

The Town of Bethel Town Board Meeting of May 12, 2010 was called to order by Supervisor Daniel Sturm, Town Supervisor, at 7:30 p.m. at the Bethel Senior Center.

Present: Councilman Richard Crumley
 Councilman Robert Blais
 Councilwoman Victoria Simpson
 Councilwoman Denise Frangipane

The meeting was opened with the Pledge of Allegiance

Approve Monthly Audit of Bills

<u>Fund</u>	<u>Amount</u>	<u>Voucher #</u>
General	\$263,516.47	25126 - 25201
Highway	\$145,682.58	4629 - 4673
Sewer	\$ 53,180.68	1606 - 1632
Sewer Ext.	\$ 45,964.80	1149 - 1151
Light District.	\$ 1,981.11	623 - 624
Planning & Zoning	\$ 1,755.25	1103 – 1104

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

Approve Resolution to Participate in the 2010 County Surplus Auction

RESOLUTION OF THE TOWN OF BETHEL TOWN BOARD AUTHORIZING SURPLUS EQUIPMENT TO BE AUCTIONED AT THE 2010 SULLIVAN COUNTY VEHICLE AND EQUIPMENT AUCTION

WHEREAS, the County of Sullivan is offering the Towns and Villages within the County to participate in the 2010 surplus vehicle and equipment auction (“surplus”), and

WHEREAS, the Town of Bethel is desirous of participating in this auction at no cost to the town to rid its inventory of any unwanted surplus and to receive revenue therefrom, and

WHEREAS, any Town of Bethel Department (“Department”) that may have any surplus is hereby directed to submit to the Bethel Town Clerk the year, make, model, vehicle identification number, condition and mileage of each item by June 28, 2010, and

WHEREAS, the Department will also need to coordinate with the Town Supervisor and/or Highway Superintendent to transport and deliver all surplus to the County’s Maplewood Facility on Route 17B by Friday, July 16, 2010 with all necessary paperwork from the Town Clerk.

Motion by Council member Robert Blais to adopt resolution, seconded by Council member Victoria Simpson, put to a vote and carried 5-0.

Monthly Building Department Report – April

April Fees 2010: \$2,939.

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

Receive and File Training Certificate for Dan Gettel

Certificate of Training has been received from the Sullivan County Division of Planning and Environmental Management for *Municipal Board Chair Introductions and Training* completed by Daniel Gettel. Motion by Mrs. Simpson to receive and file, seconded by Mr. Crumley, put to a vote and carried 5-0.

Authorize Emergency Property Clean-Up for 29 W. Tusten

Property report has been received from the Building Department regarding the condition on 29 West Tusten Place. Mrs. Gettel spoke with a property owner; coming tomorrow to clean. After tomorrow, Town should clean up.

Motion by Mrs. Simpson give the property owners until the weekend to clean-up the debris around the property and if not, for the town to move forward, seconded by Mr. Crumley, put to a vote and carried 5-0.

Monthly Town Clerk's Report – April

Total Fees Collected: \$7,090.40

Town's Share: \$6,054.71
County, State Share: \$1,035.69

Motion by Mr. Blais to receive and file report, seconded by Mrs. Simpson, put to a vote and carried 5-0.

Approve Liquor License Renewal for Bethel Woods Outdoor Venues

Liquor License renewal application has been received from Flaherty & O'Hara for the 36 outdoor venue licenses at Bethel Woods for the 2010 season. Motion by Mr. Blais to approve, seconded by Mr. Crumley, put to a vote and carried 5-0.

Town Clerk's Conference Report

Town Clerk filed a 2010 28th annual Conference report that she attended in April. There were 447 Town Clerks, 71 first-timers and 41 new Clerks in attendance. There were 22 in attendance from the Orange Sullivan Town Clerk's Association. Motion by Ms. Frangipane to receive and file, seconded by Mr. Blais, put to a vote and carried 5-0.

