

The March 25, 2015 Town Board meeting was called to order by Supervisor Daniel Sturm at 7:30 p.m. at the Dr. Duggan Community Center.

Town Board Members Present: Vicky Simpson
Dawn Ryder
Bernard Cohen

Absent: Lillian Hendrickson

Others Present: Robert McEwan, Attorney for the Town

The meeting was opened with the Pledge of Allegiance.

Moment of Silence: Leon King, past Youth Board Member (1990-2000)

Presentation: Gabrielle Scott Ingber, Allyson Whitney Foundation, was present to discuss the foundation's achievements. The 4th annual Allyson Whitney 5K will be held on May 9th in Kauneonga Lake.

Naming of Richard Crumley Drive

Whereas, there exists a private driveway off Mohican Trail North (TR 103) on private property owned by Bethel Local Development Corporation located at Tax Map #51-1-27.1, and

Whereas, this private roadway will serve The Forest Reserve at Smallwood entrance, parking lot and as its primary ingress and egress, and

Whereas, the owner of the road has approved the name and is requesting the naming of this private roadway as depicted on the attached sketch to be now known as the following: ***Richard Crumley Drive***

Now Therefore Be It Resolved, the Town of Bethel Town Board on March 25, 2015 hereby approves the naming of this private road.

Motion by Mrs. Simpson to approve naming entryway to The Forest Reserve as Richard Crumley Drive, bench with plaque and a tree, ceremony to be held at a later date, seconded by Mr. Cohen, put to a vote and carried 4-0.

Building Department report for February

Building Department report for the month of February has been received.

February 2015 Fees: \$2,260.
February 2014 Fees: \$2,306.

February 2015 Construction Total: \$185,000
February 2014 Construction Total: \$384,000

Motion by Mr. Cohen to receive and file, seconded by Mrs. Ryder, put to a vote and carried 4-0.

Review purchase of new Mack Truck off of State Bid/Sealed bids for Freightliner

2016 Mack Granite GU712 \$256,855.82 with Tenco Body.
2016 Freightliner 108SD \$117,550.00

Letter of resignation from Deputy Town Clerk

Letter of resignation received from Lori Hastings effective April 2, 2015. Motion by Mrs. Simpson to receive and file, seconded by Mrs. Ryder, put to a vote and carried 4-0.

National Service Recognition Day Proclamation

PROCLAMATION OF THE TOWN OF BETHEL, SULLIVAN COUNTY, NY

WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and

WHEREAS, the nation's Leaders are increasingly turning to national service and volunteerism as represented by our Retired Senior Volunteer Program*RSVP* as a cost-effective strategy to meet city needs; and

WHEREAS, national service participants address the most pressing challenges facing our cities, from assisting our seniors and frail elderly, educating students for the jobs of the 21st century and supporting veterans and military families to providing contact with needed health services and helping communities recover from natural disasters; and

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

WHEREAS, national service participants serve in more than 60,000 locations across the country 300+ RSVP volunteers in 40 local Non-profit Agencies in Sullivan County alone. Thus bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and

WHEREAS, national service participants increase the impact of the organizations they serve with, both through their direct service and by recruiting and managing millions of additional volunteers; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

WHEREAS, national service participants demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, the Corporation for National and Community Service shares a priority with elected officials nationwide to engage citizens, improve lives, and strengthen communities; and is joining with the National League of Cities, City of Service, and Elected officials across the country to recognize the impact of service on the County Day of Recognition for National Service on April 7, 2015

THEREFORE, BE IT RESOLVED that the Town of Bethel Town Board, White Lake, New York, do hereby proclaim April 7, 2015 , as National Service Recognition Day, and encourage residents to recognize the positive impact of national service in our city; to thank those who serve; and to find ways to give back to their communities.

Motion by Mrs. Ryder to adopt Proclamation, seconded by Mrs. Simpson, put to a vote and carried 4-0 on the 25th day of March 25.

Correspondence Smallwood-Mongaup Valley FD – re: ATV Run

Correspondence has been received from the Smallwood-Mongaup Valley Fire Department alerting the town of their ATV run on June 6th. Motion by Mr. Cohen to receive, file and copy to the Constables, seconded by Mrs. Simpson, put to a vote and carried 4-0.

