

The November 14, 2018 Town of Bethel regular 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  
Bernie Cohen  
Lillian Hendrickson  
Dawn Ryder

The meeting was opened with the Pledge of Allegiance.

**Audit of Bills**

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

<u>Funds</u>	<u>Amount</u>	<u>Check #</u>
General Fund	\$189,174.74	8010-8022, 2026-8076
Highway Fund	\$311,230.10	1982-1988, 1990-2016
Kauneonga lake Sewer District	\$306,967.51	1606-1634, 1
Kauneonga Lake Light District	\$ 2,291.25	1032
Planning & Zoning Journal	\$ 3,164.79	1177-1179

**Supervisor’s Monthly Report**

Motion by Mrs. Ryder to receive, file and approve the Supervisor’s Monthly Report as submitted. Seconded Mrs. Hendrickson, put to a vote and carried.

**Monthly Building Department Report**

October, 2018 Fees	\$ 3,691.00
October, 2017 Fees	\$ 5,261.00
October, 2018 Construction Costs	\$ 533,500.00
October, 2017 Construction Costs	\$1,075,590.00

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

**Town Clerk’s Monthly Report**

Total fees for October, 2018	\$6,030.96
State Share	\$ 986.84
Town Share	\$5,044.12

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

**Liquor License Application – Brother Bruno’s**

Motion to receive, file and approve liquor license request for Brother Bruno Ristorante Corporation, relocating to 951 State Route 17B, Mongaup Valley, New York 12762. Seconded by Mrs. Hendrickson, put to a vote and carried 5-0.

Motion by Mrs. Ryder to waive the thirty day notice in order to expedite the application with the Liquor Authority. Seconded by Mrs. Hendrickson, put to a vote and carried 5-0.

**7:45 p.m. Public Hearing Local Law #3- 2018**

Motion by Mr. Cohen to recess the regularly scheduled Town of Bethel Town Board meeting and enter the scheduled public hearing set for 7:45 p.m. Seconded by Mrs. Ryder, put to a vote and carried 5-0.

The Bethel Town Clerk, Rita Sheehan, read the legal notice as published in the Sullivan Democrat paper, official newspaper for the Town of Bethel.

There being no comments, Mrs. Simpson made a motion to close the public hearing and re-enter into the regularly scheduled Town of Bethel Town Board meeting. Seconded by Mr. Cohen, put to a vote and carried 5-0.

**Kauneonga Lake Sewer District**

**RESOLUTION TO AUTHORIZE RELEVY OF UNPAID SEWER RENTS FOR  
KAUNEONGA LAKE CONSOLIDATED SEWER DISTRICT  
ON THE 2019 TAX ROLL**

**WHEREAS**, that the Town Board of the Town of Bethel has adopted the following resolution for the re-levy of unpaid sewer user charges in the Kauneonga Lake Consolidated Sewer District,

**RESOLVED**, that the Town Board of the Town of Bethel does hereby authorize the Supervisor to transmit to the Sullivan County Legislature for presentation the following list of properties against which there are past due sewer user charges owed to the Kauneonga Lake Consolidated Sewer District for 2018,

**FURTHER**, that the County Legislature re-levy as unpaid sewer user charges the sum specified against the properties as identified by section, block and lot number preceding the amount of arrears on the 2019 Tax Roll of the Town of Bethel as attached.

**Kauneonga Lake Consolidated Sewer District      \$58,139.51**

Motion by Lillian Hendrickson, seconded by Bernard Cohen, put to a vote and carried 5 ayes and 0 nays this 14<sup>th</sup> day of November, 2018.

**Kauneonga Lake Sewer District Extension**

**RESOLUTION TO AUTHORIZE RELEVY OF UNPAID SEWER RENTS FOR  
KAUNEONGA LAKE SEWER DISTRICT EXTENSION  
ON THE 2019 TAX ROLL**

**WHEREAS**, that the Town Board of the Town of Bethel has adopted the following resolution for the re-levy of unpaid sewer user charges in the Kauneonga Lake Sewer District Extension,

**RESOLVED**, that the Town Board of the Town of Bethel does hereby authorize the Supervisor to transmit to the Sullivan County Legislature for presentation the following list of properties against which there are past due sewer user charges owed to the Kauneonga Lake Sewer District Extension for 2018,

**FURTHER**, that the County Legislature re-levy as unpaid sewer user charges the sum specified against the properties as identified by section, block and lot number preceding the amount of arrears on the 2019 Tax Roll of the Town of Bethel as attached.

