

**Town Board
June 9, 2010**

A regular meeting of the Town Board of the Town of Bethlehem was held on the above date at the Town Hall, 445 Delaware Avenue, Delmar, NY. The meeting was called to order by the Supervisor at 6:00PM.

PRESENT: Samuel Messina, Supervisor
Joann Dawson, Councilwoman
Mark Hennessey, Councilman
Mark Jordan, Councilman
Kyle Kotary, Councilman
Nanci Moquin, Town Clerk
James T. Potter, Esq., Town Attorney

Supervisor Messina called the meeting to order and lead the Pledge of Allegiance.

PUBLIC COMMENT ON AGENDA ITEMS-----

Marie Capone – Said on Delaware Avenue between the corner and the old town Hall, the sidewalk is full of holes. Didn't think people should be added to senior department, there are enough people and a lot of volunteers.

Bob Jasinski – He agreed with Ms. Capone about not adding people to senior services. They have enough with the employees they have. He thought about enrolling in programs to find out what happens in that department and he wanted to see an audit of that department.

John Shephard – Came a few weeks ago and wanted to come back and hear board comments. He was in favor of the agenda item accepting the donation from Mr. Barkman. He and his wife will match that contribution.

Marie Capone – Senior office also has a summer intern.

Bob Baker – Agenda item on WEB casting from before. He was in favor it. He can't pay his water bill online. He asked if there would be a bake sale to fix the lights in tennis courts. He pays his taxes and wants his services. He watched the last meeting on Saturday afternoon. He can't tape it from public access. He didn't think \$15,000 was a lot for the service. He liked the idea of the archiving of meetings.

APPROVAL OF 5/26/10 MINUTES-----

A motion to approve the Town Board minutes as drafted was offered by Councilman Kotary, seconded by Councilwoman Dawson and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary
NAYES: none
ABSENT: none

REQUEST FROM THE DIRECTOR OF HUMAN RESOURCES MANAGEMENT TO INCREASE THE NUMBER OF PART-TIME CLERKS AVAILABLE TO WORK IN THE SENIOR SERVICES DEPARTMENT. THIS IS A BUDGETED ITEM, AND WILL OFFER THE SENIOR SERVICES DEPARTMENT ADDITIONAL STAFFING FLEXIBILITY WITHOUT ANY ADDITIONAL FISCAL IMPACT -----

This is a recommendation of the Acting Director Joyce Becker and is a budgeted item. The reason is for this request was to increase coverage in the senior office, not to increase budget expenditures.

A motion to approve the request from the Director of Human Resources for part-time clerks in the Senior Services Department was offered by Councilwoman Dawson, seconded by Councilman Kotary, discussion

Councilman Jordan asked if the budget would increase with the new hires. Ms. Tremblay-Glassman said they were increasing the pool to choose from, not the hours that were budgeted for the two part time people. The current part timers were having a problem covering the hours and they wanted more people to choose from to cover those same hours.

The above motion was approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NAYES: none

ABSENT: none

REQUEST FROM THE SUPERVIOR TO ACCEPT A DONATION FORM MR. GARY BARKMAN IN THE AMOUNT OF \$100.00 FOR THE PURPOSE OF SUPPORTING INTERNET ACCESS FOR TOWN BOARD MEETINGS.-----

A motion to accept Mr. Barkman’s \$100 donation was offered by Councilman Jordan, seconded by Councilman Kotary – discussion

Councilman Hennessey said the Board has made a commitment to move forward on the idea of video castings. He thought the motion was premature because the actual approval of video castings has not been approved by the Board to date. He understood that certain residents wanted to support the idea. He said the commitment from the Board was to explore other potential ways of bringing video casting to the Town. He said he had spoken with the Times Union and they have offered to video cast live the Board meetings at no additional cost to the Town. He wasn’t sure about the capabilities of archiving but it would be explored. He wanted to make sure all the options were explored, come to the lower cost and the best solution for the Town. He wanted to see a proposal that the whole Board could support.

Supervisor Messina said this donation shows support by a resident and the Town has accepted donations before for a range of things. If the Town finds a different way to fund the video casting, the money will be identified and categorized and the Town can communicate with the individual if need be.

