

TOWN OF BETHANY
REGULAR TOWN BOARD MEETING
09 FEBRUARY 2026

Supervisor Hyde opened the February 09, 2026, Regular Town Board Meeting at 7:00 p.m. with the Pledge of Allegiance.

Town Officials in Attendance were:

Bill Elsasser, Councilman	Timothy Embt, Councilman
Steve Wells, Councilman	Diane Fowler, Councilwoman
Shauna Klump, Town Clerk	
Barbara Czworka, Highway Superintendent	
Carl Hyde, Jr., Supervisor	

Supervisor Hyde opened public hearing at 7:05pm.

- Reading of Town Resolution for Town Clerk. Please see attachment.
- Letter from Towns Attorney. Please see attachment
- Resolution Phase 1 contract 1. Please see attachment
- Resolution change order #2. Please see attachment

**TOWN OF BETHANY
RESOLUTION TO SET PUBLIC HEARING REGARDING RESIDENCY
REQUIREMENTS FOR TOWN CLERK**

Adopted: Feb 9th, 2026

WHEREAS, the Town Board of the Town of Bethany met at a regular board meeting at the Town Hall located at 10510 Bethany Center Road, East Bethany, New York, on the 9 day of February 2026, commencing at 7:00 p.m., at which time and place the following members were:

Present:	Supervisor	<u>Carol Hyde Jr.</u>
	Councilmember	<u>Diane Fowler</u>
	Councilmember	<u>Tim Empt</u>
	Councilmember	<u>Steve Wells</u>
	Councilmember	<u>Bill Eisasser</u>
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, the Town Board of the Town of Bethany desires to allow the Town Clerk position to be held by a resident of the Town of Bethany or an individual residing in an adjoining Town or Village within Genesee County; and

WHEREAS, the Town Board has consulted with the Town Attorney and finds that special legislation through the State Legislature should be sought to make said change; and

WHEREAS, the Town Board of the Town of Bethany finds it in the best interest to seek special legislation through the State Legislature and to hold a public hearing regarding said change; and

NOW ON MOTION OF Bill Eisasser which has been duly seconded by Tim Empt, be it

RESOLVED, that the Town Board of the Bethany will hold a public hearing on allowing the Town Clerk position to be held by a resident of the Town of Bethany or an individual residing in an adjoining Town or Village within Genesee County, on the 9 day of February 2026 at 7:00 P.M., at which time all interested parties and citizens for or against the proposed said change will be heard; and be it further

RESOLVED, that the Town Board of the Town of Bethany shall allow the Supervisor,

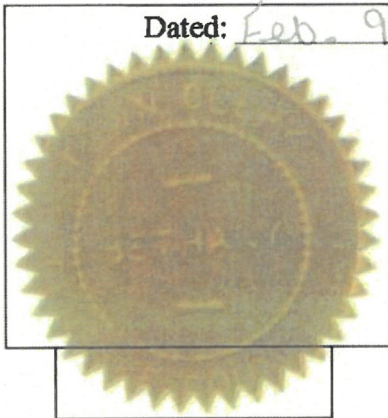
RESOLVED, by the Town Board of the Town of Bethany, that the Town Clerk is hereby directed to post a Notice of Public Hearing at Town Hall, to post such Notice on the Town Website, and to publish such Notice in the Town's Official Newspaper.

Ayes: 5

Nays: 0

Quorum Present: Yes No

Dated: Feb. 9, 2026



Shauna Klump
Shauna Klump, Clerk
Town of Bethany

ATTEO ROACH & ELLY
ATTORNEYS AT LAW

DAVID M. DiMATTEO, ESQ.
ELIJAH H. McWHINNEY, ESQ.

DAVID M. ROACH, ESQ.
TAYLOR A. ERHARDT, ESQ.

MARSHALL A. KELLY, ESQ.
MORGAN E. MILHOLLEN, ESQ.

Carl Hyde, Supervisor
Town of Bethany
10510 Bethany Center Road,
East Bethany, NY 14054

Re: **TOWN OF BETHANY, WATER DISTRICT NO. 5**
CHANGE ORDER NO. 2

Dear Supervisor Hyde:

It has come to my attention that Randsco Pipeline, Inc. and their material supplier, Core & Main, have indicated by letters addressed to the Town of Bethany dated February 2, 2026 that they shall maintain their *Contract 1-Water Main* unit pricing for the additional footage of pipe needed to complete *Contract 4-East Side Water Main*.

The Town of Bethany Water District No. 5 *Contract 1-Water Main* was awarded to Randsco Pipeline, Inc. at the Town of Bethany Town Board meeting on October 8th, 2025. The cost of *Contract 1-Water Main* is \$3,709,200.00 for Base Bid and \$50,400.00 for Alternate 1, totaling \$3,759,600.00.