**Kauneonga Lake Sewer District Extension      \$11,480.10**

Motion by Lillian Hendrickson, seconded by Vicky Simpson, put to a vote and carried 5 ayes and 0 nays this 14<sup>th</sup> day of November, 2018.

**Stevensville Water District – Out of District Users**

**RESOLUTION TO AUTHORIZE RELEVY OF UNPAID WATER RENTS  
FOR OUT OF DISTRICT USERS OF THE STEVENSVILLE WATER DISTRICT  
ON THE 2019 TAX ROLL**

**WHEREAS**, that the Town Board of the Town of Bethel has adopted the following resolution for the re-levy of unpaid water rents for out of district users in the Stevensville Water District,

**RESOLVED**, that the Town Board of the Town of Bethel does hereby authorize the Supervisor to transmit to the Sullivan County Legislature for presentation the following list of properties against which there are past due water rents owed to the Stevensville Consolidated Water District for 2018,

**FURTHER**, that the County Legislature re-levy as unpaid water rents the sum specified against the properties as identified by section, block and lot number preceding the amount of arrears on the 2019 Tax Roll of the Town of Bethel as attached.

**Stevensville Water District                      \$19,944.53**

Motion by Lillian Hendrickson, seconded by Dawn Ryder, put to a vote and carried 5 ayes and 0 nays the 14<sup>th</sup> day of November, 2018.

**SC Planning Training Certificates for Dan Gettel and Steve Simpson**

Motion by Mrs. Ryder to receive, file and approve for Daniel Gettel and Steve Simpson one hour credit in continuing education training in GML 239 Review and Historic Preservation Planning through the Sullivan County Division of Planning and Community Development.

Seconded by Mr. Cohen, put to a vote and carried 5-0.

**NYS Ag & Markets Bethel Dog Kennel Inspection Report**

Motion by Mrs. Simpson to receive and file letter from NYS Agriculture and Markets dated October 26, 2018, indicating that the Town of Bethel Dog Shelter services were rated “Satisfactory”.

Seconded by Mrs. Hendrickson, put to a vote and carried 5-0.

**Town of Bethel Planning Board Correspondence**

Correspondence has been received from the Town of Bethel Planning Board recommending approval of Local Law #3-2018. Motion by Mrs. Simpson to receive and file, seconded by Dawn Ryder, put to a vote and carried 5-0.

**Resolution to adopt Proposed Local Law #3-2018**

**RESOLUTION OF TOWN BOARD OF THE TOWN OF BETHEL  
TO ENACT LOCAL LAW 3 OF 2018 TO AMEND CERTAIN  
SECTIONS OF CHAPTER 345 OF THE TOWN CODE CAPTIONED  
ZOING BY ADDING SECTION 345.34.1**

**WHEREAS**, the Town Board of the Town of Bethel (“Town Board”) heretofore adopted Chapter 345 of the Town Code of the Town of Bethel (the “Town Code”) entitled Zoning; and

**WHERAS**, it appears to be in the best interest of the Town to amend Chapter 345 of the Town Code by adding a section 345-34.1 to allow Group Homes as a special use in the AD, AG, C-17B, FC, and R-17B District subject to special use procedures, including,

but not limited to, site plan approval as set forth in Sections 345-30 and 345-31 and deeming Group Homes to be “commercial” and thereby subject to section 345-21 and requiring that Group Homes comply with all local, New York State and Federal laws, rules and regulations. And amending the Bulk and Use Tables with respect to Group Homes; and

**WHEREAS**, on October 10, 2018, 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 November 14, 2018 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.

