

TOWN OF BETHANY
REGULAR TOWN BOARD MEETING
13 July 2026

Supervisor Hyde opened the July 13, 2026, Regular Town Board Meeting at 7:00 p.m. with the Pledge of Allegiance followed by a prayer offered by Councilman Embt.

Town Officials in Attendance were:

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

Bethany FD: 9 calls, 5-fire, 1-wires down and 3-EMS. Chicken BBQ will be held in sept.

Town Clerk Report – Shauna Klump

- Presented the Minutes of the June 2026 Regular Town Board meeting.

On **MOTION** made by Councilman Wells, duly seconded by Councilman Embt, to approve the Minutes of the June 2026 Regular Town Board meeting as presented. Motion passed with All In Favor.

On **MOTION** made by Councilman Wells, duly seconded by Councilman Embt, to approve the Minutes of the June 2024 Town Board Public Hearing as presented. Motion passed with All In Favor.

- The Clerk's Monthly Report and Bank Statements for June were reviewed by the Town Board.

Highway Superintendent Report – Barbara Czworka

- Round #1 of mowing is completed, Started #2.
- Have been using arm mower, guarding rails on Bethany Center Road and some ditch areas in need of some clean up.
- Have been helping Batavia, Alabama, Oakfield, County and Covington with paving and mill and fill shoulders.
- Got 2 mowers made into one good one for back of 6300.
- Issues in Town with a piece of culvert pipe. Which was taken from highway storage area and attached to the end of a piece of pipe that was working fine. But a farmer had an issue with cows getting out so he felt the highway dept. should fix his issue. When I would not help him with the issue he took it upon himself to take the pipe and attached it to a working pipe and covered it with material. This leaves a couple issues 1 if pipe and material move due to weather or another reason farmer is responsible for damage to shoulder roadway area, 2nd the cost of the pipe is \$391.00. I have a letter to mail him about the cost of the pipe.
- Called County for Convex mirror for Linden Road and it is their decision.
- New tarp on 1201 and change spring in arms all is working fine.
- Hauled more eco-blend
- Can we please surplus Road widener it is currently owned by 4 towns.
- Fall conference is at Saratoga Springs at present cost \$550.00 for room and food. Miles 638x.725= #1012.55. Sept 29th to October 2, 2026.

June Report:

- 1204 has freshly painted rims and hubs

- We weeded cupola, placed weed bearer down and fresh mulch
- Mowed Putnam Road cemetery
- Dublin Road and fresh Eco-blend added
- Dublin Road a pipe is rotting out, going to change next week
- Patched potholes
- Having put down 30 loads of 6 top has been put down with the help of Batavia, Stafford, Bergen and our part-time workers
- We attended our DIG safe class
- Took sander out of 1203 got spreader plate on and rear bumper
- Sanders are in cold storage
- Working for County Nova chipping
- We are mowing roadsides
- Trying to make one mower out of 2 for the back of 6300
- Replaced bearings in pulley on 1209
- I attended highway school. Thank you for allowing me to attend. There was planet to learn during classes and out of class, talking with others around us and listening to what is going on in other towns. Best guess 600 or more at highway school.

Board Committee Reports

Steve Wells: Planning Board desperately needs more members

Tim Embt: No meeting

Diane Fowler: Water meeting is July 21st

Bill Elsasser: Comp Plan committee met and feel they are about 50% done.

NEW BUSINESS

Eli McWhinny and Carl Hyde opened the floor to residents who wanted to speak on behalf of the Solar and Data Centers.

John Fickel: No Solar in our town and Data centers have been known to contaminate people's wells.

Deb Richley: Also, is completely against Solar, Data Centers and/or battery storage facilities.

Bob: Asked the board how we can push back against the government when we are such a small town. He feels resistance is our only answer.

