

THE TOWN OF BETHANY
REGULAR BOARD MEETING
NOVEMBER 11, 2024

Supervisor Hyde opened the November 11, 2024 Regular Town Board Meeting at 7:00 p.m. with the Pledge of Allegiance.

Town Officials present:

Carl Hyde, Jr., Supervisor

Steve Wells, Councilman

Superintendent

Timothy Emt, Councilman (7:15)

Shauna Klump, Town Clerk

Jeffrey Fluker, Councilman

Barb Czworka, Highway

Diane Fowler, Councilwoman

Town Clerk/Tax Collector Report – Shauna Klump

- Presented the Minutes of the October 2024 Regular Town Board meeting.

A **MOTION** was made by Councilwoman Fowler, duly seconded by Councilman Fluker, to approve the Minutes of the October 2024 Regular Town Board meeting as presented. The motion **PASSED** with All In Favor.

- October bank statements were also sent around and signed and approved by all Board members

- Resolution made and passed (see below) for changes made to March 2024 meeting mins.
- The Town Board approved the Town Clerk to do the 2025 Tax collection. (Bond Below)

Board Committee Reports

Councilman Fluker

- Slow month mostly EMS Calls

Councilman Embt

- The Zoning Board of Appeals did not meet

Councilwoman Fowler

- The Water Resource Committee did not meet.

Councilman Wells

- Also, no meeting

Supervisor Hyde

- Gam Meeting is in two weeks
- The board agreed moving forward we will have a budget workshop every September.
- Towns attorney (ELI) Reviewed the Resolution for the Increase for WD#5. All Board was in favor and passed resolution. (See Below)

Town CEO/ZEO Gerry Wood

- Currently Very busy for this time of the year. 3- Zoning permits 9- Building permits and 1- Land.

Highway Superintendent- Barb Czworka

- We are still mowing roadsides
- Repairing some shoulder problems around town
- County has been helping us with trimming roadsides back with their tractor with the blades for heavier brush. Francis, Silver, Mill, and Transit. Greatly Appreciated.
- We did a shared project with the County for Guardrail and Mill rd., we prepped the area and provided most of the materials, and the county used their guardrail post pounder to put it in place.
- We got our arm mower up and running again, last half a day this time the bearing went.
- 3 trucks have had oil changes done, and hydraulic filters have been changed and are ready for winter equipment to be put on.
- CHIPS paperwork has been turned in this past week. Next year everything will be done electronically.
- The new truck went back to Valley Fab, needed another return hydraulic line for the sanders we use.
- We have hired a Full-Time employee John Hargrave, he has been a part-time employee for 3 years, so now we will need a part time employee. Shauna has the ad ready and is has been posted.

RESOLUTION #62-2024 ADOPTING LOCAL LAW NO. 2-2024 OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW §3-c

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, Chapter 97 of the Laws of 2011 – “The Property Tax Cap” add a new section 3-c. to the General Municipal Law that provides that the amount of real property taxes that may be levied by or on behalf of any local government shall not exceed two percent (2%); and

WHEREAS, in order to adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year, only if the Town Board first enacts, by a vote of sixty percent (60%) of the total voting power, a local law to override such limit for such coming fiscal year only; and

WHEREAS, that the Town Board of the Town of Bethany feels it is in the best interests of the Town of Bethany to adopt said law.

NOW ON MOTION OF Councilman Fluker, which has been duly seconded by Councilman Embt, therefore, be it

RESOLVED, that the Town Board of the Town of Bethany feels it is in the best interests of the Town of Bethany to adopt Local Law No. 2 of 2024 entitled, “Override the Tax Levy Limit Established in General Municipal Law §3-c.” and be it

FURTHER RESOLVED, that the Town Clerk be and she hereby is directed to enter the adoption of said local law in the minutes of this meeting and give

due notice of the adoption of said local law to the Secretary of the State of New York.