Councilman Kotary thanked the residents for the donation. He said there had been a lot of statements as to why the Board did or did not support video casting. He had first brought the idea to the Board four years ago but the issue is the cost. He appreciated the concept of more access to the public but he said the Board was watching the cost factor for the residents. He said it was hard to justify this type of expenditure when the residents have been told that there isn’t enough money for sidewalks, sewers, and replacement of Ben’s bridge. He said the Board members were trying to insure that tax dollars were prioritized. He will support the donation because it showed that some residents are in favor of the service. He said he has been and will be focused on corralling new spending and keeping spending down. If there wasn’t a million dollars cut from the budget last year, the Town would be in serious trouble this year. He thought the Town would need to cut spending again this year.

Supervisor Messina said the Board would be dealing with a lot of expenditures ranging from \$5,000 to big numbers. But sometimes a small number gets you something that is of value. He looked at those things differently from a large expenditure.

A motion to amend the previous motion to include the donation by Mr. Shephard was offered by Councilman Jordan, seconded by Councilman Hennessey and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NAYES: none

ABSENT: none

A motion to approve the amended motion was offered by Councilman Jordan, seconded by Councilman Kotary and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NAYES: none

ABSENT: none

REQUEST FROM THE ADMINISTRATOR OF PARKS AND RECREATION FOR APPROVAL OF SEASONAL PERSONNEL (FULL-TIME AND PART-TIME POSITIONS ARE EMPLOYED, PRIMARILY AT OUR BETHLEHEM TOWN PARK AND THE COLONIAL ACRES GOLF COURSE) -----

A motion to approve the request by the Administrator of Parks and Recreation for seasonal personnel was offered by Councilman Jordan, seconded by Councilman Kotary and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NAYES: none
ABSENT: none

REQUEST FROM DEPUTY COMMISSIONER OF PUBLIC WORKS TO AUTHORIZE THE SUPERVISOR TO ENTER AN AGREEMENT WITH NYSERDA TO RECEIVE \$26,381 IN FUNDING FOR A FLEXTECH STUDY OF THE DINMORE ROAD WASTEWATER TREATMENT PLANT-----

Supervisor Messina said there were two (2) line items that were related. The reason for the study was because the plant was reaching its flow capacity and some of the components of the plant are thirty (30) years old. The associated item is for a task agreement with CHA to complete Phase II of a master planning study of the plant. He said when funds for Phase I were approved, there was a commitment to go forward with Phase II. The project can't be completed without both phases.

A motion to approve the request by the Deputy Commissioner of Public Works to enter into an agreement with NYSERDA was offered by Councilman Jordan, seconded by Councilman Kotary, discussion

Councilman Kotary said the funds were already budgeted in the 2010 sewer operating budget.

Mr. Deyoe said the Dinmore wastewater treatment plant is a thirty-five (35) year old facility and it is at the end of its design life. This is an opportunity to look at the long range growth projections over a thirty (30) year period of time. Those projections will help with looking at alternatives to upgrading the plant. This will help in decisions on long term needs.

Councilman Hennessey asked if the study would help extend the life of the plant. Mr. Deyoe said this will assist the town with the blueprint to move forward with respect to capital projects. It sets the order of the projects and how they relate to one another.

The above motion was approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary
NAYES: none
ABSENT: none

REQUEST FROM DEPUTY COMMISSIONER OF PUBLIC WORKS TO AUTHORIZE THE SUPERVISOR TO EXECUTE A TASK AGREEMENT WITH CHA TO COMPLETE PHASE II OF A MASTER PLANNING STUDY OF THE DINMORE ROAD WASTERWATER TREATMENT PLANT-----

A motion to approve the request from the Deputy Commissioner of Public Works for the Supervisor to execute a task agreement with CHA was offered by Councilwoman Dawson, seconded by Councilman Jordan, discussion

Councilman Hennessey said the Town had done a lot of service contracts. He asked if this type of work could be done in house. Mr. Deyoe said this project included a lot of disciplines of engineering. It is specialty work that staff does not have the expertise for. Staff manages a lot of projects and gives guidance to the Board but for this they needed to reach out the TDE's.

The above motion was approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary
NAYES: none
ABSENT: none

REQUEST FROM THE DEPUTY COMMISSIONER OF PUBLIC WORKS FOR THE TOWN BOARD TO AUTHORIZE THE SUPERVISOR TO EXECUTE A TASK ORDER PROPOSAL FROM MALCOLM PIRNIE, INC. TO COMPLETE EXTRA WORK AND ON-GOING CONSULTING SERVICES RELATED TO THE COMPREHENSIVE WATER SUPPLY EVALUATION -----

Supervisor Messina said the memorandum of justification spoke of \$40,000 of additional work. The Board is aware of the options and alternatives that are being looked at for water supply systems for the Town. The initial contract was executed in May of 2008.