Petition to form a private water works corporation

**RESOLUTION OF TOWN BOARD OF THE TOWN OF BETHEL
REVIEWING A PETITION FOR INCORPORATION
OF A WATERWORKS CORPORATION**

WHEREAS, the Town Board of the Town of Bethel (the “Town Board”) is in receipt of a petition seeking municipal consent for authorization to form a waterworks corporation in accordance with Article 4 of the NY Transportation Corporations Law (hereafter “TCL”); and

WHEREAS, said petition is submitted on behalf of The New Sunflower, LLC and Keilly LLC (the “Petitioners”) pursuant to TCL §41 in connection with a residential site plan application for 14 condominium units (the “Project”) pending before the Town of Bethel Planning Board (the “Planning Board”) for real property known on the Town of Bethel tax map as SBL 40.-1-6, 40.-1-7, and 40.-1-9; and

WHEREAS, municipal authorization to form a waterworks corporation is a statutory prerequisite to incorporation; and

WHEREAS, it appears the Planning Board has designated itself as lead agency for environmental review of the Project in accordance with 6 NYCRR §617.6 and determined that the site plan application is an “unlisted action” under the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, the Town Board is an involved agency for environmental review purposes due to its review of the pending petition and will undertake a coordinated environmental review with the Planning Board for SEQRA purposes.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Bethel agrees that the proposed action is an unlisted action under SEQRA and requests copies of all SEQRA-related documents submitted to or issued by the Planning Board in connection with the site plan application; and be it

FURTHER RESOLVED, that TCL §41 requires that before any petition is granted to permit the formation of a waterworks corporation, the petitioner must provide, among other requirements “an engineering plan for [the] proposed water system specifying [the] location and size and type of wells, pumps, distribution mains and other facilities of the water supply and/or distribution system [that will be] furnished by the water works corporation”; and be it

FURTHER RESOLVED, as a condition to the consent requested in the petition, the Petitioners and the Town must enter into an agreement which will provide the terms and conditions under which the waterworks corporation will be allowed to operate; and be it

FURTHER RESOLVED, that further review of the petition will be held in abeyance until such time as the SEQRA documents are received, an acceptable engineering plan is submitted and reviewed by the Town Engineer and a written agreement is negotiated by the attorney for the Town and deemed ready for execution by the Town Board.

Motion by Town Board member Vicky Simpson, seconded by Town Board member Bernie Cohen and adopted upon a roll call vote as follows:

		AYE	NAY
Bernie Cohen	Voting	X	
Dawn Ryder	Voting	X	
Vicky Simpson	Voting	X	
Daniel Sturm	Voting	X	

Duly adopted by 4 ayes, 0 nays the 25th day of March, 2015

Request for waiver of on-site wastewater treatment - Boymelgreen

**RESOLUTION OF TOWN BOARD OF THE TOWN OF BETHEL
REVIEWING AN APPLICATION FOR A WAIVER
SUBMITTED PURSUANT TO TOWN CODE §257-62(G)**

WHEREAS, the Town Board of the Town of Bethel (the “Town Board”) is in receipt of an application for a waiver submitted on behalf of Boymelgreen Developers (the “Developers”) pursuant to Town Code §257-62(G) in connection with a minor subdivision application pending before the Town of Bethel Planning Board (the “Planning Board”); and

WHEREAS, the waiver sought seeks relief from certain requirements of Chapter 257 of the Town Code that apply to on-site wastewater treatment systems; and

WHEREAS, the real property that is the subject of the minor subdivision application consists of approximately 28.3 acres located on Lakeview Drive in the Town of Bethel (the Project”); and

WHEREAS, it appears the Planning Board has designated itself as lead agency for environmental review of the Project in accordance with 6 NYCRR §617.6 and determined that the minor subdivision is an “unlisted action” under the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, the Town Board is an involved agency for environmental review purposes due to its review of the requested waiver and will undertake a coordinated environmental review with the Planning Board for SEQRA purposes.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Bethel agrees that the proposed action is an unlisted action under SEQRA and requests copies of all SEQRA-related documents submitted to or issued by the Planning Board in connection with the Project; and be it

FURTHER RESOLVED, that the Town Board provides that it has reviewed the application for a waiver submitted on behalf of the Developers and finds that the application is not complete for the following reasons:

