TOWN OF BETHANY

REGULAR TOWN BOARD MEETING

14 SEPTEMBER 2026

Supervisor Hyde opened the September 14, 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
Timothy Embt, Councilman
Diane Fowler, Councilwoman
Barb Czworka, Highway Superintendent
Steve Wells, Councilman
Bill Elsasser, Councilman
Shauna Klump, Town Clerk

Bethany Fire- Gail Smith

- 13 Calls, 8 EMS, 3 Fire
- Chicken BBQ went very well
- October 10th is the meat raffle
- Always looking for new members, especially in need of drivers.

Town Clerk/Tax Collector Report – Shauna Klump

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

A **MOTION** was made by Councilman Embt, duly seconded by Councilman Elsasser, to approve the Minutes of the August 2026 Regular Town Board meeting as presented. The motion **PASSED** with All in Favor.

Highway Superintendent Report – Barb Czworka

- Road #2 of roadside mowing was ½ done, we are starting over due to amount of rain and having to use broom on tractor for road work.
- Driveway pipe put in on Jerico Rd.
- This month we helped Bergen, Leroy, County, Alexander, Batavia, and Village of Alexander.
- Got hydraulic lines for broom and got them on now.
- Mowed Cemetery on Putnam Road.
- Hauled more Eco blend/ Chip stone.
- Worked on tree removal on Chaddock Rd. Had a willow tree making its way to the road.
- Working on finding the end of a pipe on Conway Rd.
- Was approached to putting a pipe in a water way for right of way to property on other side, had to ask Soil and Water to answer that question. They are now dealing with the DEC.
- Met with Soil and Water for water issue on Jerico Rd.
- Call again for trees' down due to tornado like winds moving through the area.
- Fixed shoulder area on Cacner Rd.
- Our major road work is done for the season.
- Chip sealed: Transit and Buckman Rd.
- We grader paved: Batavia-Bethany Townline Road, Paul Rd. and the area in front of fire dept, truck garage and east side of Fire Dept. building.
- Towns that have helped us are Bergen, Darien, Stafford, Batavia and County.

Board Committee Reports

Councilman Wells:
- No meeting

Councilman Elsasser
- Comprehensive plan group is making great progress.

Councilman Embt
- No Meeting.

Councilwomen Fowler
- Next Water meeting is 10/20 at 8:30am

Town CEO/ZEO- Gerry Wood
- 63 inspections and 2 complaints

Town Supervisor- Carl Hyde Jr.
- Presented 2027 Tentative Budget to Board members for their review
- Phase 2 is open for Bids. October meeting is when the bid will be awarded.
- WD#6 Surveys are at Town Hall and Town Clerk uploaded them to the Website.
- Bohler came and did a presentation on the Solar Project that maybe going in on silver road.
- Resolution authorizing the price increase for building and zoning (please see below)
- Resolution to declare intent to seek lead agency status and make 239 referrals regarding Aurora Renewables Inc. (please see below)
- Resolution Authorizing the execution of the legal services agreement for the town of Bethany WD#5. (please see below)

RESOLUTION -2026 AUTHORIZING THE INCREASE OF PRICES FOR BUILDING AND ZONING

WHEREAS, a Regular Town Board Meeting was held on September 14th concerning the expenses incurred in operating the Town of Bethany Zoning office, and

WHEREAS, the Town Supervisor is suggesting an increase in prices, now

On **MOTION** of Councilman Diane Fowler duly seconded by Councilman Tim Embt, be it

RESOLVED that the price increases, as discussed by the Town Board, at the Town of Bethany Zoning and Coding price increases will go into effect beginning September 15, 2026.

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

Supervisor Hyde-
Councilman Wells-
Councilman Embt-
Councilman Elsasser-
Councilwoman Fowler-

Dated: September 14, 2026

TOWN OF BETHANY
RESOLUTION OF THE TOWN BOARD
TO DECLARE ITS INTENT TO SEEK LEAD AGENCY STATUS
AND MAKE 239 REFERRAL IN REGARD TO AURORA RENEWABLES INC
PROPOSED SOLAR ENERGY PROJECT

Adopted: Mon Sep 14, 2026

WHEREAS, Town Board of the Town of Bethany met at a regular board meeting at the Town Offices located at 10510 Bethany Center Road, East Bethany, New York on the 14th day of September, 2026, commencing at 7:00 P.M., at which time and place the following members were:

Present:	Supervisor	Carl Hyde Sr.
	Council Member	Diane Fowler
	Council Member	Tim Embt
	Council Member	Steve Wells
	Council Member	Bill Elsasser
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 review, special use permit applications, and variance applications for the development of a Tier II solar energy project from Aurora Renewables Inc, to be located at 11058 Silver Road, Town of Bethany, parcels identified as Genesee County Tax Map No. 10.-1-82.21; and

WHEREAS, pursuant to and in accordance with the provision of Section 617.6 (Initial Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations, (6 NYCRR part 617) the Town Board of the Town of Bethany has determined the project is classified as a Type 1 Action as defined by SEQRA in 6 NYCRR Part 617.2, therefore requiring a Coordinated Review seeking the input of other agencies; and

WHEREAS, the Town Board the Town of Bethany believes itself to be the most appropriate agency to act in accordance with the State Environmental Quality Review Law; and

WHEREAS, Aurora Renewables Inc has submitted to the Town Board of the Town of Bethany a complete Full Environmental Assessment Form (FEAF) Part 1 pursuant to Section 617.4 of the New York State Environmental Quality Review Act; and