**WHEREAS**, that the Town Board hereby issues a negative declaration for SEQRA purposes; and

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board hereby enacts Local Law 3 of 2018; and be it

**FURTHER RESOLVED**, 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 2018 shall become effective upon filing with the Department of State

Motion by Town Board member Mrs. Simpson, seconded by Town Board member Mr. Cohen and adopted upon a roll call vote as follows:

		<u>AYE</u>	<u>NAY</u>
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 14<sup>th</sup> day of November, 2018.

**2018 Budget Modifications**

Motion by Mrs. Ryder to approve resolution for budgetary transfers between fun account codes as listed below.

**Lighting District**

SL599 App Fund balance	credit (rev) \$3,500.00	
5182.4 Street Light .4		Credit \$3,500.

**KL Sewer Extension**

SE599 App Fund Balance	credit (rev) \$44,000.	
Se8130.4 Contractual .4		credit \$44,000.

**KL Sewer District**

S5710 Proceeds of long term debit	credit (rev) \$260,000.	
S599 App Fund balance	\$125,000.	
S8130.44		credit \$385,000.

**Highway Fund**

Da3501 State aid consolidated Hwy	credit \$148,499.73	
DA5112.4 Perm Improve Hwy Contr.		Credit \$148,499.73

Seconded by Mr. Cohen, put to a vote and carried 5-0.

**Correspondence to Catskill Distilling from NYS Dept. of Transportation**

Motion by Mrs. Ryder to receive and file letter dated 6, 2018 from Pamela Gendron, P.E., NYS Dept. of Transportation Traffic Operations Engineer regarding the accidents near the Catskill Distilling Company. Region 9 Traffic Safety and Mobility Office will perform a review of the area.

Seconded by Mr. Cohen, put to a vote and carried 5-0.

**Resolution to Convey Real Property**

**RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE ANY  
NECESSARY DOCUMENTS IN FURTHERANCE OF THE 2002 CONVEYANCE  
OF CERTAIN REAL PROPERTY TO CORALIE S. CONEY**

WHEREAS, the Town Board of the Town of Bethel authorized the sale of a portion of certain real property to Thomas M. Coney and Coralie S. Coney (hereinafter "the Coney's") by resolution, dated June 29, 2001, and

WHEREAS, the property sold to the Coney's was designated as SBL 50.-14-6, consisting of a paper roadway obtained by the Town of Bethel from the County of Sullivan pursuant to the tax foreclosure auction, and

WHEREAS, in 2001 the Town Board authorized the sale of said paper roadway in consideration of \$100 and further authorized Supervisor Allan C. Scott to execute a quitclaim deed and any other necessary papers in furtherance of the conveyance, and

WHEREAS, the conveyance authorized in 2001 was subject to permissive referendum with no petitions having been filed, and

WHEREAS, then Supervisor Allan C. Scott executed all documents necessary for the conveyance, including a Quitclaim Deed dated February 26, 2002, and

WHEREAS, the Coney's failed to file the Quitclaim Deed or other documents in relation to the conveyance, and

WHEREAS, the Coney's now desire to file a deed and other necessary documents to reflect the 2002 conveyance.

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby authorizes Supervisor Daniel Sturm to execute a Quitclaim Deed and any documents necessary in furtherance of the 2002 conveyance of SBL now known as 50.-14-6.1, as authorized by Resolution, dated June 29, 2001.

BE IT FURTHER RESOLVED, that the costs of preparation and filing of these documents shall be at the sole expense of the Coney's.

Dated: November 14, 2018

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

	<u>Voting</u>
Dawn Ryder	x
Bernard Cohen	x
Daniel Sturm	x
Vicky Simpson	x
Lillian Hendrickson	x

**Correspondence Building Dept. for proper violation emergency clean-up**

E-mail dated 11/14/3018 from BJ Gettel regarding illegal dumping at 82 Starlight Drive. Owner has cleaned up the garbage bags and is in the process of getting the rest of the dirt removed. Violation is under Town Code 279-5. BJ Gettel is requesting approval of an emergency clean-up once all steps have been taken and exhausted. She will keep the Board informed.

**Public Comment**

Ken Brucher – Heat wasn't tuned on at Senior Housing until October 12, 2018 and state law says October 1, 2018. Building Department needs to look into this.

**Adjournment**

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

Respectfully submitted,

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Rita J. Sheehan, Clerk