

TOWN BOARD
APRIL 22, 1998

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 7:30 p.m.

PRESENT: Sheila Fuller, Supervisor
George Lenhardt, Councilman
Doris M. Davis, Councilman
Robert C. Johnson, Councilman
Susan Burns, Councilman
Bernard Kaplowitz, Esq., Town Attorney
Kathleen A. Newkirk, Town Clerk

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Supervisor Fuller welcomed everyone to a regular meeting of the Bethlehem Town Board and asked Councilman Johnson to lead the pledge of allegiance. She thanked Councilman Johnson.

The first item was a recommendation from Karen Pellettier, Director, Senior Citizens Services, for acceptance of donation from Bethlehem Lutheran Church to be placed in a T-85 account for future vehicle replacement. Supervisor Fuller explained the T-85 account is used for restricted gifts and can only be spent for a particular purpose.

Accept
donation
from
Lutheran
Church to
be placed
in T-85
account
for Senior
vehicle

The motion was made by Mrs. Davis and seconded by Mr. Johnson to approve the acceptance of donation of \$100.00 from the Bethlehem Lutheran Church to be placed in a T-85 account to be used for senior services future vehicle replacement. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

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Councilman Davis noted this was certainly generous. Councilman Lenhardt requested a letter of appreciation be sent.

Comptroller
approval
for budget
transfer
for bill
mailing
purposes

The next item was a request from Comptroller, Judith Kehoe, for approval of a budget transfer to permit the purchase of equipment for bill mailing purposes. Supervisor Fuller asked Mrs. Kehoe to highlight the memorandum for everyone. She said this is the STAR program that is creating this expense for the Town. Mrs. Kehoe said the STAR program was announced many months ago and the program has been evolving without many details. She said one of the details is additional inserts which must go into the tax bills including the tax payer bill of rights and detail summary of line-by-line changes in the bills from this year to last year.

Mrs. Kehoe said they purchased a laser printer so the outgoing documents will look wonderful but to streamline the process, Mr. Dammeyer has indicated this purchase will allow for the streamlining of the insertion and preparation. She said it can be used for other applications also, including water bills, payroll checks and even W-2 preparation at the end of the year. This will be purchased from State contract and therefore, there was no need for the bid process. This would be a transfer from Contingency to Management Information Services.

The motion was made by Mr. Lenhardt and seconded by Ms. Burns to approve the budget transfer of \$21,000 from Contingency to Management Information Services to allow for the purchase from State contract of a Pitney Bowes, 5 series tabletop inserting system. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

The next item was a request from Deputy Comptroller, Richard Webster, regarding disposal of surplus equipment. This is several old pieces of computer hardware and office machines.

Deputy
Comptroller
request disposal
of surplus
equipment

The motion was made by Mr. Lenhardt and seconded by Ms. Burns to allow for the disposal of surplus equipment comprised of old computer hardware and office machines. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

The following request was from David Austin, Administrator, Parks & Recreation Department, for approval of appointment of seasonal personnel.

Parks and
recreation
approval
seasonal
personnel

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to approve the appointment of seasonal personnel as listed in the Memorandum from David Austin, Administrator, Parks & Recreation Department dated April 22, 1998 at the titles and salaries indicated. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson.
Noes: None.
Abstain: Ms. Burns.

The next item was a recommendation from Terrence Ritz, Engineering Division, Department of Public Works, for award of bids for corrugated aluminum, corrugated metal pipe and pipe arch and plastic pipe.

Engineering
award bids
corrugated
aluminum,
metal pipe and
pipe arch and
plastic pipe

The motion was made by Mr. Johnson and seconded by Mrs. Davis to approve the award of bids for corrugated aluminum, corrugated metal pipe and pipe arch and plastic pipe as per the Memorandum dated April 6, 1998 from Terrence Ritz, Engineering Division, Department of Public Works to Chemung Supply Corporation, Elmira, New York and Vellano Bros., Inc., Latham, NY for items listed at the prices specified in the bid documents. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

The following item was a request from Michael Cirillo, Engineering Services Administrator, Department of Public Works, for acceptance of deed documents for Clapper Road rights-of-way. Supervisor Fuller asked if there were any questions. Councilman Burns asked what the improvements are. Commissioner of Public Works, Bruce Secor, indicated Clapper Road is an existing narrow farm-to-market road. He said there is a sharp turn and a power pole close to the road and this will allow acquisition of land from Mr. Hoseotes with the idea of making it a safer turn and improve the sight distance. He said the property will be acquired first and then the construction will be scheduled. He said it is an improvement project for safety purposes. Councilman Burns thanked Mr. Secor.

