

The Town of Bethel Town Board meeting of July 14, 2010 was called to order by Supervisor Daniel Sturm at 7:30 p.m. at the Bethel Senior Center.

Council members Present: Robert Blais  
Richard Crumley  
Vicky Simpson  
Denise Frangipane

The meeting was opened with the Pledge of Allegiance

**Approve Monthly Audit of Bills**

<b><u>Fund</u></b>	<b><u>Amount</u></b>	<b><u>Check #'s</u></b>
General	\$152,441.14	1001 – 1055
Highway	\$163,325.20	4715 – 4759
Sewer	\$ 33,947.10	1657 – 1679
KL Light District	\$ 1,916.71	627 - 629
Planning & Zoning	\$ 2,500.00	1106
Sewer Ext.	\$ 12,918.36	1157

Motion by Mrs. Simpson to approve monthly audit of bills, seconded by Mr. Blais, put to a vote and carried 5-0.

**2010 Road Expenditure Agreement**

Highway Superintendent presented the first group of 2010 road expenditure agreements. Ms. Frangipane asked how he picked the roads. Mr. Lilley explained that these are the worst of the worst and he road the roads.

- 1) Tusten Place – Gabriel Road leading to Dead End, 850 ft. \$8,424.00
- 2) Pine Grove Road - Gina Lane to Sgt. Andrew Brucher, 3,375 ft. \$51,526.00
- 3) Jaketown Road Mable Fulton’s tube to Timber Dr. 3,150 ft. \$46,039.50.
- 4) 151 Puckyhuddle Road and leading 1600 Lineal ft. \$24,420.00
- 5) Pierce Avenue - Pine Grove to Brookside Way, 1,180 ft. \$15,561.00
- 6) West Reed - Brookside Way to Cascade Trail, 650 ft. \$ 8,599.00
- 7) West Read - Cascade Trail to East Catskill Trail, 230 ft. \$ 3,042.00

Motion by Mrs. Simpson to approve, seconded by Mr. Blais, put to a vote and carried 5 – 0.

**Building Department Monthly Report - June**

June 2010 Fees: \$3,670.00                      June 2009 Fees: \$3,302.00  
June 2010 Construction Total: \$464,700                      June 2009 Construction Total \$363,900

Motion by Ms. Frangipane to receive and file, seconded by Mr. Blais, put to a vote and carried 5 - 0

**Town Clerk Monthly Report - June**

Total Fees Collected June: \$7,317.55  
State, County & Local: \$ 616.36  
Local Share: \$6,701.19

Motion by Mrs. Simpson to receive and file, seconded by Mr. Crumley, put to a vote and carried 5 – 0

**Request to seek sealed bids for Sodium Hydroxide**

Sewer Superintendent is requesting to seek sealed bids for 4,000 gallons Sodium Hydroxide 25% price quoted as price per gallon delivered to Wastewater Treatment Plant. Motion by Mr. Blais to seek sealed bids, seconded by Mr. Crumley, put to a vote and carried 5 - 0

**Seek sealed bids for sewer rehabilitation project**

ADVERTISEMENT FOR BIDS  
KAUNEONGA LAKE CONSOLIDATED  
SEWER DISTRICT SANITARY SEWER  
REHABILITATION

Receipt of Bids: Separate sealed bids on forms prepared by the Engineer will be received by the Town of Bethel until 11:00 a.m. (local time) on August 9, 2010 for the Sanitary Sewer Rehabilitation in the Town of Bethel in accordance with Drawings, Specifications, and other Contract Documents prepared by Eustance & Horowitz, P.C.

The project consists of the following:

Furnish and install: 3,530 feet of new 12-inch PVC sanitary sewer pipe; 820 feet of new 12-inch DR 18, C 900 PVC pipe between MH 31 and MH 34; 2,950 feet of new 15-inch PVC sanitary sewer pipe; lining of 1,400 feet of existing sanitary sewer pipe; repair of six (6) sanitary sewer manholes; replacement of twenty-four (24) sanitary manholes; replacement of fifteen (15) sanitary sewer lateral pipes, total length of 750 feet; reconnection of twenty-two (22) sanitary sewer lateral service pipes; replacement of sanitary sewer pipe in streambed and replacement of obstructed sanitary sewer pipe near entrance road to Kauneonga Lake Consolidated Sewer District (KLSD) Sewage Treatment Plant (STP); and restoration of New York State Department of Transportation (NYSDOT), and Sullivan County road right-of-way with flowable fill and blacktop; all including excavation, installation of pipe and appurtenances and backfill with gravel, flowable fill and surface restoration. Existing sanitary sewer pipe is asbestos cement pipe, which must be remain in place while following proper procedures.