1. Town Code § 257-62(A) provides, in part, “Locations of all tests shall be depicted on the plans for the on-site individual wastewater treatment system and on each lot in connection with subdivision plan.” The plans accompanying the application do not show the locations of all tests.
2. Town Code § 257-62(D) provides, “An additional 100% of the required absorption field area shall be available for future expansion and replacement. Such area shall be depicted on the plans for the on-site individual wastewater treatment system and on each lot in connection with any subdivision plan.” The plans accompanying the application do not show the expansion and replacement areas.
3. Town Code § 257-62(F) provides, in part, “The design professional’s report shall contain an estimate of the average gradient of the groundwater table toward or away from the nearest point of water use or the nearest surface water body such as a stream, pond, lake or wetland in the vicinity of each deep test pit location. An estimate shall also be made of the distance from the deep test pit location to the nearest point of water use or nearest surface water body. The design professional’s report shall address the potential for groundwater quality degradation due to subsurface sewage disposal in the vicinity of the test pit locations.” The engineering report submitted with the application does not provide the required estimates or address the potential for groundwater quality degradation.
4. Town Code § 257-62(G)(3)(a)[2] provides, in part, the engineering report submitted with the application must identify “... all other laws applicable to absorption trench systems or other alternative systems and [certify] that the proposed systems meet or exceed the requirements thereof”. The engineering report does not include the required certification.
5. Town Code § 257-62(G)(3)(a)[3] provides, “The applicant shall identify all neighboring parcels that may be impacted by the use of an alternative system as well as any applicable mitigation measures.” Potential impacts (or the lack thereof) have not been addressed in the application; and be it

FURTHER RESOLVED, that further review of the application will be held in abeyance until such time as the application is deemed complete by the Town Board.

Motion by Town Board member Dawn Ryder, seconded by Town Board member Bernie Cohen and adopted upon a roll call vote as follows:

		AYE	NAY
Bernie Cohen	Voting	X	
Dawn Ryder	Voting	X	
Vicky Simpson	Voting	X	
Daniel Sturm	Voting	X	

Duly adopted by 4 ayes, 0 nays the 25th day of March, 2015.

Create Climate Smart Community Internal Green Team

Resolution of the Town of Bethel, Sullivan County, New York to create the Bethel Internal Green Team as part of the Climate Smart Community Pledge

Whereas, in July 2013, the Town Supervisor designated an advisory committee comprised of local officials and community members to consider the Town’s participation in the NYS Department of Environmental Conservation’s “Climate Smart Communities” initiative, its adoption of the Climate Smart Community Pledge, and additional measures that the Town could take to increase its environmental sustainability and lead the community by example;

Whereas, in November 2013, the Bethel Town Board adopted the Climate Smart Community Pledge,

Whereas, The Climate Smart Community Certification Manual encourages local governments to create an internal green team and involve staff members from all relevant departments in the climate action planning and implementation process, for developing both a government and community climate action plan; and

Now, therefore be it resolved, that the Town of Bethel Town Board hereby establishes the Bethel Internal Green Team and appoints the following members:

Vicky Simpson, Chairwoman, Town Board Member
and Green Committee Member
Dawn Ryder, Town Board Member
Rita J. Sheehan, Town Clerk
William Crumley, Highway Superintendent
Michael Collins, Sewer Superintendent

Be it further resolved, that the Bethel Internal Green Team shall meet at least 3 times per year, prepare agendas and minutes, and advance its mission to support the development and implementation of energy efficiency, climate action, and sustainability strategies.

Motion by Bernard Cohen to approve creation and appointments of Bethel Internal Green Team, seconded by Mrs. Simpson, put to a vote and carried 4-0.

Healthy Choices Workshops Free 6-week program

Mr. Sturm announced the Healthy Choices Workshops are being held at the Bethel Senior Center, 6-week free program.

Appoint Navigational Officer part-time

Motion by Mrs. Simpson to appoint Charles Stackhouse at \$17./hour as a Boat Constable, seconded by Mrs. Ryder, put to a vote and carried 4-0.

Town Board Comments

Mrs. Ryder will be reporting back on the Broadband symposium.

Public Comment

Cathleen Crumley-Doherty thanked the Town Board for the bench and tree in memory of her Dad; it will be a perfect spot that was near and dear to him.

Marcia Salton announced the Sullivan County Retired Senior Volunteer Program is in need of volunteers.

Susan Brown-Otto commented that the Bethel Post Office entrance condition is better.

Adjournment

There being no further business, Mrs. Simpson moved to adjourn the meeting, seconded by Mr. Cohen, put to a vote and carried.

Respectfully submitted,

Rita J. Sheehan, Town Clerk