- **Construction meeting is July 15th at 9am.**
- **USDA will be answering Phase 2 questions.**
- **Hydro seeding will happen 3-4 times before the project is completed.**

Supervisor Hyde:

- **Resolution for Holding Public hearing (August 10) please see below (Solar and Battery Storage)**
- **Resolution to enter professional service agreement, please see below**

**TOWN OF BETHANY
RESOLUTION TO HOLD PUBLIC HEARING REGARDING
PROPOSED SOLAR MORATORIUM LOCAL LAW**

Adopted; July 13th, 2026

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 13th day of July, 2026, commencing at 7:00p.m., at which time and place the following members were:

Present:	Supervisor	<u>Carl Hyde Jr.</u>
	Councilmember	<u>Diane Fowler</u>
	Councilmember	<u>Tim Emot</u>
	Councilmember	<u>Steve Wells</u>
	Councilmember	<u>Bill Casasser</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 is considering a proposed local law entitled: “A Local Law Establishing a Temporary Moratorium Prohibiting the Development of New Solar Energy Projects within the Town of Bethany” to temporarily halt the submission of new applications for solar energy systems, for a period of six (6) months, while the Town considers comprehensive zoning changes and the enactment of zoning measures to specifically address the matters of community concern; and

WHEREAS, the Town Board of the Town of Bethany recognizes that this local law is a Type II Action under SEQR pursuant to 6 NYCRR § 617.5(c)(36), and therefore SEQR review will not be required as there are no adverse environmental impacts; and

WHEREAS, pursuant to section 239-M of the General Municipal Law, said local law with all supporting documents shall be submitted to the Genesee County Planning Board for its review; and

WHEREAS, the Town Board of the Town of Bethany finds it in the best interest of the Town of Bethany to hold a public hearing on the adoption of said local law.

NOW ON MOTION OF Diane Fowler which has been duly seconded by Tim Emot, be it

RESOLVED, by the Town Board of the Town of Bethany will hold a public hearing on the proposed local law on the 10th day of August 2026, at 7:10 P.M., at which time and place all interested parties and citizens for or against the proposed law will be heard; and it be further

RESOLVED, that the Town Board of the Town of Bethany shall make referral to the Genesee County Planning Board as required by Section 239-M of General Municipal Law; and it be further

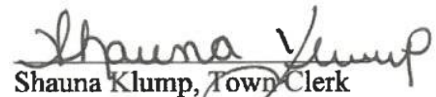
RESOLVED, that the Town Board determines that such action shall not be subject to SEQR pursuant to 6 NYCRR § 617.5(c)(36); and it be further

RESOLVED, that the Town Clerk shall hereby post notice of such public hearing and publish the notice of such public hearing in the Town's Official Paper.

Ayes: 5
Nays: 0

Quorum Present: ☒ Yes ☐ No

Dated: July 13, 2026


Shauna Klump, Town Clerk
Town of Bethany



**TOWN OF BETHANY
RESOLUTION TO HOLD PUBLIC HEARING REGARDING
PROPOSED BATTERY ENERGY STORAGE SYSTEM (“BESS”) LOCAL LAW**

Adopted: July 13th, 2026

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 13th day of July, 2026, commencing at 7:00p.m., at which time and place the following members were:

Present:	Supervisor	<u>Carl Hyde Jr.</u>
	Councilmember	<u>Diane Fowler</u>
	Councilmember	<u>Tim Embo</u>
	Councilmember	<u>Steve Wells</u>
	Councilmember	<u>Bill Elsasser</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 is considering a proposed local law entitled: “A Local Law Establishing a Temporary Land Use Moratorium Prohibiting the Development of New Battery Energy Storage System (“BESS”) Within the Town of Bethany” to temporarily halt the submission of new applications for Battery Energy Storage Systems (“BESS”), for a period of six (6) months, while the Town considers comprehensive zoning changes and the enactment of zoning measures to specifically address the matters of community concern; and

WHEREAS, the Town Board of the Town of Bethany recognizes that this local law is a Type II Action under SEQR pursuant to 6 NYCRR § 617.5(c)(36), and therefore SEQR review will not be required as there are no adverse environmental impacts; and

WHEREAS, pursuant to section 239-M of the General Municipal Law, said local law with all supporting documents shall be submitted to the Genesee County Planning Board for review; and

WHEREAS, the Town Board of the Town of Bethany finds it in the best interest of the Town of Bethany to hold a public hearing on the adoption of said local law.