Pre-bid meeting will be conducted on July 27, 2010 at 10:00 a.m. at the Town Hall. Site visit will follow the pre-bid meeting.

**Bids will be publicly opened and read aloud at 11:00 a.m. (local time) on August 9, 2010, at the Bethel Town Hall, 3454 Route 55 White Lake, NY 12786.**

The information for Bidders, Drawings, Specifications and other Contract Documents may be reviewed at the Office of the Town Clerk, Town of Bethel, 3454 Route 55, White Lake, New York 12786 and may be obtained at the Office of Eustance & Horowitz, P.C., P.O. Box 42, 2142 Route 302, Circleville, New York, 10919 upon a non-refundable payment of \$50.00 per set in favor of Eustance & Horowitz, P.C. If documents are requested by mail, provide your Federal Express/UPS number or add \$25.00 per set. Each bid shall be accompanied by an acceptable form of Bid Guarantee in an amount equal to at least 5% of the amount of the Bid, payable to the Town of Bethel as a guarantee that if the Bid is accepted, the Bidder will execute the Contract and file acceptable Performance and Payment Bonds within ten (10) days after the award of the Contract.

OWNERS RIGHTS RESERVED: The Town of Bethel, hereinafter called the Owner, reserves the right to reject any or all Bids and to waive any formality or technicality in any Bid in the interest of the Owner.

STATEMENT OF NON-COLLUSION:

Bidders are required to execute a non-collusion bidding certificate pursuant to Section 103d of the General Municipal Law of the State of New York.

Attention of bidders is particularly called to the requirements relating to conditions of employment to be observed and minimum wage rates to be paid under the contract, Segregated Facilities, Section 109, and Executive Order 11246. Bidders are also required to comply with the provisions of Sections 291-299 of the Executive Law of the State of New York.

The Town of Bethel hereby notifies all bidders that it will affirmatively insure that in regard to any Contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex of national origin in consideration for an award.

Any contract or contracts awarded under this invitation for bids are expected to be funded in part by a grant from the U.S. Environmental Protection Agency. Neither the United States nor any of its departments, agencies or employees is or will be a party to this invitation for bids or any resulting contract. This procurement will be subject to regulations contained in 40 CFR PART 31.

Motion by Mr. Crumley to seek sealed bids, seconded by Mr. Blais, put to a vote and carried 5 - 0

**Childcare/Daycare Needs Survey**

Mr. Sturm announced the Childcare/Daycare Survey that is being distributed to the community.

**Junkyard License Report - Ross & Sons**

Junkyard report has been received from the Building Department recommending the license be renewed as no material change to this junkyard is evident from prior years. Motion by Mrs. Simpson to approve renewal, seconded by Mr. Crumley, put to a vote and carried 5 - 0

**Junkyard License Report - Cecil Hendrickson**

Junkyard report has been received from the Building Department recommending reduction of the junk vehicles and the removal of the tire piles to an approved transfer facility as conditions of the approval. The report indicated the parcel to be 1 +/- acres and found with at least 80 vehicles, and 2-3 piles of 100 plus discounted spread out over 2-3 acres. Ms. Frangipane asked BJ Gettel if she should have him remove tires, then re-inspect them and make a recommendation. BJ Gettel indicated whatever the Board wishes.

Motion by Mr. Crumley to approve license with no conditions, seconded by Mr. Blais, put to a vote and carried 4-1.