WHEREAS, the Town Board of the Town of Bethany has reviewed such Part 1 of the aforesaid Full Environmental Assessment Form (FEAF) and must provide notice of its intent to make such declaration to the following agencies pursuant to Section 617.6 of the New York State Environmental Quality Review Act:

1. New York State Department of Environmental Conservation
2. New York State Department of Transportation
3. New York State Office of Renewable Energy Siting

4. New York State Department of Agriculture and Markets
5. New York State Energy Research and Development Authority
6. New York State Department of Health
7. New York State Division of Building Standards and Codes;
8. Town of Batavia
9. Town of Stafford
10. Town of Pavilion
11. Town of Covington
12. Town of Middlebury
13. Town of Attica
14. Town of Alexander
15. Genesee County Agricultural And Farmland Protection Board
16. Genesee County Soil and Water Conservation
17. Genesee County Highway Department
18. Genesee County Legislative District #6
19. Genesee County Planning Board; and

WHEREAS, the Town Board must refer all application documents to the Genesee County Planning Board as required under Section 239 of General Municipal Law; and

WHEREAS, the Town Board of the Town of Bethany now desires to declare its intent to seek lead agency status in regard to the issuance of site plan approval and related permits for Aurora Renewables Inc new solar project; and

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

RESOLVED, that the Town Board of the Town of Bethany hereby declares their intent to seek lead agency status for purposes of the State Environmental Quality Review Act in regard to the application for site plan review, special use permit applications, and variance applications for the development of a Tier II solar energy project from Aurora Renewables Inc, to be located at 11058 Silver Road, Town of Bethany, parcels identified as Genesee County Tax Map No. 10.-1-82.21; and be it further

RESOLVED, that the Town Board has accepted the completed Part 1 of a Full Environmental Assessment Form (FEAF) submitted by Aurora Renewables Inc, and shall provide a copy of such form along with a notice of intent to declare the Town Board of the Town of Bethany as lead agent under the State Environmental Quality Review Act, and that notices will be sent to the following agencies for a Coordinated Review in accordance with Section 617.4 of the New York State Environmental Quality Review Regulations:

1. New York State Department of Environmental Conservation
2. New York State Department of Transportation
3. New York State Office of Renewable Energy Siting
4. New York State Department of Agriculture and Markets
5. New York State Energy Research and Development Authority
6. New York State Department of Health
7. New York State Division of Building Standards and Codes;
8. Town of Batavia
9. Town of Stafford

10. Town of Pavilion
11. Town of Covington
12. Town of Middlebury
13. Town of Attica
14. Town of Alexander
15. Genesee County Agricultural And Farmland Protection Board
16. Genesee County Soil and Water Conservation
17. Genesee County Highway Department
18. Genesee County Legislative District #6
19. Genesee County Planning Board; and

RESOLVED, that the Town Board shall hereby refer issuance of the solar project application to the Genesee County Planning Board as required by Section 239 of General Municipal Law.

Ayes: 5
Nays: 0

Quorum Present: ☑ Yes ☐ No

Dated: Sep 14, 2026

Shauna Klump

Shauna Klump, Town Clerk
Town of Bethany

TOWN OF BETHANY

RESOLUTION AUTHORIZING THE EXECUTION OF THE LEGAL SERVICES AGREEMENT FOR TOWN OF BETHANY WATER DISTRICT NO. 5

Adopted: September 14th, 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 14th day of September, 2026, commencing at 7:00 p.m., at which time and place the following members were:

Present:	Supervisor	Carl Hyde Sr
	Councilmember	Diane Fowler
	Councilmember	Tim Emlot
	Councilmember	Steve Wells
	Councilmember	Bill Clasper
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 is in the process of constructing of Water District No. 5 in the Town of Bethany; and

WHEREAS, a portion of the financing of said Water District will involve Rural Development funding which requires the submission of RUS Bulletin 1780-7 Legal Services Agreement between the Town of Bethany and DiMatteo Roach & Kelly, as Town Attorney's for the Town of Bethany; and

WHEREAS, the previous Resolution Authorizing the Execution of Legal Services Agreement was adopted by the Town of Bethany on the 11th day of August, 2025 and previously had the maximum threshold at $75,000.00; and

WHEREAS, the Town of Bethany desires to enter into a new Legal Services Agreement, increasing the maximum threshold to $115,000.00; and

WHEREAS, the new agreement and subsequent maximum threshold increase of $115,000.00 is needed due to the time frame of work for Water District No. 5, which includes contract phasing and construction of the Water District; and

WHEREAS, the Town Board feels it is in the best interest of the Town of Bethany to enter into a Legal Services Agreement with DiMatteo Roach & Kelly, Town Attorney for the Town of Bethany; and

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

RESOLVED, the Town Board of the Town of Bethany hereby authorizes and empowers Carl Hyde Jr., Supervisor of the Town of Bethany, to execute the RUS Bulletin 1780-7 Legal Services Agreement.

Ayes: 5
Nays: 0
Abstain: —
Quorum Present: Yes No
Dated: Sep 14, 2026

Shauna Klump
Shauna Klump, Town Clerk
Town of Bethany

Adjournment

A **MOTION** was made by Councilwoman Fowler, duly seconded by Councilman Embt to adjourn the meeting at 8:46 p.m. The motion **PASSED** with All In Favor.

BY ORDER OF THE
BETHANY TOWN BOARD
DATED: September 14, 2026

Respectfully Submitted,

Shauna Klump, RMC
Bethany Town Clerk