NOW ON MOTION OF Steve Wells which has been duly seconded by Diane Fowler be it

RESOLVED, by the Town Board of the Town of Bethany will hold a public hearing on the proposed local law on the 10th day of August 2026, at 7:00 P.M., at which time and place all

interested parties and citizens for or against the proposed law will be heard; and it be further

RESOLVED, that the Town Board of the Town of Bethany shall make referral to the Genesee County Planning Board as required by Section 239-M of General Municipal Law; and it be further

RESOLVED, that the Town Board determines that such action shall not be subject to SEQR pursuant to 6 NYCRR § 617.5(c)(36); and it be further

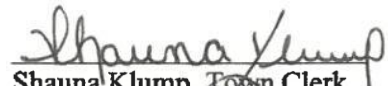
RESOLVED, that the Town Clerk shall hereby post notice of such public hearing and publish the notice of such public hearing in the Town's Official Paper.

Ayes: 5
Nays: 0

Quorum Present: ☒ Yes ☐ No

Dated: July 13, 2026




Shauna Klump, Town Clerk
Town of Bethany

**TOWN OF BETHANY
RESOLUTION TO ENTER INTO PROFESSIONAL SERVICES AGREEMENT**

Adopted: July 13, 2026

WHEREAS, 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 13th day of July, 2026, commencing at 7:00P.M., at which time and place the following members were:

Present:	Supervisor	<u>Carl Hyde Jr.</u>
	Council Member	<u>Diane Fowler</u>
	Council Member	<u>Tim Emmt</u>
	Council Member	<u>Steve Wells</u>
	Council Member	<u>Bill Elsasser</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 of Bethany, on or around March 26, 2026, received an application for site plan approval and related permits for the development of a Tier II solar energy project from Aurora Renewables Inc; and

WHEREAS, recognizing the technical complexity that comes with the development of a Tier II solar energy project, the Town feels it is necessary to engage the services of an engineer familiar with the technical language of Tier II solar energy regulations who will be able review and to advise the Town on the application; and

WHEREAS, the Town Board received a letter proposal outlining the scope of services and an estimated fee for services related to the proposed solar project from Wendel Companies on June 9th, 2026; and

WHEREAS; the Town Board, having reviewed the submitted proposal, finds the terms, qualifications, and services offered by Wendel Company to be the most favorable and in the best interests of the Town; and

WHEREAS, the Town Board has received and reviewed a proposed Professional Services Agreement with Wendel Companies, and, upon consultation with the Town Attorney, finds the terms and conditions thereof to be acceptable; and

WHEREAS, the Town Board of the Town of Bethany now desires to retain Wendel Companies to provide professional engineering services in connection with the site plan approval and related permits for the development of a Tier II solar energy project and to authorize the Town Supervisor to execute a Professional Services Agreement between Wendel Companies and the Town of Bethany, subject to the execution of a reasonable escrow agreement and escrow deposit

from the applicant, Aurora Renewables Inc, in order to cover the cost of engineering expenses associated with the project; and

NOW ON MOTION OF Steve Dillis which has been duly seconded
by Diane Fowler, be it

RESOLVED, by the Town Board of the Town of Bethany, that the Town Supervisor is hereby authorized to execute the Professional Services Agreement with Wendel Companies so that the Town of Bethany may engage their services for in connection with the site plan approval and related permits for the development of a Tier II solar energy project, subject to the execution of a reasonable escrow agreement and escrow deposit from the applicant, Aurora Renewables Inc, in order to cover the cost of engineering expenses associated with the project.

Ayes: 5
Nays:

Quorum Present: ☒ Yes ☐ No

Dated: July 13, 2026



Shauna Klump
Shauna Klump, Town Clerk
Town of Bethany

Adjournment

A **MOTION** was made by Councilman Elsasser, duly seconded by Councilman Wells to adjourn the meeting at 8:11 p.m. The motion **PASSED** with All In Favor.

BY ORDER OF THE
BETHANY TOWN BOARD
DATED: July 13, 2026

Respectfully Submitted,

Shauna Klump, RMC
Bethany Town Clerk