Engineering
acceptance
of deed
documents
Clapper Road

Councilman Burns said she had one more question. She asked if there is something about a proposed water main. Mr. Secor explained the water main is already there. He said when the new plant was done, the 24 inch water main came across Clapper Road and over to the

industrial area. He said the water main is on small easements and on the right-of-way in some places. He said these easements have been obtained from the Hillmann farm. He said they wanted to make sure the water main was back far enough so it would not be in the way of the road improvements.

The motion was made by Mr. Lenhardt and seconded by Mr. Johnson for approval to proceed with acquisition of rights-of-way from Milltowne Plaza, George Hoseotes, Principal, at a price of \$8,500. for three (3) parcels for easement purposes along Clapper Road, Selkirk. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson, Ms. Burns.
Noes: None.

Acceptance of deeds for drainage easements

The next item was a request from Engineering Services Administrator, Michael Cirillo, for acceptance of deeds for drainage easements for 6 and 8 Wellington Road.

The motion was made by Mrs. Davis and seconded by Mr. Johnson for approval of acceptance of deeds from Mr. and Mrs. John C. Relation, 8 Wellington Road, Delmar and Mrs. Joan Stowers, 6 Wellington Road, Delmar for drainage easement purposes. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson, Ms. Burns.
Noes: None.

Building Department approval Construction trailer permit for Trinity

The next item was a request from John Flanigan, Building Inspector, for approval of construction trailer permit for Trinity Manor Subdivision. Supervisor Fuller explained this was for three (3) construction trailers to be set on site on Trinity Place. She said the contractor has agreed to put some shrubs and grass around the trailers and keep the site presentable.

Councilman Burns asked how long the trailers are going to be there. Mr. Flanigan, Building Inspector, said maybe six (6) to nine (9) months until he gets another model up. He said this is usually what they do. He said the permit is for one (1) year and it would be removed within a year. Councilman Johnson thanked Mr. Flanigan for the shrubs and grass. Mr. Flanigan said that is normal now.

Councilman Davis asked if the new road is all done. Mr. Flanigan said the temporary road is in.

The motion was made by Mrs. Davis and seconded by Mr. Johnson for approval of construction trailer permit for the Trinity Manor Subdivision for three (3) construction trailers to be set on site on Trinity Place. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson, Ms. Burns.
Noes: None.

Building Inspector consider local Law 7 amendment to the Bethlehem code for outside eating at restaurants Set Public Hearing

The next item was a request from Building Inspector, John Flanigan, to consider Local Law 7 pertaining to an amendment to the Bethlehem Town Code, Chapter 128 pertaining to definitions. Could advertise April 29, 1998 and hold public hearing May 13, 1998.

Supervisor Fuller asked Mr. Flanigan to give some information on this item. Building Inspector Flanigan said over the last few years there has been quite a few Board of Appeals hearings on different operations in restaurants and retail uses for people who want to do things that are done normally in surrounding areas, the outside eating at a restaurant. He said it is also to have a few chairs in the retail places which would not make them restaurants. He said Mr.

Subb was one of the recent applications and it has worked out very well.

Mr. Flanigan said he has been requested over the last six (6) months to try to put something together and he has been working on it. He said he has researched this in the surrounding areas and they don't address it, they just let the establishments do it. Mr. Flanigan felt we should have something in our Code to allow for this. He said the restaurant definition at this time says there will be no eating outside on the premises any place. He said that is restrictive to the way of life every where else. He put the proposal together and asked that the public hearing be set to see what the input will be from the public.

