

The October 23, 2019 Town of Bethel regular Town Board meeting was called to order by Supervisor Town Daniel Sturm at 7:30 p.m. at the Dr. Dugan Community Center meeting room.

Council members present: Vicky Simpson
Dawn Ryder
Lillian Hendrickson
Bernie Cohen

Attorney for the Town: Karen Mannino

The meeting was opened with the Pledge of Allegiance.

49 Overlook Dr. Property Update (#42.-28-5)

Mrs. Ryder suggested put on a two (2) week notice. Financial burden to the taxpayer for us to do.

Mr. Sturm indicated Karen Mannino, Attorney for the Town is here and has reviewed it. Mr. Sturm, set a public hearing for November 13, 2019 at 7:45 p.m. Property owner needs to know it must be improved by November 13, 2019.

Motion by Mrs. Ryder to reschedule a public hearing for 11/13/ 2019 at 7:45 p.m. for 49 Overlook Dr. (#42.-28-5).

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

32 Foster Road Property Update (#40.-1-64)

Building Department report dated October 16, 2019 has been submitted to the Town Board. The property is currently in Town of Bethel Justice scheduled for October 28th. Mr. Sturm said, ride by and take a look. Some of the garbage is on the neighbor's property.

Motion by Mr. Cohen to table this item until after the Bethel Court date of 10/28/2019.

Seconded by Vicky Simpson, put to a vote and carried 5-0.

96 E. Thompson Property Update (#32.-6-28)

Building Department final notice was sent on 10/15/2019. Mr. Sturm suggested that a new public hearing be set for 11/13/2019 at 8 p.m.

Motion by Mrs. Simpson to reschedule 96 E. Thompson property (#32.-6-28) for 11/13/2019 public hearing at 8 p.m.

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

Approve Road Repair Agreement

AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS

Agreement between the Town of Superintendent of the Town of Bethel, Sullivan County, New York, and the undersigned members of the Town Board.

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$512,404.91 shall be set aside to be expended for primary work and general repairs upon 144.67 miles of town highways,

including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2. PERMANENT IMPROVEMENTS. The following sums shall be set aside to be expended for the permanent improvement of Town highways:
 - (a) On the road commencing at Jaketown Road and leading South 2820 feet a distance of 2820 feet, there shall be expended not over the sum of \$32,000.00. Type 3 + Type 7 top; width of traveled surface 18 feet; thickness 1.5 inches; subbase asphalt; Type 3 binder T+L shim – type 7 top. Burr Road. EWR

Motion by Mr. Cohen to approve the expenditure of highway moneys as stated above in the road repair agreement commencing at Jaketown Road.

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

Mr. Sturm stated that all the paving is complete for this year except for patching and repair. They spent the chips paving around all four districts evenly.

District 1	District 2	District 3	District 4	
32,000	38,000	98,000	24,000	
125,000	48,000		8,300	
27,000			7,400	
			8,000	
			8,000	
			4,600	
			4,500	
			6,200	
184,000	86,000	98,000	71,000	= 439,000

Mr. Sturm said the Transfer Station has been paved for the first time, because it has been asked for, for many years. It gets muddy and sloppy for residents trying to use the facility. Also, we had a grant for \$50,000 to do the new salt barn from former Senator Bonacic, but it was a matching grant. We were supposed to spend fifty thousand to get fifty thousand, so we added the paving to the project. It is absolutely beautiful. It is highly used town facility and must be maintained. Not one dime came from the highway budget.

Motion by Mrs. Simpson to receive and file Mr. Sturm’s comments.

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

Seek Sodium Hydroxide Bids

Motion by Mr. Cohen to send out notice to bidders for sodium hydroxide as follows:

4,000 gallons of sodium hydroxide 25% liquid. Quote as price per gallon for two years. Delivered to Kauneonga Lake Waste Water Treatment Plant at 3626 Route 55, Kauneonga Lake, New York 12749.

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

Public Hearings: 7:45 p.m. 2020 Sewer Rates

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

Motion by Mrs. Ryder to recess the regularly scheduled Town of Bethel Town Board meeting and open the scheduled public hearing at 7:45 p.m. regarding the 2020 Sewer User Rates for the Kauneonga Lake Consolidated Sewer District and Kauneonga Lake Route 17B Sewer District Extension.

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

The rates proposed for 2020 are:

Kauneonga Lake Consolidated Sewer District year-round	\$488.28 per unit annually
Kauneonga Lake Consolidated Sewer District seasonal	\$395.56 per unit annually
Kauneonga Lake Route 17B Sewer District Ext. year-round	\$618.58 per unit annually
Kauneonga Lake Route 17B Sewer District Ext. seasonal	\$525.96 per unit annually

Going up \$22.00 per year = \$1.85 per month.

Mr. Sturm said it will be going up next year – 2021 and then a little the following year unless something major breaks, that should be it.