A motion to approve the Deputy Commissioner of Public Work's request for the Supervisor to execute a task order proposal from Malcolm Pirnie, Inc. was offered by Councilman Kotary, seconded by Councilwoman Dawson, discussion

Councilman Kotary said the funds were already in the budget and it would not be additional spending.

The above motion was approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NAYES: none

ABSENT: none

REQUEST FROM TOWN ENGINEER TO ACCEPT RIGHT-OF-WAY FOR COTTONWOOD LANE -----

A motion to accept the right-of-way for Cottonwood Lane was offered by Councilman Jordan, seconded by Councilman Kotary and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NAYES: none

ABSENT: none

REQUEST FROM TOWN ENGINEER TO AWARD A CONTRACT TO CALLANAN INDUSTRIES, INC FOR THE ORCHARD STREET SIDEWALK PROJECT FOR THEIR TOTAL UNIT PRICE BID AMOUNT OF \$34,031.03, SUBJECT TO NYSDOT CONCURRENCE, AND AUTHORIZE THE SUPERVISOR TO EXECUTE THE CONTRACT ON BEHALF OF THE TOWN -----

Supervisor Messina said this contract work began in October with the submission of a grant application and resulted in 52% of the work being covered by that grant. In kind work that will be done internally will cover 20% and 28% will be from the Capital General fund.

A motion to award a contract to Callanan Industries, Inc. for the Orchard Street sidewalk project was offered by Councilwoman Dawson, seconded by Councilman Kotary, discussion

Councilman Hennessey asked if the amount of the contract was for concrete only. Mr. Penman said the Town is doing the site prep work by making the area flat. Callanan will be forming and pouring the concrete sidewalk and doing the finish work.

Councilman Kotary thanked Mr. Penman and Mr. Deyoe for the creative funding proposal. He said in 2008 funds were put aside for the sidewalk. He said safe sidewalks were a priority for parents.

The above motion was approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NAYES: none

ABSENT: none

NEW BUSINESS-----

Councilman Hennessey said about a month prior he had posted some agenda items on a blog and some legitimate concerns were raised both from staff and Board members. He had since created a policy that would structure the release agenda items. He has posted that policy and received some good feedback. He would not be advancing that to a motion now but he would provide a copy of the latest version and ask that the item be placed on the agenda for the next Town Board meeting. Supervisor Messina said he had distributed the different versions to some department heads, the Town Clerk and Town Counsel and there was a meeting. Supervisor Messina said he has put something together himself and he will look at both proposals and try to get it onto the agenda.

Councilman Kotary thanked Councilman Hennessey for getting the Board moving on the issue. He also thanked him for reaching out the Times Union about their online capabilities that could help the town get the meetings out at low to no cost. He said there was a discussion at the last meeting about the Town's procurement policy. The Board found that there were grey areas and items that were assumed to be in the policy and were not. He would like to start with Board and Town Counsel some draft procurement

language to address those loopholes and ask that they be distributed to department heads. He wanted to give them a chance to look at the language for a few weeks and then look at it as an agenda item. He wanted to clarify items without micro-managing.

Supervisor Messina said everyone was affected by the perception of the grey areas and he knew they needed to be clarified. He had drafted something already but thought this needed staff input. When it was done he would distribute it to the Board.

Councilman Hennessey said this open door for discussion was a positive way to move the Town forward. He said the ability to put his ideas out there for anyone on staff or the public that wanted to be involved to make comments was a positive thing. He thought the product was better because of it. He encouraged Councilman Kotary to work on draft.

PUBLIC COMMENT ON NON-AGENDA ITEMS-----

Marie Capone said he met a man in Glenmont and no one ever walked on the sidewalk.

PUBLIC ANNOUNCEMENTS -----

A motion to move into executive session for matters of potential litigation was offered by Councilman Jordan, seconded by Councilman Kotary and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary
NOES: none
ABSENT: none

A motion to adjourn the regular meeting was offered by Councilman Kotary, seconded by Councilwoman Dawson and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary
NOES: none
ABSENT: none

The meeting closed at 6:45 PM.

Nanci Moquin
Town Clerk