Certification of Michael Collins as Class 3-A WWTPO

Michael Collins has passed his Wasterwater Treatment Plant Operator Grade 3A certification. Motion by Mr. Blais to receive and file, seconded by Mrs. Simpson, put to a vote and carried 5-0.

Approve increase in salary for Michael Collins

Mr. Blais noted that in order to retain our trained personnel he should receive an increase; he is also a hard worker and is doing a good job. Motion by Mr. Blais to increase Michael Collins' salary to \$32,000/yr., seconded by Mrs. Simpson, put to a vote and carried 5-0.

Seek sealed bids for used 1996 Chevy Dump Truck

The Sewer Department has notified the Town Board that the 1996 Chevy Dump truck is no longer useful and is requesting to send out to bid. Motion by Mr. Blais to send out to bid 1996 Chevy Dump Truck, seconded by Mr. Crumley, put to a vote and carried 5-0 as follows:

(One) 1996 Chevrolet GK3, Used 1-ton Dump Truck, 8 cylinders, 7584 gv weight, gas, red, 60,000 miles with plow.

Approve Revised Youth Board Guidelines

Mrs. Simpson announced the Youth Board has made changes to its by-laws for the Town Board approval. Mrs. Simpson noted that are no longer by-laws but are now Guidelines. The Town Board is amending by removing item #2 in section VI, re-numbering number 3 as number 2 and adding under the same section under number 2 that the Town is an Equal Opportunity/Affirmative Action Employer.

Motion by Mrs. Simpson to approve based on the above amendments, seconded by Ms. Frangipane, put to a vote and carried 5-0.

Literacy Center, Youth Center, Meeting Room

Mr. Sturm reviewed the proposal for the Town to utilize the Dr. Duggan School as the Western Sullivan Annex of Literacy Center, Bethel Youth Center, Community Meeting Room and the Bethel Justice Court.

As of June 2010, with the closing of the Duggan School we had nowhere for our programs. The Town can now continue, yoga, Tai-Kwan-do, volleyball, basketball, homework helper, maybe Zumba or Pilates, Easter egg hunt, and the Halloween party. The Town can now continue to run one of the finest Youth Programs in the county, which gets better every year. We can use the gym, playground and auditorium. We will save the town the cost of a new modular building which has been in planning stages for the last two (2) years ... about \$350,000, which we will now put on hold. That amounts to about \$50,000 - \$70,000 dollars a year in savings to the town. It is for all Bethel Youth.

This move will be fiscally responsible and save the town money in the short and long term. It will keep the Duggan School in community's hands. The school will now be used by all Bethel Youth and residents. In this tough economy, we are going to realize a savings to our taxpayers and improve the services we provide. Closing the Duggan School was devastating to our town, but by thinking outside the box, working collaboratively with the Monticello School Board, the Town can now insure that the Duggan School Building will continue to serve the residents of Bethel, especially our youth.

Correspondence Joan Marie and Gary Rohrs

Correspondence has been received from Joan Marie and Gary Rohrs regarding the relocation of the Court and Youth Center and the co-mingling of its clients with the Youth. Motion by Mr. Blais to receive and file, seconded by Mr. Crumley, put to a vote and carried 5-0.

Approve Resolution for Lease of Real Property

RESOLUTION OF TOWN BOARD OF THE TOWN OF BETHEL AUTHORIZING THE LEASE OF CERTAIN REAL PROPERTY

WHEREAS, commencing in 2010 the Monticello Central School (the "School District") will cease to use the Dr. Cornelius Duggan Elementary School Building (the "Duggan School") as a public school facility; and

WHEREAS, the Town Board of the Town of Bethel ("Town Board") has proposed to use a portion of the Duggan School for Town purposes including use of the Duggan School for its Youth Center, Literacy Center, Justice Court, Administrative Offices and Meeting Room; and

WHEREAS, Town Supervisor has negotiated a five-year lease agreement, with a five-year option, (the "Lease") with the School District for use of a portion of the Duggan School for the purposes expressed herein; and