Motion **PASSED** with following Roll Call Vote:

Supervisor Hyde – Yes

Councilman Fluker – Yes

Councilman Embt – Yes

Councilman Wells – Yes

Councilwoman Fowler – Yes

RESOLUTION #63-2024 ADOPTION OF 2025 ANNUAL TOWN BUDGET

WHEREAS, the Town of Bethany Chief Fiscal Officer prepared a Tentative Budget for review by the Bethany Town Board, and

WHEREAS, the Town Board has reviewed the Tentative Budget in formulation of the Preliminary Budget; and

WHEREAS, the 2025 Preliminary Budget was adopted on October 11, 2024,

NOW ON MOTION OF Councilman Fluker, duly seconded by Councilman Embt, therefore be it

RESOLVED, the Bethany Town Board hereby adopts the Final Town Budget as the 2025 Annual Budget of the Town of Bethany. And be it

FURTHER RESOLVED, that the Town Clerk be, and she hereby is, directed to enter the adoption of said 2024 Town Budget in the minutes of this meeting and file the said budget with the Genesee County Legislature and the Genesee County Real Property Tax Services.

Motion **PASSED** with the following Roll Call Vote:

Supervisor Hyde – Yes

Councilman Embt – Yes

Councilwoman Fowler - Yes

Councilman Fluker - Yes

Councilman Wells -Yes

**TOWN OF BETHANY
RESOLUTION #-2024
ADOPTING LOCAL LAW NO. 2-2024 OVERRIDING THE TAX LEVY LIMIT
ESTABLISHED BY GENERAL MUNICIPAL LAW §3-c**

The Town Board of the Town of Bethany met at a regular board meeting at the Town Offices of the Town of Bethany located at 10510 Bethany Center Road, in the Town of Bethany, New York on the 11th day of November 2024 commencing at 7:00 p.m., and thereafter a public hearing was held at 7:00 p.m. at which time and place the following members were:

| | | |
|-----------------|--------------|----------------|
| <u>Present:</u> | Supervisor | Carl Hyde |
| | Councilman | Jeffrey Fluker |
| | Councilman | Timothy Embt |
| | Councilwoman | Diane Fowler |
| | Councilman | Steve Wells |

Absent:

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, Chapter 97 of the Laws of 2011 – “The Property Tax Cap” add a new section 3-c. to the General Municipal Law that provides that the amount of real property taxes that may be levied by or on behalf of any local government shall not exceed two percent (2%); and

WHEREAS, in order to adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year, only if the Town Board first enacts, by a vote of sixty percent (60%) of the total voting power, a local law to override such limit for such coming fiscal year only; and

WHEREAS, a Notice of Public Hearing was duly published in the Town’s official newspaper and said public hearing was held on November 11, 2024 at which time all parties in attendance were provided an opportunity to speak or provided written comment in favor of or in opposition to the proposed local law; and

WHEREAS, that the Town Board of the Town of Bethany feels it is in the best interests of the Town of Bethany to adopt said law.

NOW ON MOTION OF Councilman Fluker, which has been duly seconded by Councilman Embt, therefore, be it

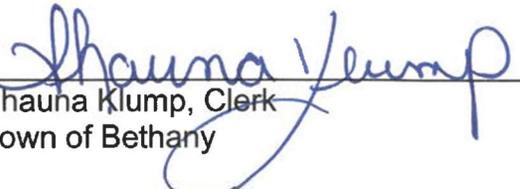
RESOLVED, that the Town Board of the Town of Bethany feels it is in the best interests of

the Town of Bethany to adopt Local Law No. 2 of 2024 entitled, "Override the Tax Levy Limit Established in General Municipal Law §3-c." and be it

FURTHER RESOLVED, that the Town Clerk be and she hereby is directed to enter the adoption of said local law in the minutes of this meeting and give due notice of the adoption of said local law to the Secretary of the State of New York.

Ayes: 5
Nays: _
Absent/Abstain: 0
Quorum Present: Yes No
Dated: November 11, 2024




Shauna Klump, Clerk
Town of Bethany

I certify that this is a true copy of
the **Certificate as appears from the**
records of the Town Clerk in this office.

REGISTRAR - TOWN OF BETHANY, NY

RESOLUTION #-2024 - MODIFY March 2024 Town Board Minutes

WHEREAS, the Town of Bethany will be modifying the minutes from the March 2024 meeting adding in the three properties tax map number as follows, Ron Alvord 8.-1-50.1, Jeffery Ackerman 4.-1-13 and Scott Wolff 1828007.-1-29.21.

