

The March 4, 2009 Special Town Board meeting was called to order by Supervisor Daniel Sturm at 5:30 p.m. at the Bethel Senior Center.

Council members present: Richard Crumley
Vicky Simpson
Denise Frangipane

Absent: Robert Blais

The meeting was opened with the Pledge of Allegiance.

Mr. Sturm announced that the Draft Environmental Impact Statement was not ready for this evening's meeting.

Record training certificate for Bill Thelman

Correspondence has been received from the S.C. Div. of Planning and Environmental Management filing the training certificate for Bill Thelman. Mr. Thelman attended the *Basics of Sitting on Planning and Zoning Boards* on February 11, 2009. Motion by Mrs. Simpson to receive and file, seconded by Mr. Crumley, put to a vote and carried 4-0.,

Correspondence Jesse Fadis

Correspondence has been received from Jesse Fadis thanking the Town for his scholarship. Motion by Mr. Crumley to receive and file, seconded by Ms. Frangipane, put to a vote and carried 4-0.

Correspondence Matt Laymon

Correspondence has been received from Matt Laymon thanking the Town for his scholarship. Motion by Mrs. Simpson to receive and file, seconded by Mr. Crumley, put to a vote and carried 4-0.

#38 Approve Municipal Clean-up day for May 2nd & 3rd

Agreement from Sullivan County has been received for the annual municipal clean-up. The County is allotting 119 tons as in the past. Motion by Mrs. Simpson to approve municipal clean-up for 2 days, seconded by Ms. Frangipane, put to a vote and carried 4-0.

Motion by Mrs. Simpson to approve County Clean-up Agreement and to set dates for May 2nd and May 3rd, seconded by Mr. Crumley, put to a vote and carried 4-0.

Motion by Mr. Crumley to approve 6 free tires per household and \$1.00 thereafter, seconded by Ms. Frangipane, put to a vote and carried 4-0.

Motion by Mrs. Simpson to approve reduction in Freon charge to \$5.00 per item, seconded by Mr. Crumley, put to a vote and carried 4-0.

Motion by Ms. Frangipane to approve computer, TVs, and florescent lights, seconded by Mrs. Simpson, put to a vote and carried 4-0.

#39 Implement oversize bag charge effective immediately

Motion by Ms. Frangipane to implement oversize bag charge effective immediately, seconded by Mr. Crumley, put to a vote and carried 4-0 as follows:

30 gallon (has not changed) = \$2.50 cash or one coupon

55 gallon = \$5.00 or 2 coupons

March 4, 2009

Special Meeting

Correspondence to Town Clerk from Assemblywoman A. Gunther

Town Clerk Rita Sheehan has received correspondence from Assemblywoman Gunther that she has sent to Sheldon Silver regarding the State Budget and her opposition to the language making Town Clerk, Tax Receiver and Highway Superintendent appointed without public referendum. Motion by Mrs. Simpson to receive and file, seconded by Ms. Frangipane, put to a vote and file 4-0.

#40 Resolution in opposition of Assembly Bill A156/Senate Bill S56 Sections 26-28

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BETHEL,
SULLIVAN COUNTY, NEW YORK
OPPOSING ANY CHANGES IN NEW YORK STATE LAW WHICH WOULD
PERMIT MAKING THE OFFICE OF TOWN CLERK, HIGHWAY
SUPERINTENDENT AND RECEIVER OF TAXES AN APPOINTED POSITION
BY MEANS OF A PERMISSIVE REFERENDUM**

WHEREAS, the Office of Town Clerk, Highway Superintendent and Receiver of Taxes in New York State are elective offices pursuant to Article III Section 20 of the Town Law of the State of New York, and

WHEREAS, S.56/A.156, Part NN, Section 26-28 have been introduced in the New York State Legislature which would permit towns to make these three elected positions an appointive position subject to a **permissive referendum**, and

WHEREAS, the Home Rule Provisions of the Municipal Home Rule Law §10-1 (ii)-a(1) of the State of New York already provide a mechanism for a Town to change these positions from an elective to an appointive position by adoption of a local law, and

WHEREAS, the adoption process for such a local law would include a public hearing; and a **mandatory** referendum under MHRL §23(2-3), and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Bethel, Sullivan County, New York, does hereby go on record opposing any change to the existing New York State statutes providing for the election of a Town Clerk, Highway Superintendent and Receiver of Taxes in the Towns of the State of New York.

