

TOWN OF BETHANY
REGULAR TOWN BOARD MEETING

15 October 2025

Supervisor Hyde opened the October 15, 2025 Regular Town Board Meeting at 7:00 p.m. with a prayer offered by Councilman Wells followed by the Pledge of Allegiance.

Town Officials in Attendance were:

Carl Hyde, Jr., Supervisor	Steve Wells, Councilman
Bill Elssasser, Councilman	
Timothy Embt, Councilman	Shauna
Klump, Town Clerk	
Diane Fowler, Councilwomen	

Supervisor Hyde opened the public hearing at 7:05pm to discuss prior written notices. The Town Board has decided to “table” this Local Law until next month. See draft below. Supervisor Hyde closed the public hearing at 7:14pm.

TOWN OF BETHANY

PROPOSED LOCAL LAW NO. 1 OF 2025

“PRIOR WRITTEN NOTICE”

A local law providing for written notification of defects and obstructions on Town highways, bridges, streets, sidewalks, crosswalks and culverts in the Town of Bethany.

BE IT ENACTED by the Town Board of the Town of Bethany as follows:

SECTION I. TITLE

This local law is adopted pursuant to the authority of Municipal Home Rule Law of the State of New York and shall be known as “Prior Written Notice”.

SECTION II. PERTAINING TO TOWN HIGHWAYS, BRIDGES, STREETS, SIDEWALKS, CROSSWALKS AND CULVERTS

No civil actions shall be maintained against the Town of Bethany or Town Superintendent of Highways for damages or injuries to person or property sustained by reason of any highway bridge, street, sidewalk, crosswalk or culvert being defective, out of repair, unsafe, dangerous or obstructed unless written notice of such defective, unsafe, dangerous, or obstructed condition of such highway, bridge, street, sidewalk, crosswalk or culvert was actually given to the Town Clerk or Town Superintendent of Highways, and there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction complained of. No such action shall be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any highway, bridge, street, sidewalk, crosswalk or culvert, unless written notice thereof, specifying the particular place, was actually given to the Town Clerk or Town Superintendent of Highways and there was failure or neglect to cause such snow or ice to be removed, or to make the place otherwise reasonably safe within reasonable time after the receipt of such notice.

SECTION III. TRANSMITTAL OF NOTICES TO CLERK

The Town Superintendent of Highways shall transmit in writing to the Town Clerk within ten (10) days after the receipt thereof all written notices received pursuant to this local law.

SECTION IV. RECORDKEEPING

The Town Clerk shall keep an indexed record, in a separate book, of all written notices received of the existence of a defective, unsafe, dangerous or obstructed condition in or upon, or of an accumulation of ice or snow upon any Town highway, bridge, culvert or sidewalk, which record shall state the date of receipt of the notice, the nature and location of the condition stated to exist, and the name and address of the person from whom the notice is received. All such written notices shall be indexed according to the location of the alleged defective, unsafe,

dangerous or obstructed condition, or the location of accumulated snow or ice. The record of each notice shall be preserved for a period of five (5) years after the date it is received.

SECTION V. SEVERABILITY

If any part or provision of this Local Law, or the application thereof, to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this Local Law, or application thereof to other persons or circumstances, and the Town Board of the Town of Bethany hereby declares that it would have passed this Local Law or the remainder thereof, had such invalid application or invalid provision been apparent.

SECTION VI. REPEAL

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

SECTION VII. SUPERSESION OF STATE LAW

It is the intent of the Town Board of the Town of Bethany, pursuant to the Municipal Home Rule Law of the State of New York, to supersede such portions of § 65-A of the Town Law of the State of New York. This Local law shall supersede in its application NYS Town Law §65-A, Sections 1, 2 & 3.

SECTION VIII. WHEN EFFECTIVE

This local law shall take effect immediately upon its filing in the office of the Secretary of State.

Town Clerk Report – Shauna Klump

- Presented the Minutes of the September 2025 Regular Town Board meeting.

A **MOTION** was made by Councilman Wells and seconded by Councilman Embt to approve the Minutes of the September 2025 Regular Town Board meeting as presented. The motion **PASSED** with All In Favor.