WHEREAS, the properties will be charged .5 unit until a structure is built on said properties at which time they will be raised to 1 unit for the remainder of the Bethany WD#5 debt services,

MOTION of Councilman Jeff Fluker, duly seconded by Councilman Diane Fowler, be it

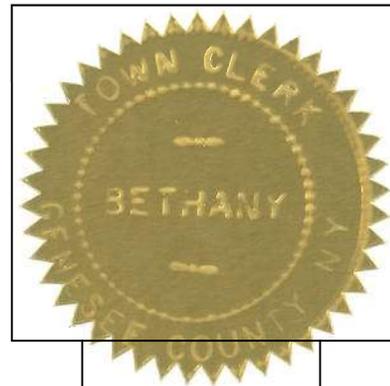
RESOLVED, the Town Clerk is hereby authorized to modify the March 2024 Meeting Minutes:

Motion **PASSED** with the following Roll Call Vote:

Supervisor Hyde – Yes
Councilman Fluker – Yes
Councilman Wells – Yes

Councilwomen Fowler– Yes
Councilman Embt – Yes

Dated: November 11, 2024



TOWN OF BETHANY

RESOLUTION 2024

BONDING OF TOWN OF BETHANY TAX COLLECTOR

WHEREAS, the Town is required by law to file a bond on the Tax Collector with the County Clerk prior to tax rolls and bills being picked up, and

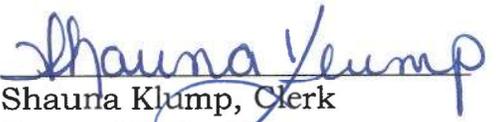
WHEREAS, the Town is required by law to bond the Tax Collector for the money in the control of the Tax Collector,

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector shall have no more than \$500,000.00 in her control at any time, and

BE IT FURTHER RESOLVED that the Tax Collector shall be bonded by the Town in the amount of \$500,000.00.

Resolved and Executed on this 11th day of November 2024.




Shauna Klump, Clerk
Town of Bethany

**GENESEE COUNTY
PUBLIC NOTICE
NOTICE OF AMENDMENT AND RESTATEMENT OF BOND RESOLUTION
TOWN OF BETHANY**

NOTICE IS HEREBY GIVEN that an amending and restating bond resolution, a summary of which is published herewith, has been adopted by the Town Board of the Town of Bethany, County of Genesee, New York (the "Town"), on November 11, 2024 and the validity of the obligations authorized by such resolution may be hereafter contested only if:

(1) (a) such obligations were authorized for an object or purpose for which the Town of Bethany is not authorized to expend money or

(b) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication; or

(2) such obligations were authorized in violation of the provisions of the Constitution of New York.

SUMMARY OF BOND RESOLUTION

The following is a summary of an amending and restating bond resolution adopted by the Town Board of the Town of Bethany (the "Town") on November 11, 2024, that amends and restates a bond resolution that was previously adopted by the Town Board on January 10, 2022 (the "Original Bond Resolution"). The proceeds from the sale of the obligations authorized in such bond resolution shall be used to finance a certain capital improvements project consisting of but not limited to, the installation of approximately 140,000 linear feet of water main along various roads in the Town, the installation of new pump stations and elevated water storage tanks, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report prepared in connection with such project, including all related right-of-way costs, new service installation, site work and other ancillary work, including hydrants, valves, appurtenances preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"), at an estimated maximum amount of \$21,680,000. Such amending and restating bond resolution authorizes the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of such serial bonds, in an aggregate principal amount not to exceed \$21,680,000 such amount to be offset by any federal, state, county and/or local funds received, including, but not limited to, anticipated grant funds expected to be received from various state and/or federal agencies. Additionally, the amending and restating bond resolution authorizes: (a) an increase in the estimated maximum amount of the Project from \$16,680,000 to \$21,680,000, and (b) an increase in the amount of serial bonds authorized from \$16,680,000 to \$21,680,000 and to make other modifications to the Original Bond Resolution as may be consistent with law. Such increase in costs for the Project is due to the modification of the scope of the project and in increase in the total cost. The period of probable usefulness for said purpose is 40 years. A copy of the resolution summarized herein is available for public inspection during normal business hours at the Office of the Town Clerk located in the Town Hall, 10510 Bethany Center Road, East Bethany, New York.

Adjournment

A **MOTION** was made by Councilwoman Fowler, duly seconded by Councilman Fluker to adjourn the meeting at 8:35 p.m. The motion **PASSED** with All In Favor.

BY ORDER OF THE

BETHANY TOWN BOARD

DATED: November 11, 2024

Respectfully Submitted,

Shauna Klump, RMC

Bethany Town Clerk