WHEREAS, the real property to be leased is located at 3460 Route 55, White Lake, New York and the leased premises consist of approximately 3,600 square feet as more completely and accurately described in the attached Lease.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Bethel, has reviewed the terms and conditions in the attached Lease and approves the same under the power and authority granted to it by NY Town Law §§ 64 and 220; and be it

FURTHER RESOLVED, that the Town Board authorizes the Town Supervisor to sign the attached Lease on behalf of the Town, or a version that is substantially similar thereto, as well as any other documents reasonably necessary to consummate the lease of a portion of the Duggan School, to carry out the Town’s obligations under the Lease, to expend the funds set forth as consideration in the Lease as well as necessary maintenance and repair costs, and to put the leasehold estate to the use as provided in this Resolution and the attached Lease; and be it

FURTHER RESOLVED, that the action contemplated under this Resolution is an unlisted action under the State Environmental Quality Review Act (“SEQRA”) and the Town determines that it is the lead agency for SEQRA purposes; and be it

FURTHER RESOLVED, based upon the short Environment Assessment Form reviewed by the Town Board, the Town Board makes the findings contained in the Determination of Significance, attached hereto and incorporated herein, and determines that there will be no significant impact to the environment and issues a negative declaration; and be it

FURTHER RESOLVED, that this resolution is a Negative Declaration under SEQRA and the information required by 6 NYCRR § 617.12(a) is attached hereto and incorporated herein; and be it

FURTHER RESOLVED, the Town Board hereby directs that a copy of this resolution be filed with the Town Supervisor and provide a copy to any person who has requested a copy hereof; and be it

FURTHER RESOLVED, that the Town Board hereby directs that a copy of the Negative Declaration attached to the resolution be published in the Environmental Notice Bulletin as required by 6 NYCRR § 617.12(c); and be it

FURTHER RESOLVED, that pursuant to NY Town Law §§ 82 and 90 that within ten (10) days from the date of this Resolution the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the Resolution, shall contain an abstract of such Resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a permissive referendum; and shall publish such notice in the Sullivan County Democrat, a newspaper published in Sullivan County having general circulation in the Town of Bethel, and in addition thereto that the Town Clerk shall post or cause to be posted on the sign-board of the Town of Bethel, a copy of such notice within ten (10) days after the date of the adoption of this Resolution.

Motion by Councilman Richard Crumley seconded by Councilwoman Victoria Simpson, and adopted upon a roll call vote as follows:

Robert Blais	Voting	AYE
Richard Crumley	Voting	AYE
Vicky Simpson	Voting	AYE
Denise Frangipane	Voting	AYE
Daniel Sturm	Voting	AYE

Duly adopted by 5 ayes, 0 nays the 12th day of May 2010, subject to a permissive referendum.

Effective Date: This Resolution shall not take effect until thirty days after its adoption or as otherwise provided in § 91 of the NY Town Law.

**NEGATIVE DETERMINATION OF SIGNIFICANCE
DR. CORNELIUS DUGGAN ELEMENTARY SCHOOL BUILDING LEASE**

The Town of Bethel, acting as lead agency for a coordinated environmental review pursuant to Article 8 of the Environmental Conservation Law, hereby reviews the following in accordance with 6 NYCRR § 617.7(c)(1) to determine whether the entry into a Lease for a portion of the Dr. Cornelius Duggan Elementary School Building will have any significant impacts on the environment and makes the following inquiries and determinations:

(i) will the proposed project cause a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;

The Lease will impact not existing air quality through pollutant concentrations from vehicular emissions any more than the prior use of the building as a public elementary school. Because the Lease is for an existing building that is supplied with public water and sewer, there will be no increase in any adverse impacts on ground or surface water quality or quantity or any increase in potential for erosion, flooding, leaching or drainage problems.

Because the anticipated use under the Lease is expected to be less intense than the prior use of the building as a public school, the Lease will not cause a substantial increase in solid waste production.