Supervisor Fuller asked if there were any questions from the Board. Councilman Davis so she thinks those that have done any traveling even outside the immediate Town of Bethlehem know that outside dining is a very popular thing and she thinks we should move into the 21st Century. Supervisor Fuller said you do not have to go far, right in Delaware Avenue once you get out of Bethlehem it is being done. Councilman Lenhardt said he walked down Mulberry Street and you couldn't be on the sidewalk because of all the tables. Councilman Davis said she thinks it will be an asset to the community, as well as, making the community more attractive. She said she thinks there may have to be some enforcement down the road and there may be problems but there are problems with everything and they will be dealt with. Mr. Flanigan said he agreed but it is going to make enforcement easier. He said he believes this is the case because people will be allowed up to certain things. He said now the answer is, no, you can't do it at all. He said in this way it will give them some leeway to be able to do these things. He said he thinks it is an asset because it will help the small businesses. Councilman Davis agreed. Supervisor Fuller said she was going to make that point. She said we have many businesses in Town that people are not doing business here and this is one of the examples where people are going elsewhere to have their meals. She said she thinks it has been a little too restrictive. She said she looks forward to setting the public hearing on May 13, 1998 at 7:30 p.m.

Councilman Lenhardt asked if there are any places in Town with variances already. Mr. Flanigan said there are -- Manga Restaurant in Slingerlands and Bruegger's Bagels also has one and Mr. Subb has one for up to 12 chairs. He said he used these approvals in trying to draw this up so it would work and still get some control over it so it would not get out of hand. He said if everyone noticed, he put no excessive lighting or music outside. He said this does not mean they can't have it, it has to be reasonable. Attorney Kaplowitz noted this is the difficult part of the regulation. Mr. Flanigan said that was why he put a time on this and noted this is a seasonal situation.

The motion was made by Mr. Lenhardt and seconded by Ms. Burns to set a public hearing on May 13, 1998 at 7:30 p.m. to consider Local Law No. 7 of 1998 to consider an amendment to the Bethlehem Town Code, Chapter 128, Definitions. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

The next item was a request from John Flanigan, Building Inspector, pertaining to appointment of Assistant Building Inspector, effective May 1, 1998. Supervisor Fuller said this was an additional appointment which was approved in the Town budget.

Appoint
Building
Inspector

The motion was made by Mr. Johnson and seconded by Mrs. Davis to approve the appointment of David Rice, Delmar, New York to the position of Assistant Building Inspector effective May 1, 1998 at a salary of \$28,326.

Councilman Lenhardt said his notes in the September budget meeting indicated that this position would be graded a grade 13 step 3. He said this application is for a Grade 13, step 1 and he asked why. Mr. Flanigan said this was correct. He said there was discussion with the Supervisor and Comptroller about this position. He said he proposed that it be the step 3 but he was advised that on past precedent that that is not the way it works. He said when you bring someone into a position, it has to be to step 1. He said under the position classification and salary information in the employee's manual, it says all positions are graded based on the responsibilities required for a particular job. He said it continues each grade contains 5 steps which mark the salary increments available and states new hires start at the first step unless they possess exceptional qualifications and skills. All exceptions are subject to the Supervisor's review and Town Board approval, according to Mr. Flanigan. He said this was discussed and although he had it up at the 3rd step, he was asked to put it back to the step 1 position.

Mr. Flanigan indicated this is a transfer for Mr. Rice from the Department of Public Works. Councilman Lenhardt asked what Mr. Rice's current grade is. Mr. Flanigan said he is a grade 12, step 2. Comptroller Kehoe said it is equivalent to a Grade 13, step 1. Councilman Lenhardt asked how long Mr. Rice has been a Grade 12, step 2. Comptroller Kehoe said it was since January. She further said the other policy and precedent is no more than 1 step per year even in instances of a transfer. So, she said it was for that reason that she asked that the position be kept at the same salary and then he would be eligible for the increase January 1, 1999. Councilman Lenhardt said this was the reason for his question, typically, if it is a promotion, someone expects a pay increase. Mr. Flanigan further said everyone in his office in the Assistant Building Inspector's positions are Grade 15. He said when this re-evaluation of the titles and grades was done many years ago. This position was dropped back to a 13 at the time. He said he did not dispute it at the time because it worked out but there has been many changes since then.