The Town now desires to award the installation of additional water main, valves, hydrants and appurtenances to Randsco Pipeline, Inc. as a change order to the original contract for a project to be identified as *Contract 4-East Side Water Main*, which includes the installation of approximately 57,250 linear feet of 8-inch water main, valves, hydrant, water services and appurtenances along Clapsaddle Road, East Road, East Bethany-LeRoy Road, Ellicott Street (NYS Route 63), Fargo Road, Little Canada Road, Little Canada Extension, McLernon Road, and Paul Road in the Town of Bethany, for a total amount of \$4,677,500.00.

Upon review, the original contract price was awarded at \$3,759,600.00 for *Contract 1-Water Main*, with an addition of this Change Order of \$4,677,500.00 for *Contract 4-East Side Water Main*, for a new contract price incorporating this Change Order for a total of \$8,437,100.00. Pursuant to my correspondence with Mr. Zach Anderson, Senior Engineering Project Manager at Clark Patterson Lee (CPL), this bid amount would keep the Town of Bethany under the maximum expenditures of \$21,680,000.00 for the Water District No. 5 project.

(SIGNATURE PAGE TO FOLLOW)

**TOWN OF BETHANY
RESOLUTION AUTHORIZING BID AWARD FOR WATER DISTRICT NO. 5
PHASE 1, CONTRACT 1**

Adopted: February 9th, 2026

WHEREAS, the Town Board of the Town of Bethany met at a regular board meeting at the Town Offices of the Town of Bethany in the Town of Bethany, New York on the 9th day of February, 2026, commencing at ___:___ p.m., at which time and place the following members were:

- Present: Supervisor
- Councilman
- Councilman
- Councilman
- Councilman

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, the Town of Bethany received bids on August 28th, 2025 at 10:00 am for the construction of the water main in the Town of Bethany; and

WHEREAS, Randsco Pipeline, Inc, of Macedon, NY, was the lowest responsible bidder at a cost of \$3,709,200.00 for Base Bid and \$50,400.00 for Alternate 1, totaling \$3,759,600.00; and

WHEREAS, Clark Patterson Lee (CPL) has completed a review of the low bidder and the bid tabulation; and

WHEREAS, a Resolution was passed on September 8th, 2025, awarding the base bid amount of \$3,709,200.00; and

WHEREAS, the Town Board of the Town of Bethany wishes to re-adopt this Resolution for the full award amount of \$3,759,600.00, representing \$3,709,200.00 for Base Bid and \$50,400.00 for Alternate 1; and

WHEREAS, upon consulting with the Town’s Engineer at Clark Patterson Lee (CPL) and the Town Attorney at DiMatteo Roach & Kelly, this bid amount would keep the Town of Bethany under the maximum expenditures of \$21,680,000.00 for the Water District No. 5 project; and

NOW ON MOTION OF Diane Fowler which has been duly seconded by Bill Elcass, now, therefore be it

RESOLVED, the Town of Bethany hereby awards the bid to Randsco Pipeline, Inc. at a cost of \$3,759,600.00 for the full award amount, representing \$3,709,200.00 for Base Bid and \$50,400.00 for Alternate 1, approval by the USDA-Rural Development reference letter dated September 8th, 2025, and the insurance and bonding being in place as approved by the Town Attorney; and be it further

RESOLVED, the Town of Bethany hereby authorizes the Supervisor to execute the agreement with Randsco Pipeline, Inc. and to issue the Notice to Proceed once the aforementioned conditions are met.

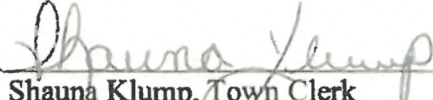
Ayes: x
Nays:
Abstain:
Quorum Present: Yes No

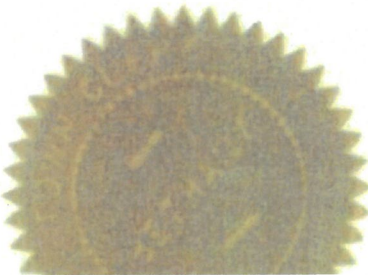
CERTIFICATION

STATE OF NEW YORK)
COUNTY OF GENESEE) ss:
TOWN OF BETHANY)

I, Shauna Klump, Town Clerk of the Town of Bethany, County of Genesee, State of New York, **DO HEREBY CERTIFY** that I have compared the foregoing Resolution duly adopted by the Town Board of the Town of Bethany on the 9th, day of February, 2026, with the original there of now on file in my office, and the same is a correct and true copy of said resolution and of the whole thereof.