Mrs. Hendrickson - The men are working very hard. Eleven (11) loads of septage. The UV lights need to be turned off.

Motion by Mrs. Hendrickson to close the public hearing at 7:50 p.m. and re-enter the regularly scheduled Town of Bethel Town Board meeting.

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

Correspondence Congregation Temple Bethel-El

Motion by Mrs. Hendrickson to receive and file correspondence dated 10/15/2019 from the Congregation Temple Beth-El, Kauneonga Lake thanking the Town and the Bethel Constables for helping to provide a safe and secure atmosphere during the recent Jewish high holiday services at the synagogue.

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

Correspondence Daniel Gettel, PB Chairman

Motion by Mrs. Simpson to receive and file correspondence dated 10/16/2019 from Daniel Gettel resigning as Chairman and member of the Town of Bethel Planning Board effective immediately.

Seconded by Mr. Cohen, put to a vote and carried 4-1 with Mrs. Ryder voting no.

Mr. Sturm thanked Mr. Gettel for his service. Mrs. Simpson Dan was always prepared, and helpful. Dan will be missed. Mr. Sturm just to be clear, Mr. Gettel is still the Town of Bethel assessor. The Town Board will accept the Planning Board recommendations for the replacement.

Dawn Ryder is very disheartened to see him go. He did an awesome job.

Vicky he was very organized, he will be missed and thanked him for all his service for all these years.

Jannetta MacArthur – Expressed here experience working with Dan Gettel. I have been the recording secretary for the Planning Board for over ten years and the Zoning Board of Appeals for several years. Dan follows the code to the letter. He is prepared and organized. Dan put in many hours assisting residents.

Motion by Mrs. Simpson to receive and file Jannetta MacArthur's correspondence.

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

Mrs. Simpson – I reluctantly accept Mr. Gettel's resignation.

Public Hearing 8:00 p.m. 2020 Town Budget

The Bethel Town Clerk, Rita J. Sheehan, read the public hearing notice as published in the Sullivan County Democrat, the official paper for the Town of Bethel.

Motion by Mrs. Hendrickson to recess the regular Town of Bethel Town Board and enter into the 8 p.m. scheduled public hearing on the adoption of the 2020 Town Budget.

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

Mr. Sturm highlighted some items of the budget:

Lighting District – first increase in over 7 years, \$1,000. Which will go down once the LED conversion is completed.

Salt is up \$5 per ton. We are still saving approximately \$100,000 per year mining our own sand.

NYSHIP up 10%
Retirement/workers compensation – flat
Expenses are all in line
Insurance is up 3 ½ % (\$10,000)
We have a sound and fiscal plan
We are under the tax cap by \$1,000

Marcia Salton thank you for staying under the tax cap.

Motion by Mrs. Simpson to close the scheduled public hearing at 8:05 p.m. and re-enter the regularly Town of Bethel Town Board meeting.

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

Authorize Payment Tom DuPlessis

Invoice has been received from Tom Duplesis for repair and update Wintax software and replaced corrupted files in the amount of \$75. Mr. Sturm said the data was retrieved and the tax payers should not have to pay this bill.

Mrs. Simpson – It was never clear as to why it was uninstalled. I do agree, that the taxpayers should not have to pay the bill to re-install the program.

Motion by Mrs. Simpson to send the bill for re-installing the tax program to Mrs. Gabriel for payment in the amount of \$75. Seconded by Mrs. Hendrickson, put to a vote and carried 4-1 with Mrs. Ryder voting no.

Authorize payment to SC Treasurer for SBL #38B.-1-36

Mr. Sturm read County Treasurer letter sent to Nikola Realty dated 9/25/2019. Also, letter from Nikola Realty dated 10/5/2019 to Town Board. Letters were sent to Karen Mannino, Attorney for Town, and sent to the tax collector for an explanation. This is negligence on the part of the tax collector because the County sent the tax collector an e-mail in May, 2019. So she knew about it. We, at this point have had no reply or explanation from Mrs. Gabriel.

Based on no reply, in my opinion, there was negligence by the tax collector in not applying these funds to the correct parcel of Mr. Nikola causing him to possibly lose his property.

Initially we couldn't even look it up because the data was removed, but as we said, it has now been reinstalled. Also the County notified her by e-mail about this issue and it was ignored.

In my opinion and to sum up, we have Mr. Yee who had to pay about \$450 in penalties but paid his taxes on time; Mr. Kushnir had to pay over \$700 in penalties and fees (but paid his taxes on time), Mr. Hughson \$300 or \$400 in penalties (who also paid on time and now Mr. Nikola for \$96.22. I need legal advice for all, because at this point I am fed-up and disgusted. It all needs to be reviewed, and we need accountability to our taxpayers.