- The Clerk's Monthly Report and Bank Statements for September were reviewed by the Town Board.
- Town clerk discussed the possibilities of starting up an account for all Zoning and Coding Laws through Code 360.
- Also discussed the possibility of starting the process to make a Town Law granted people outside of our Township the ability to apply for Elected positions. (Working with other Town Clerks)
- Town Clerk swore in Bill Elsasser is our new Town Board member.

CEO/ZEO Report – Gerry Wood

- Gerry and Tom Foss discussed some concerns within the Town. Agreed that new Zoning and Coding books need to be created and a better open line of communication.
- Gerry presented the board with a printout of all open permits currently within the town.

Highway Superintendent Report – Barb Czworka

- We helped Genesee and Wyoming Counties, Batavia, Pavilion, Alexander and the Village of Alexander.
- Trimming branches that are interfering with road signs.
- Have broomed Cacner Road and Paradise Road.
- Round 3 of Mowing is close to completion
- Picking up large items off shoulder of roads
- Arm mower has been out touching up overgrown areas. It required some Maintenance of Batteries and a bearing.
- Filters on Road widener changed.
- Broom bristles were switched and Paradise and Cacner road were broomed.
- Had a tree down on Paul Road would like to Thank Fire dept. for their help.
- Work being done on Highway building is going well and looks good.
- Working on getting parts ordered from insurance inspection.

- 1203 Mack transmission issues we have been having since last November/December. We took it to Penn Detroit Diesel they specialize in Allison Transmissions. They removed the transmission control module and programmed a new one and installed it in the truck.
- 1204 has two new front tires.
- Add 1400 tons of salt, with close to 300 tons left totaling 1700 tons. All is sprayed and put up ready for winter.
- 1203 Tarp working as it should.
- Installed Driveway on Conway Road
- Backhoe is out of commission for a bit; Fan belt broke on the way back.

Board Committee Reports

Councilman Wells

- No report

Councilman Embt

- o The Zoning Board of Appeals did not meet.

Councilman Elsasser

- Just joined the Town Board and very happy to be here.

Councilwomen Fowler

- Water is on track as of right now although 2.5ft below what it was last year at this time.

Supervisor Hyde:

- WD#5 Phase 2 is temporarily on hold due to the USDA being shut down from the government shut down. Please feel free to Call Senator Charles Schumer (585) 263-5866 or Senator Kristen Gillibrand (585) 263-6250 to voice your concerns.
- Town Board was given and reviewed the preliminary budget for 2025.
- The Bethany Center Baptist church has submitted a request from the Town board. Please see below.

BETHANY CENTER BAPTIST CHURCH
10420 BETHANY CENTER ROAD
EAST BETHANY, NY 14054

To: Bethany Town Board

From: Bethany Center Baptist Church

Date: October 9, 2025

We have often heard that our Town of Bethany needs to come together, building relationships where neighbors know and help one another as needed. Since the Bethany Center Baptist Church is in the center of town and willing to serve in our community, we would like to honor our Veteran's during our service on Sunday, November 9th at 10:30 am.

If you are a veteran or know of a veteran in our community, could you please leave a message with their name, branch of service and contact information at 585-409-8768. Anyone not being honored at their church is welcome to join us for this service, which will be immediately followed by a reception in their honor.

If the Town Board is willing to add this request to their website also, it would be greatly appreciated! If you have any thoughts on how to bring our community together, please let us know how we can be of service.

- Town Board was informed of information regarding the resolution for the Putnam Road cemetery and passed the board. Attorney for cemetery was present. Please review resolution below.

TOWN OF BETHANY
RESOLUTION TO ACCEPT TRANSFER OF PUTNAM ROAD CEMETERY TO TOWN
OF BETHANY

Adopted: Oct 15, 2025

WHEREAS, the Town Board of the Town of Bethany met at a regular board meeting at the Town Offices located in the Town of Bethany, New York on the 15 day of October, 2025, 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:

Present:	Supervisor	<u>Carl Hyde Jr.</u>
	Councilmember	<u>Diane Fowler</u>
	Councilmember	<u>Steve Wells</u>
	Councilmember	<u>Bill Elsassor</u>
	Councilmember	<u>Tim Embt</u>
Absent:	<u>Councilman</u>	<u>N/A</u>