Dated: February 9, 2026


Shauna Klump, Town Clerk
Town of Bethany



**TOWN OF BETHANY
RESOLUTION AUTHORIZING WATER DISTRICT NO. 5
CONTRACT 1-WATER MAIN, CHANGE ORDER NO. 2**

Adopted: February 9th, 2026

WHEREAS, the Town Board of the Town of Bethany met at a regular board meeting at the Town Offices of the Town of Bethany in the Town of Bethany, New York on the 9th day of February, 2026, commencing at 7:00 p.m., at which time and place the following members were:

<u>Present:</u>	Supervisor	<u>Carl Hyde Jr.</u>
	Councilman	<u>Diane Fowler</u>
	Councilman	<u>Tim Embt</u>
	Councilman	<u>Steve Wells</u>
	Councilman	<u>Bill Elasser</u>
<u>Absent:</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 of Bethany received multiple bids for the construction of the water main in the Town of Bethany for Water District No. 5; and

WHEREAS, Clark Patterson Lee (CPL) had previously separated the installation of 155,000 linear feet of water main associated with Water District No. 5 into five (5) total contracts to attract multiple contractors and create a competitive bidding market, with a total of seven (7) bids being received for *Contract 1-Water Main*; and

WHEREAS, after a review of the received bids and bid tabulation, Randsco Pipeline, Inc., of Macedon, NY, was the lowest responsible bidder at a cost of \$3,709,200.00 for Base Bid and \$50,400.00 for Alternate 1, totaling \$3,759,600.00 for *Contract 1-Water Main*; and

WHEREAS, the contract was awarded to Randsco Pipeline, Inc. at the Town of Bethany Town Board meeting on October 8th, 2025; and

WHEREAS, by Resolution entitled "Resolution Authorizing Bid Award for Water District No. 5 Phase 1, Contract 1" duly passed on February 9th, 2026, Randsco Pipeline, Inc. was authorized by the Town of Bethany in the full award amount of \$3,759,600.00, representing \$3,709,200.00 for Base Bid and \$50,400.00 for Alternate 1; and

WHEREAS, the Town now desires to award the installation of additional water main, valves, hydrants and appurtenances to Randsco Pipeline, Inc. as a change order to the original contract; and

WHEREAS, this project shall be identified as *Contract 4-East Side Water Main*, which includes the installation of approximately 57,250 linear feet of 8-inch water main, valves, hydrant, water services and appurtenances along Clapsaddle Road, East Road, East Bethany-LeRoy Road, Ellicott Street (NYS Route 63), Fargo Road, Little Canada Road, Little Canada Extension, McLernon Road, and Paul Road in the Town of Bethany, for a total amount of \$4,677,500.00; and

WHEREAS, Randsco Pipeline, Inc. and their material supplier, Core & Main, have indicated by letters addressed to the Town of Bethany dated February 2, 2026 that they shall maintain their *Contract 1-Water Main* unit pricing for the additional footage of pipe needed to complete *Contract 4-East Side Water Main*; and

WHEREAS, the Town Board recognizes that the original contract price was awarded at \$3,759,600.00 for *Contract 1-Water Main*, with an addition of this Change Order of \$4,677,500.00 for *Contract 4-East Side Water Main*, for a new contract price incorporating this Change Order for a total of \$8,437,100.00; and

WHEREAS, upon consulting with the Town's Engineer at Clark Patterson Lee (CPL) and the Town Attorney at DiMatteo Roach & Kelly, this bid amount would keep the Town of Bethany under the maximum expenditures of \$21,680,000.00 for the Water District No. 5 project; and

WHEREAS, due to previous request for proposals for the same scope of work, and Randsco Pipeline, Inc.'s previous bid, this change order shall be issued without further public bidding in accordance with New York State competitive bidding requirements set out in Wick's Law and Article 5-A of General Municipal Law, as those requirements have been satisfied; and

NOW ON MOTION OF Steve Wells which has been duly seconded by

Jane Fowler now, therefore be it

RESOLVED, the Town of Bethany hereby accepts Change Order No. 2 for the addition of *Contract 4-East Side Water Main* of approximately 57,250 linear feet of 8-inch water main to *Contract 1-Water Main*, which is currently awarded to Randsco Pipeline, Inc.; and be it further

RESOLVED, the Change Order No. 2 will be awarded in the amount of \$4,677,500.00, increasing the *Contract 1-Water Main* contract price from \$3,759,600.00 to \$8,437,100.00 with

final approval being contingent upon concurrence of Award by the USDA Rural Development and NYS Environmental Facilities Corporation; and be it further

RESOLVED, the Town of Bethany hereby authorizes the Supervisor to execute the agreement with Randsco Pipeline, Inc. and to issue the Notice to Proceed once the aforementioned conditions are met.

