions of employment as well as compensation and benefits for those Town employees to which it is applicable; and

WHEREAS, the Town Board recently concluded negotiations with the Union representing the Town of Bethel highway employees, which negotiations produced an amendment to the current collective bargaining agreement covering those employees and which amendment provided for a salary increase for the calendar year 2014; and

WHEREAS, the Town Board seeks to amend the Town Personnel Policy Manual so as to pass-along to all current Town employees the same rate of salary increase contained in the amended collective bargaining agreement; and

WHEREAS, a copy of the Resolution authorizing the amendment to the current collective bargaining agreement between the Town and the Union representing the employees of the Town Highway Department is attached as Exhibit A hereto; and

WHEREAS, the action contemplated by this Resolution is a type II action under the State Environmental Quality Review Act (6 NYCRR §§617.5[22]; [27]) and no environmental review is necessary.

NOW THEREFORE, BE IT RESOLVED, that the Town Personnel Policy Manual is hereby amended to provide for an across the board salary increase for all full time employees of the Town commencing on January 1, 2014 at the rate set forth for the third and final year of the collective bargaining agreement as described in Exhibit A hereto; and be it

FURTHER RESOLVED, the Supervisor of the Town of Bethel is hereby authorized to sign and deliver any documents necessary to effectuate the terms and conditions of this Resolution and implement same on behalf of the Town of Bethel; and be it

FURTHER RESOLVED, this Resolution shall become effective when adopted. Motion by Councilwoman Denise Frangipane, seconded by Councilman Bernie Cohen and adopted upon a roll call vote as follows:

| | | <u>AYE</u> | <u>NAY</u> |
|---------------------|--------|------------|------------|
| Bernie Cohen | Voting | X | |
| Denise Frangipane | Voting | X | |
| Lillian Hendrickson | Voting | X | |

| | | |
|---------------|--------|---|
| Vicky Simpson | Voting | X |
| Daniel Sturm | Voting | X |

Resolution to adjust part-time office clerk salary to \$11/hour

Mr. Sturm indicated that Rosa Arballes has been working part time Building Department, part time Court; only working 7-10 hours per week was started at \$8.00 an hour. Motion by Bernie Cohen to increase Rosa Arballes' salary to \$11.00 per hour effective 9/26/13 and no more than 20 hours per week, seconded by Vicky Simpson, put to vote and carried 5-0.

Discussion on D.E.C. permit issued for West Shore Road property

Vicky Simpson reviewed the terms of the D.E.C. permit for the property located on West Shore Road that has constructed a wall in the lake. Bernie Cohen: We should assess it before it is taken down. Denise Frangipane: removal needs to be supervised. We can't rely on D.E.C. to regulate; it's up to the people. Leave in D.E.C. hands for now.

Bethel Ag Committee Update

Ms. Frangipane distributed the 2013 Town of Bethel Youth Garden Program Recap. Motion by Denise Frangipane to send letter to Bethel Ag Committee and Helene Chappell, seconded by Vicky Simpson, put to vote and carried 5-0. The next meeting is October 16th at 7 p.m.

Public Comment

Leah Maidenbaum asked why wasn't Judith Maidenbaum notified of this no parking in front of the Fat Lady? Lillian Hendrickson – no parking is to protect everyone. Vicky Simpson – Judith was included in many discussion and she has been to several Town Board meetings where we discussed parking.

Adjournment

Motion by Vicky Simpson to adjourn the meeting, seconded by Lillian Hendrickson, put to vote and carried 5-0.

Respectfully submitted,

Rita J. Sheehan, Town Clerk