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, the Town Board of the Town of Bethany is empowered by Town Law §64(8) to take by gift, grant, bequest or devise and hold real and personal property absolutely or in trust for parks or gardens, or for the erection of statues, monuments, buildings or structures, or for any public use, upon such terms or conditions as may be prescribed by the grantor or donor and accepted by said town, and provide for the proper administration of the same; and

WHEREAS, a property owner in the the Town of Bethany has offered to gift a parcel of land located at 9506 Putnam Road, Tax Map No. 1.-1-20, to the municipality, as the property contains an old abandoned cemetery, more specifically bound and described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Bethany, County of Genesee and State of New York, being part of Lot 56, Township 11, Range 1 of the Holland Land Company's survey, and more particularly described as follows:

Commencing at the intersection of the westerly highway boundary of Putnam Road and the southerly line of land conveyed to Kenneth Lowell, Jr. at Liber 416 of Deeds, page 644, said point also being the intersection of the westerly highway boundary of Putnam Road and the northerly line of land conveyed to Johan and Paula Bakker at Liber 469 of Deeds, page 821;

Thence N 84°28'00" W, along the northerly line of Bakker lands, a distance of 600.96' to the point of beginning of the parcel to be described herein, said point being the southeast corner of the Putnam Cemetery as it is currently occupied;

Thence S 84°28'00" W, along the northerly line of Bakker lands, a distance of 40.00' to point, said point being the northwest corner of Bakker lands and also being the northeast corner of land conveyed to Susan E. Blackburn at Liber 709 of Deeds, page 46;

Thence N 84°32'12" W, along the northerly line of Blackburn lands, a distance of 102.00' to a point, said point being the southwest corner of the Putnam Cemetery as it is currently occupied;

Thence N 06°08'29" E, along the westerly line of the Putnam Cemetery as currently occupied, a distance of 266.54' to a point, said point being the northwest corner of the Putnam Cemetery as currently occupied;

Thence S 85°40'58" E, along the northerly line of the Putnam Cemetery as currently occupied, a distance of 153.00' to a point, said point being the northeast corner of the Putnam Cemetery as currently occupied;

Thence S 08°27'42" W, along the easterly line of the Putnam Cemetery as currently occupied, a distance of 270.00' to the point of beginning, containing 0.907 +/- acre; and

WHEREAS, it is the desire of the Town to accept the deed of transfer for the above described property; and

WHEREAS, the Town Board finds it in the best interest of the Town of Bethany to authorize and empower the Supervisor of the Town of Bethany to accept and execute any and all documents necessary for their acquisition to secure such transfer; and

NOW ON MOTION OF Steve Wells, which has been duly seconded by Bill Elsasser, now therefore be it

RESOLVED, that the Town Board of the Town of Bethany feels it is in the best interest of the Town to accept the aforementioned parcel as a gift; and be it further

RESOLVED, the Town Board of the Town of Bethany hereby authorizes and empowers the Supervisor of the Town of Bethany to accept execute any and all documents necessary for their acquisition owner to secure such transfer.

Ayes: 4

Nays: 0

Quorum Present: ☒ Yes ☐ No

Dated: October 15, 2025



Shauna Klump
Shauna Klump, Clerk
Town of Bethany

- Town Board was presented with quotes to get all board member's Ipads for next year, 2026, total of \$8,610.00. Board is deciding if it is necessary for everyone to have one. Will be discussed further next month.
- The Town bookkeeping will switch over to Williamson Law program as of January 2026.
- Resolution was passed for the loan from General Funds is needed to complete Phase 1 of WD#5. Please see below the resolution.

**TOWN OF BETHANY
RESOLUTION AUTHORIZING \$700,000 INTERFUND LOAN FROM GENERAL
FUND TO THE BETHANY WATER DISTRICT NO. 5 CAPITAL FUND CHECKING
ACCOUNT**

At a regular meeting of the Town Board of the Town of Bethany, held on October 15, 2025, at the Bethany Town Hall, Bethany, New York.