	<u>AYE</u>	<u>NAY</u>
Denise Frangipane		X
Robert Blais	X	
Richard Crumley	X	
Vicky Simpson	X	
Dan Sturm	X	

**County Notice of Work Zone – County Road 12**

Notice has been received from County Dept. of Public Works for road work on County Road 12 approx. ¼ miles north of the CR26 intersection for 6.91 mile commencing on July 6<sup>th</sup> through July 26<sup>th</sup> a 35 mph work zone. Motion by Mr. Blais to receive and file, seconded by Mr. Crumley, put to a vote and carried 5 - 0

**Resolution to Introduce Farmland Protection Plan**

**Resolution of the Town of Bethel Town Board  
to Introduce the Town of Bethel Agriculture and Farmland Protection Plan  
and to set a Public Hearing**

**WHEREAS**, the Town Board of the Town of Bethel received funds from the New York State Department of Agriculture to develop a town-wide strategy to protect and revitalize agriculture in the Town and the Town of Bethel participated in a multi-year joint planning process with the Town of Liberty to develop an Agriculture and Farmland Protection Plan; and

**WHEREAS**, a Draft Town of Bethel Agriculture and Farmland Protection Plan was developed; and

**WHEREAS**, the Ag Steering Committee held a public hearing in December, 2009; and

**WHEREAS**, a final Draft Town of Bethel Agriculture and Farmland Protection Plan was submitted to the Town Board in December 2009 for their review; and

**WHEREAS**, the Draft Town of Bethel Agriculture and Farmland Protection Plan builds on and offers strategies, recommendations, maps, and other details that support and compliment the broad goals and objectives established for the Town in the Town of Bethel Comprehensive Plan; and

**WHEREAS**, the Town Board has determined that implementation of the Agriculture and Farmland Protection Plan best serves the Town of Bethel by formally being made part of the Town of Bethel Comprehensive Plan as an addenda; and

**WHEREAS**, any amendment to a comprehensive plan must follow Town Law 272-a procedures, including holding a public hearing, receiving Sullivan County Department of Planning and Environmental Management approval as per GML 239-m, and conducting SEQRA as a Type I action; and

**WHEREAS**, New York State Agriculture and Markets further requires local adoption of the Agriculture Plan to be followed by approval of the County Agriculture and Farmland Protection Board and finally the Commissioner of NYS Agriculture and Markets.

**NOW THEREFORE, BE IT RESOLVED** that the Town of Bethel Town Board will initiate all adoption procedures pursuant to Town Law 272-a to adopt the Bethel Agriculture and Farmland Protection Plan as an addenda of the Comprehensive Plan including holding a public hearing, conducting SEQRA and forwarding a copy to Sullivan County Department of Planning and Environmental Management for review; and

**BE IT FURTHER RESOLVED** that the Town of Bethel Town Board will conduct a public hearing on Wednesday, August 11, 2010 at 7:45 p.m. at the Bethel Senior Center, 3594 Route 55, Kauneonga Lake, New York to offer residents and landowners the opportunity to comment on the Draft Town of Bethel Agriculture and Farmland Protection Plan; and

**BE IT FURTHER RESOLVED** that the Town Board will ensure that digital copies of the Plan are available on the Town website and paper copies available at Town Hall; and

**BE IT FURTHER RESOLVED** that upon completion of all Town Law 272-a requirements, the Town Board will consider adoption of the Agriculture and Farmland Protection Plan as an addenda to the Comprehensive Plan via a resolution of the Board, and if this resolution is in the affirmative, will forward a copy of the Bethel Agriculture and Farmland Protection Plan to the Sullivan County Agriculture and Farmland Protection Board for their review and approval.

**WHEREUPON**, this Resolution was declared adopted by the Town Board of the Town of Bethel:

Motion by Ms. Frangipane, seconded by Mr. Blais and duly adopted upon a roll call vote with 5 ayes and 0 nays as follows:

	<u>AYE</u>	<u>NAY</u>
Denise Frangipane	X	
Robert Blais	X	
Richard Crumley	X	
Victoria Simpson	X	
Daniel Sturm	X	

Adopted on the 14<sup>th</sup> day of July 2010.