Karen Mannino researched:

1. Taxes collected, not properly applied. Parcel was paid and check was correct. Need to pay County, they are owed that money.
2. Each year there is an audit. Need to refer matter to the accountants. Where did the monies go? \$96.22 is not there, where was it applied?
3. \$1,000 was a cash payment. Need some description of the money collected by the town.
4. Monies sent to the County, fees and penalties.
5. Residual money was not in account and where did residual come from when you closed the account.

Mrs. Simpson we need to listen to the attorney, we need accounting. We have asked for answers from the tax collector and have not gotten any.

Mrs. Hendrickson - Maybe the accountant will have more knowledge.

Mr. Sturm – We need to have Karen Mannino, Attorney for the Town, send a letter to the accountants. The Town has an obligation to make sure Mr. Nikola’s property is not foreclosed.

Motion by Mrs. Hendrickson to pay the County for taxes due on SBL#38.B-1-36 for 2019 town property taxes in the amount of \$96.22. Seconded by Mrs. Simpson, put to a vote and carried 5-0.

Authorize Letter to Accountants for Review of 2019 Tax Collection

Motion by Mrs. Simpson to authorize Karen Mannino, Attorney for the Town, to send a letter to the accountant for an independent audit now of the 2019 tax collector records for:

1. \$96.22 where applied?
2. \$1,000 paid in February 2019 from where?
3. \$92 residual that was left in the checking account, from where?

Seconded by Mrs. Hendrickson, upon a roll call vote the Town Board voted as follows:

Mrs. Lillian Hendrickson	Aye
Mrs. Vicky Simpson	Aye
Mrs. Dawn Ryder	Aye
Mr. Bernie Cohen	Aye
Mr. Daniel Sturm	Aye

Duly carried by 5 ayes and 0 nays.

Adopt 2020 Sewer User Rates

Motion by Mrs. Hendrickson to approve the 2020 Proposed Rates for the Kauneonga Lake Sewer Dist. and the Kauneonga Lake Sewer Dist. Extension as follows:

Kauneonga Lake Consolidated Sewer District year-round	\$488.28 per unit annually
Kauneonga Lake Consolidated Sewer District seasonal	\$395.56 per unit annually
Kauneonga Lake Route 17B Sewer District Ext. year-round	\$618.58 per unit annually
Kauneonga Lake Route 17B Sewer District Ext. seasonal	\$525.96 per unit annually

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

Adopt 2020 Town Budget

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BETHEL
TO ADOPT A BUDGET FOR FISCAL YEAR 2020**

WHEREAS, a Preliminary Town Budget for the fiscal year 2020 was submitted to the Town Board of the Town of Bethel by the Town Budget Officer on October 4, 2019; and

WHEREAS, the Town Board provided due notice of a public hearing for the annual Town budget by publishing timely notice of the public hearing in a newspaper of general circulation in the Town of Bethel; and

WHEREAS, on October 23, 2019, the Town Board conducted a public hearing during which comments were presented and received in connection with the preliminary budget for fiscal year 2020;

NOW THEREFORE, BE IT RESOLVED, that the proposed final budget for the fiscal year 2020 is hereby adopted and may be implemented by the Town Supervisor; and be it

FURTHER RESOLVED, the Town Board determines that the proposed action to adopt a budget is not subject to review pursuant to the State Environmental Quality Review Act (ECL, Article 8) and its implementing regulations (6 NYCRR Part 617) (collectively, "SEQRA") because it is a type II action as set forth at 6 NYCRR §617.5 (20); and be it

FURTHER RESOLVED, this Resolution shall become effective when adopted.

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	
Lillian Hendrickson	Voting	X	
Dawn Ryder	Voting	X	
Vicky Simpson	Voting	X	
Daniel Sturm	Voting	X	

Nourish Your Neighbor Press Release

Motion by Mrs. Hendrickson to receive and file 10/21/2019 press release on Nourish Your Neighbor-Bethel Community Drive For Healthy Food and Winter Items. NYN is an educational food drive initiative that aims to build a community where healthier options are available for all our neighbors.

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

Public Comment

Garrett Gabriel thanked Dan Gettel for donating his time.

Mr. Gabriel spoke in regard to the Tax Collector Office - it is appropriate to call for an audit. Things need to be clear. I keep hearing about \$1,000 that went missing. Tax Collector personally paid \$1,000. Money is gone, taxes were collected, went missing. What you don't hear is that the Tax Collector paid the \$1,000. Deleted program – did not delete any programs. Tax Collector deleted files, but not the tax program. You read in invoice files were corrupted. Never breach of data; it is backed up with the County and Town. Time for new software.

Mr. Sturm - I have a letter from former Tax Collector saying “programs need to be reinstalled” in her letter.

Susan Brown Otto and David Biren (Planning Board members) also thanked Dan Gettel.

Adjournment

There being no further items on the agenda, Mrs. Simpson made a motion to adjourn the October 23, 2019 Town of Bethel Town Board meeting at 8:50 p.m.

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

Respectfully submitted,

Rita J. Sheehan
Town of Bethel Town Clerk