Motion by Ms. Frangipane to adopt resolution, seconded by Mrs. Simpson, put to a vote and carried 4-0.

Building Department Monthly Report for February

Building Department monthly report for February has been received.

2008 fees: \$2,073	2009 fees: \$4,408
2009 cost of construction: \$638,000	2008 cost of construction: \$1,430,200

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

Best places to move feature on the web: Bethel, Narrowsburg & Barryville

Town Clerk announced the Town of Bethel is being featured on the Geba Real Estate website as “Best Places to Live” and it should be up and running sometime in May.

Correspondence from Oliver King for support of a 1800s Marketplace

Correspondence has been received by Oliver King to collaborate with the Town to host a 1800s marketplace with vendors and entertainment at Twin Acres B & B on July 1st through July 5th. The village will have vendors selling olde fashioned products, baked goods, soaps, teas, produce, fabrics, clothing, notions, handcrafted items, dolls, food, petting zoo, tables and information booths sketch artist, clown, magician and two live

March 4, 2009

Special Meeting

performances. Mr. King is asking for support from Bethel First, the Town, and the BLDC with advertising, publicity, signage, securing vendors, participants, insurance, and port-a-john's. Motion by Mrs. Simpson to receive and file, seconded by Mr. Crumley, put to a vote and carried 4-0. Motion by Mrs. Simpson to refer to Building Department, seconded by Ms. Frangipane, put to a vote and carried 4-0.

Correspondence from NYS Senator John Bonacic re: Toronto Res.

Correspondence has been received from NYS Senator John Bonacic regarding the February 10th letter from Alliance Energy to the Town regarding Motion by Mrs. Simpson to receive and file, seconded by Mr. Crumley, put to a vote and carried 4-0.

Correspondence for NYS Attorney General Office re: Toronto Res.

Correspondence has been received from the NYS Attorney General's office regarding the January 29th letter from the Town to Alliance Energy. The AG is suggesting contacting the DEC to discuss the matter further and our elected representatives. Motion by Mr. Crumley to receive and file, seconded by Ms. Frangipane, put to a vote and carried 4-0.

Request from Town Justice Howard Block to attend judicial training

Correspondence has been received from Town Justice Howard Block requesting to attend Judicial training on April 4, 2009 in Wappinger Falls and for mileage reimbursement. Motion by Mrs. Simpson to receive and file, seconded by Mr. Crumley, put to a vote and carried 4-0. Motion by Ms. Frangipane to approve mileage reimbursement, seconded by Mrs. Simpson, put to a vote and carried 4-0.

#41 Correspondence from the Delaware Riverkeeper

Correspondence has been received from the Delaware Riverkeeper regarding the February 11th Shuster & Associates Memorandum to the Town Board on the Draft Scoping Document for the Zoning Amendments and the former Smallwood Golf Course site and its subwatersheds. Tracy Carluccio, Deputy Director, states in her letter that she strongly protests the recommendation that no changes be made to the proposed zoning changes for the 111 acre former Smallwood Golf Course site. The proposed changes designate the 111 acre norther portion of the site in the Rural Development with the adjacent 89 acre southern portion in the Forest Conversation District. Motion by Ms. Frangipane to enter into record for the draft scope comments, seconded by Mr. Crumley, put to a vote and carried 4-0.

#42 Youth Board Appointments for Chairman

Mrs. Simpson announced the Youth Board has re-organized and has made the following recommendations: Chairwoman: Eileen Morey and Vice-Chair Maria Bourne. Motion by Mrs. Simpson to approve recommendations, seconded by Mr. Crumley, put to a vote and carried 4-0.

Public Comment

Bob Barrett asked how long is a special use denial kept on record and is it in the minutes. Town Clerk indicated the record is permanent, it is in the minutes and a resolution should be filed in the Town Clerk's office for such denial. Mr. Barrett asked how an applicant appeals a Special Use denial. Ms. Frangipane explained the proper procedure.

Adjournment

Motion by Mrs. Simpson to adjourn meeting at 6:30 pm, seconded by Ms. Frangipane, put to a vote and carried 4-0.

Respectfully submitted,

Rita J. Sheehan, Town Clerk