(ii) will the proposed project cause the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;

Because the Lease is for an existing building, it will not cause the removal and destruction of vegetation nor any dislocation of any resident fauna. No exterior construction is contemplated as part of the Lease. There will not be any other significant adverse impacts to natural resources.

(iii) will the proposed project cause the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to 6 NYCRR § 617.14(g);

There is no Critical Environmental Area as designated pursuant to 6 NYCRR § 617.14(g) within the area that includes the Leasehold estate.

(iv) will the proposed project cause the creation of a material conflict with a community's current plans or goals as officially approved or adopted;

The Lease of the Building and its proposed use does not conflict with the Town's current comprehensive zoning plan and is in conformance with applicable zoning requirements.

(v) will the proposed project cause the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;

The Lease does not contemplate any construction other than some interior remodeling and will not impact any historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character. The use of the School Building as a Youth Center and a Literacy Center will enhance community resources.

(vi) will the proposed project cause a major change in the use of either the quantity or type of energy;

The Lease of the Duggan School by the Town will not cause a major change in the use of either the quantity or type of energy.

(vii) will the proposed project cause the creation of a hazard to human health;

The Lease of the Duggan School by the Town will not create a hazard to human health.

(viii) will the proposed project cause a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;

The current land use consists of a public elementary school. The Lease of the Duggan School by the Town will result in some change in the use of land, but such change is not believed to be more intense than the existing use and is not deemed to be significant in nature.

(ix) will the proposed project cause the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;

No. The current land use already attracts a fairly large number of users on a daily basis during the school year. Replacing the teachers and students with new users will likely not increase the number of persons coming to the school. No increase in growth in the residential population is expected to result as a consequence of the Lease.

(x) will the proposed project cause the creation of a material demand for other actions that would result in one of the above consequences;

The Lease will not cause a material demand for other actions that would result in one of the above consequences.

(xi) will the proposed project cause changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment;

The Lease will not cause changes in two or more elements of the environment that, when considered together, result in a substantial adverse impact on the environment.

(xii) will the proposed project cause two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in 6 NYCRR § 617.7(c)(1).

The Lease does not cause two or more related actions undertaken, funded or approved by an agency that, when considered cumulatively, would meet one or more of the criteria in 6 NYCRR § 617.7(c)(1).

Dated: May 12, 2010

NEGATIVE DECLARATION

The Lead Agency:

TOWN OF BETHEL TOWN BOARD

3454 Route 55
PO Box 300
White Lake, New York 12786

Contact Person:

Daniel Sturm, Supervisor
3454 Route 55
PO Box 300
White Lake, New York 12786

Telephone Number: (845) 583-4350

A Description of the Action:

Lease of a portion of real property located at 3460 Route 55, White Lake, NY 12786 more commonly known as Dr. Cornelius Duggan Elementary School. The lease is for 3,600 sq. feet to be used as a Youth Center, Literacy Center, Justice Court, Administrative Offices and Meeting space.

SEQRA Classification: Unlisted.

The Potential Environmental Impacts:

No potential significant environmental impacts are present and an environmental impact statement will not be prepared.

The Location of the Action:

The action consists of a lease of approximately 3,600 square feet of a portion of a former elementary school building, known as the Dr. Cornelius Duggan Elementary School, located at 3460 Route 55, White Lake, New York.

Approve Bethel Emergency Management Plan

Ms. Frangipane stated the Bethel Emergency Management Plan is a good road map for protocol. Ms. Frangipane suggested a follow-up after adopting and have a meeting on the action items.

Motion by Ms. Frangipane to adopt the Bethel Emergency Management Plan and to file with the County Coordinator, seconded by Mr. Blais, put to a vote and carried 5-0.

Results for Mowing Bids

Sealed bids were received and publicly open and read at the Town Clerk's Office on May 6, 2010 at 2 p.m. with Dan Sturm and Eda LaPolt present as follows:

Treestone Unlimited	\$4300
Van Kueren Landscaping	\$5630

Motion by Mrs. Simpson to remove item #3 (moving of the pool and park) and to award bid to Treestone Unlimited in the amount of \$2925, seconded by Mr. Crumley, put to a vote and carried 5-0.