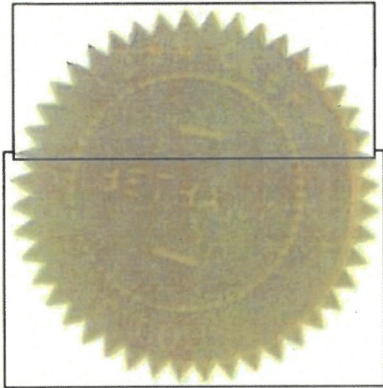
Ayes: x5

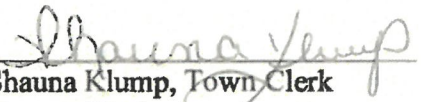
Nays: 0

Abstain:

Quorum Present: Yes No

Dated: February 9, 2026




Shauna Klump, Town Clerk
Town of Bethany

- Presented the Minutes of January 2026, Organizational & Regular Town Board meeting.

A motion was made by Councilman Wells, duly seconded by Councilman Fluker, to approve the Minutes of the January 2026, Organizational & Regular Town Board meeting as presented. Motion passed with All in Favor.

- The Clerk's Monthly Report for January and bank statements were reviewed by the Town Board.

Highway Superintendent Report – Barbara Czworka

- 1210 wipers only on drivers' side would work, we got a new assembly out that in truck both are now working. 4-wheel drive quit working, took to PS Heavy Duty Repair, line was frozen, also realized we couldn't turn hubs because they were rusted.
- New mowing tractor: This month Carl signed paperwork so we can get billed. I am still expecting delivery sometime in March/April.
- 1200 needs windshield replaced. Calling it into insurance company 1/13/2026. We have an appointment on 2/26/26 at Mooch's in Alexander.
- 1203 Mack: lightening bolt was on last month, working on getting it off, called County for them to hook to the computer program from Mack, but their license was just sent in for renewal they would be a few days without this program. They gave me a couple things to try, and we did and the lightening bolt went out. Truck went to regening at more reasonable time frame.
- Then we found another anti-freeze leak, called Mack for the hose sent wrong one, but still one we haven't changed yet, Caledonia Diesel got use the part by 2pm and we got it put in.
- Some info for the Town Board, I was informed you are planning on taking money from the Towns highway budget, if the highway dept. does not shovel the walks at the Town Hall. So please remember the board are the ones who eliminated the Laborer position in 2018 and a full-time employee in 2019. I feel shoveling is asking a little much when you have taken the Highway dept from a 4-person crew to a 2-person crew in less than a year's time.
- If it hasn't snowed it's been windy, old fashion winter we are dealing with.
- Hitting Sots with 1 ton-4.
- Sanding runs-1
- Plow runs with 2 trucks-15
- **Plow runs with 3 trucks -25**

Board Committee Reports

Councilman Wells- Planning board is currently looking for a chairperson.

Councilman Elsasser- Looking for a chairperson for comprehension plan.

Councilman Embt- No meeting

Councilwomen Fowler- Next water meeting is Early April.

Town CEO/ZEO- No report

**TOWN OF BETHANY
RESOLUTION TO RESOLVE TAX MAP #1.-1-43**

Adopted: February 09, 2026

WHEREAS, the Town Board of the Town of Bethany met at a regular board meeting at the Town Offices of the Town of Bethany in the Town of Bethany, New York on the 9th day of February 2026, commencing at 7:00 p.m., at which time and place the following members were:

<u>Present:</u>	Supervisor	<u>Carl Hyde Jr</u>
	Council Member	<u>Bill Elsasser</u>
	Council Member	<u>Steve Wells</u>
	Council Member	<u>Tim Embt</u>
	Council Member	<u>Diane Fowler</u>

BE IT RESOLVED, that the tax map property #1.-1-43 belonging to Neil Ambrose and Janet Ambrose of 4986 Batavia-Bethany Townline Road, having been an out of district user serviced by the Town of Batavia,

WHEREAS, this map # and address is in Bethany's Water District #1 and being charged for 0 units. The Town of Batavia bills their debt services and water bills for this resident and as this Tax map # also falls into Bethany Water District #5. But it will not be serviced by the new water district and has 1 unit designated for it,

WHEREAS, this unit will now be changed to a 0 unit. This property has already paid debt services for more than 10 (ten) years for the Batavia Water District. WD001- out of district charge.

Ayes: 5
Nays: 0
Quorum Present: X Yes No
Dated: February 09, 2026



Adjournment

A **MOTION** was made by Councilman Fluker, duly seconded by Councilman Wells to adjourn the meeting at 8:40 p.m. The motion **PASSED** with All In Favor.

BY ORDER OF THE
BETHANY TOWN BOARD
DATED: February 09, 2025,

Respectfully Submitted,

Shauna Klump, RMC
Bethany Town Clerk