**Resolution to Designate Lead Agent Farmland Protection Plan**

**Resolution of the Town of Bethel Town Board  
Intent to be Lead Agency and Identification of a Type I Action**

**WHEREAS**, previously, the Town Board duly developed adopted a Comprehensive Plan pursuant to Town Law 272-a; and

**WHEREAS**, the Town of Bethel Town Board identified that agriculture was a critical land use in the Town and that a strategic plan more detailed than the Comprehensive Plan was needed to properly plan growth and development and encourage and promote agriculture in Town; and

**WHEREAS**, the Town Board received funds for and developed a draft Town of Bethel Agriculture and Farmland Protection Plan under the auspices of the New York State Department of Agriculture and Markets; and

**WHEREAS**, the Town Board has reviewed the draft Agriculture and Farmland Protection Plan and determined that the Town would be best served if that strategic plan were made a part of the adopted Town of Bethel Comprehensive Plan as an addenda; and

**WHEREAS**, amendment of a comprehensive plan pursuant to Town Law 272-a has been determined to be a Type I action, pursuant to the New York State Environmental Quality Review Act (SEQR) 6 NYCRR Part 617.4, and

**WHEREAS**, the proposed action will not require permits and approvals from any other local, regional and State agencies prior to adoption of the plan; and

**WHEREAS**, the Sullivan County Department of Planning and Environmental Management is required to review and approve the draft Agriculture and Farmland Protection Plan as an addenda to the Town Comprehensive Plan pursuant to the applicable standards of New York State General Municipal Law 239-m but this approval is considered an advisory opinion under SEQRA and the agency is not considered to be eligible for lead agency status in this action.

**NOW THEREFORE BE IT RESOLVED**, pursuant to the applicable standards of SEQRA 6 NYCRR Part 617, the Town of Bethel Town Board concludes that it is the appropriate agency to serve as, and declares itself lead agency for the environmental review of the proposed Type I action; and

**BE IT FURTHER RESOLVED**, that the Town of Bethel Town Board hereby authorizes development and circulation of a copy of the EAF pursuant to the requirements set forth in SEQR 6 NYCRR Part 617.

**WHEREUPON**, this Resolution was declared adopted by the Town Board of the Town of Bethel,

Motion by Vicky Simpson, seconded by Richard Crumley and duly adopted upon a roll call vote with 5 ayes and 0 nays as follows:

	<u>AYE</u>	<u>NAY</u>
Denise Frangipane	X	
Robert Blais	X	
Richard Crumley	X	
Victoria Simpson	X	
Daniel Sturm	X	

**Correspondence from International Aerobatic Club**

Correspondence has been received from the International Aerobatic Club Chapter 52 indicating there aerobatic competition at the Flying W Airport will be on August 6, 7 & 8<sup>th</sup>.

**Sewer Extension Change Orders**

Change Order #2	\$ 954.60
Change Order #3	\$18,050.78

Motion by Mr. Crumley to approve, seconded by Mr. Blais, put to a vote and carried 5 - 0

**Multi-Municipal Task Force Public Comment Period**

Notice has been received that the Multi-Municipal Task Force will be holding a public hearing on the draft scope on July 22, 2010 at 7:30 p.m. at the Town of Delawae Town Hall in Hortonville. Written comments will be accepted until August 2, 2010.

Motion by Ms. Frangipane to receive and file, seconded by Mr. Blais, put to a vote and carried 5 – 0

**Dumpster Complaint**

Ms. Frangipane commented on the complaint she has filed with the Building Department on the screening of dumpsters and the overflow, they are two separate issues:

1. Dumpsters being full - maybe they need a 2<sup>nd</sup> dumpster or more frequent pick-ups, this is between the private homeowners and contractor.
2. No screening – we have a code, these photo examples show no screening. Mr. Sturm has asked BJ if they cleaned up, not yet. Mr. Sturm wants the 3 or 4 cleaned up within 30 days or ticketed.

Motion by Mr. Blais for the Building Department to send a letters and to give 30 days to clean-up and have screened, seconded by Mr. Crumley, put to a vote and carried 5 – 0.

Jonathan Hyman asked to add LaPibus on Schultz Road

Mr. Sturm noted that Schultz Road was cleaned up, gave them notice to screen and they will get it done and the Citgo should be behind building.

**State Boat Launch**

Motion by Mrs. Simpson to authorize Town Supervisor to negotiate purchase of State Boat Launch, seconded by Ms. Frangipane put to a vote and carried 5 – 0

Mr. Crumley we need to get together with these waste haulers to license them in our town.

**Adjournment**

Motion by Ms. Frangipane to adjourn, seconded by Mr. Blais put to a vote and carried 5 – 0.

Respectfully submitted,

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Rita J. Sheehan, Town Clerk