The mowing of the pool and park will remain with the current provider, Tyler and Associates.

Bethel Woods Request for Stops Signs on Hurd Road at the Crosswalk

Correspondence has been received from Rick Martinez, Bethel Woods Sr. Director of Operations, requesting stop signs on Hurd Road at the crosswalk. Motion by Mr. Blais to receive and file, seconded by Mrs. Simpson, put to a vote and carried 5-0.

Mrs. Simpson asked Constable Neuenhoff if you vehicles are required by law to stop at a clearly marked crosswalk. Mr. Neuenhoff replied, yes.

Mr. Blais agreed need stop signs; crosswalk is at crest of hill. Stop sign ahead, then stop sign.

Mr. Crumley suggested that when museum is open, they need to hire a cross-guard. He also suggested we put up flashing signs and yield to pedestrians.

Motion by Mrs. Simpson to install yield to pedestrians and flashing cross-walk signs, seconded by Mr. Crumley, put to a roll vote with 4 ayes and 1 nay as follows:

Mr. Blais	no
Mr. Crumley	yes
Mr. Sturm	yes
Ms. Frangipane	yes
Mrs. Simpson	yes

West Shore Road and Hurd Road & Happy Avenue – Four-way stop

Ms. Frangipane mentioned that the intersections at West Shore and Hurd Roads and Happy Avenue should be made into a four-way stop. Motion by Mr. Blais to approve, seconded by Mr. Crumley, put to a vote and carried 5-0.

Correspondence from Larry Seitelman

Correspondence has been received from Larry Seitelman regarding the development of the White Lake Mansion House. Motion by Mrs. Simpson to receive and file, seconded by Mr. Blais, put to a vote and carried 5-0.

Correspondence from Ann Lubniewski

Correspondence has been received from Ann Lubniewski, President of the Senior Building Committee, informing the Town of her resignation as President. Mrs. Lubniewski will continue to serve on the committee. Motion by Mr. Sturm to receive, file and send letter of appreciation to Ann Lubniewski, seconded by Mr. Blais, put to a vote and carried 5-0.

Public Comment

Ms. Frangipane mentioned that the White Lake Mansion House should be torn down; it has lost its architectural integrity. Although, she does not want to see building torn down and then the development stops and just have an empty construction site. The Town needs to ensure it the developer is going to follow through on this project.

Ms. Frangipane would like the Bethel Ag and Farmland Protection Plan back on the Town Board Agenda.

Additional Signage at Bethel Woods Crosswalk

Motion by Mr. Blais to install pedestrian signage in the crosswalk that indicates “State Law Vehicles Must Stop for Pedestrians”, seconded by Victoria Simpson, put to a vote and carried 5-0. Town Clerk Rita Sheehan suggested that at the crosswalk before the pedestrians enter the traffic for Bethel Woods to put up stop signs and painted signage on sidewalk before roadway “STOP”

Public Comment Continued

Jim Kelly noted that the sign on Hurd Road and West Shore needs to be seasonal.

Steve Altman mentioned that need trained emergency response team for natural gas drilling. Ms. Frangipane noted that County emergency coordinator is working on this issue.

Al Larson, Bethel Rural Land Owner's Association, stated he heard a rumor that Bethel was adopting a resolution on a moratorium on natural gas drilling moratorium. Mr. Larson explained a desalinization process directly from the well-head.

Pat and Bill Burns thanked the Town Board for nominating them as the Bethel Pride Award recipients.

Mr. Burns mentioned with emphasis that gas drilling is no good.

Adjournment

There being no further business, Mrs. Simpson moved to adjourn the meeting, seconded by Mr. Crumley, put to a vote and carried 5-0.

Respectfully submitted,

Rita J. Sheehan, Town Clerk