WHEREAS, the Town Board of the Town of Bethany desires to provide temporary financing for expenditures related to the Bethany Water District #5 Capital Project; and

WHEREAS, it is permissible under Section 9-a of the New York State General Municipal Law for the Town to make an interfund advance from the General Fund to the Water Capital Project Fund, provided it is repaid in accordance with the applicable laws and regulations; and

WHEREAS, the Town's General Fund has available cash balances to temporarily advance \$700,000 to the Water District #5 Capital Project Fund;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to transfer the sum of up to \$700,000 from the General Fund to the Water District #5 Capital Project Fund as cash flow needs dictate, as an interfund loan to carry a 3.40% interest rate, to be repaid upon receipt of USDA RD interim loan funds and/or NYS WIIA grant funds, or other available funds; and

BE IT FURTHER RESOLVED, that said interfund loan shall be recorded in the financial records of the Town with the following entries, consistent with the NYS Office of the State Comptroller's Accounting and Reporting Manual:

General Fund – A

- **Debit:** 391 Due from Other Funds \$700,000
- **Credit:** 200 Cash \$700,000

Water Capital Project Fund – H

- **Debit:** 200 Cash \$700,000
- **Credit:** 630 Due to Other Funds \$700,000

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

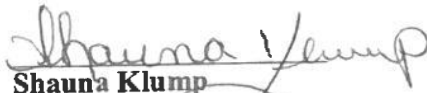
Motion made by: Steve Wells
Seconded by: Bill Elsassor

Adopted by the following vote:

Ayes 4 NAYS 0 Abstain

CERTIFICATION

I hereby certify that the above resolution was duly adopted by the Town Board of the Town of Bethany at its meeting held on October 15 2025.


Shauna Klump
Town Clerk



- The Town Board was also presented with the Bethany Fire Departments Yearly budget as seen below.

**Bethany Fire Department
Yearly Fire Budget**

<u>Fire Department</u>	2026 Budget
<u>Equipment/Capital Outlay:</u>	
Building	\$1,000.00
Radio/Pager Equipment	\$9,000.00
Rescue Equip/Gear	\$11,500.00
Air Pack Equip	\$5,000.00
Computer Equipment	\$800.00
Class A	\$2,000.00
EMS	\$2,000.00
	\$31,300.00
<u>Chief Firematic</u>	
Truck Repairs	\$7,000.00
Radio Repairs	\$500.00
Gear/Uniforms/Shirts	\$1,850.00
Tool & Equipment Maint	\$2,000.00
Training	\$2,000.00
Physicals	\$3,500.00
Fire Police	\$500.00
EMS	\$3,000.00
Building Maint Repairs	\$500.00
	\$20,850.00
<u>Other Operational Exp</u>	
Insurance	\$20,000.00
Utilities Electric	\$3,000.00
Utilities Propane	\$4,000.00
Utilities Internet	\$1,600.00
Utilities Cell Phones	\$1,000.00
Advertising	\$100.00
Postage	\$200.00
Printing 911 House Signs	\$100.00
Supplies Office/Clerical	\$100.00
Operations/General	\$2,000.00
Dues/Subs	\$900.00
Kitchen Steward	\$900.00
Kitchen Maint	\$500.00
Kitchen Supplies	\$200.00
Sunshine	\$300.00
Installation Dinner	\$5,000.00

Misc & Fundraising	\$100.00
Misc - Fire Prevention	\$300.00
	<u>\$40,300.00</u>
Personal Services	
Bookkeeper	\$2,400.00
Professional	\$1,000.00
Legal	\$1,000.00
Grants	\$1,000.00
	<u>\$5,400.00</u>
Bank Fees	\$200.00
Donation Exp	\$100.00
	<u>\$300.00</u>
New Fire Equip	\$5,000.00
	\$5,000.00
TOTAL BUDGET	\$103,150.00

Adjournment

A **MOTION** was made by Councilman Wells, duly seconded by Councilman Embt to adjourn the meeting at 9:24 p.m. The motion **PASSED** with All In Favor.

Town Board went into executive session at 9:25pm to discuss union negotiations.

BY ORDER OF THE
BETHANY TOWN BOARD
DATED: October 15, 2025

Respectfully Submitted,

Shauna Klump, RMC
Bethany Town Clerk