Mr. Flanigan said he will go back and ask for the position to be re-evaluated to a 15 again. Supervisor Fuller asked if this was the first person hired since the evaluation. Mr. Flanigan said it was but there is a great discrepancy between the positions. Comptroller Kehoe said this is a separate issue. Councilman Lenhardt said it was not unusual when the regrading took place that people were grandfathered at a higher rate. Comptroller Kehoe said this was done in 1991.

Mr. Flanigan indicated Mr. Rice has some good qualifications according to what was presented. Supervisor Fuller agreed. Mr. Flanigan said he has 2 mandatory courses of the 120 hours he needs. He said he has 48 hours which he took on his own. There is a civil service exam which must be taken. Supervisor Fuller said that is why this appointment is provisional.

Councilman Davis said during the discussions at the budget process, he said he was concerned about not having someone in the office on a regular basis and noted this would enable that to happen. Mr. Flanigan said this will permit one of the Inspectors to remain in the office. Mrs. Davis said again, this will be an advantage to the people who come in for questions or to deal with the office.

Supervisor Fuller asked for a vote to approve the grade 13 position. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.

Noes: None.

The following item was a request from Bruce Secor, Commissioner of Public Works, to purchase a new software billing package for year 2000 compliance and adoption of resolution for use of Capital Reserve Funds. Supervisor Fuller said this was in the

Commissioner of
Public Works
purchase new
software billing
package for year
2000 compliance
and resolution

amount of \$64,000. She asked Mr. Secor to give some background on this item.

Mr. Secor gave a brief overview of his present system and explained the changes to be accomplished by this software package. He said this system will save hundreds of thousands of dollars. He said this new system allows for an electronic meter reading. This will also expedite the readings much faster and with less errors. He said the software comes in following this meter reading process. He said the information is down loaded electronically. He said there are a couple additional problems that go along with this, indicating the year 2000 compliance was one of them.

Mr. Secor said they reviewed a number of systems and asked Mr. Dammeyer to give information regarding the software. Mr. Dammeyer said Mr. Secor said most of what he wanted to say. He indicated the current system was written in-house in 1985 and it was based on the old Burrows card system and the manual bookkeeping system. He said this was used ever since. He said with the year 2000 requirements, they knew they had to re-write the system. He said customers have asked for additional things and they did not like the snap-out mailers with the carbons. He said they need to interface with the reader system also. He said this would be a complete rewrite and it would not make sense to do this when there are hundreds of programs on the market. He said they looked for municipal software. He noted the one that meets our needs and has support was the proposed system. He said they did not do a request for proposal because the State Comptroller's office said that software is considered special services. Attorney Kaplowitz asked if this software will be bought or leased. Mr. Dammeyer said this will be purchased. He said there is also a need for software to interface with the Tax Department and the Assessor's office due to the water bill charges being placed on the tax bills when the charges are not paid plus the water use surcharge. Mr. Dammeyer said this will interface into this.

Mr. Secor asked Comptroller Kehoe to go over the procurement. Mrs. Kehoe said she had copies of the State Comptroller's opinions that indicate that it is a long standing common law except to statutory competitive bidding requirements for the procurement of professional services or services requiring special skills or training. She said they have cited specifically software, computer software. She said computer hardware is a different story. She said although it was mentioned that it was not a formal proposal, in terms of the review of the different vendors that were out there, essentially that procedure was gone through in that they had a clear set of specifications on what was needed. She said it is her opinion that the Town has complied with both the State law and the Town's procurement policy for the acquisition of this software.

Mr. Secor said one other point is that this is the same process that was gone through for upgrading the Justice package, payroll package and the tax package. He said the most important thing, Mr. Dammeyer put out here was to have the support. He said someone can hand a disk and a manual but if it isn't clear, when the system has a problem or to get it going up, you need support. He said this process has been gone through and 3 or 4 vendors were chosen but this one happens to be a repeat in terms of availability. He offered to answer any questions.

Attorney Kaplowitz asked if it was fair to say that there is a need for uniformity. Mr. Secor said yes it is. He said this is also software to be shared with other departments because there is a lot of retyping of the same information. Mr. Kaplowitz said he has not looked at it in a long time but he said they did do extensive research when this was first approached, and he was not sure in leasing it that you could do it. He said he was bothered by it a little bit but he thinks the need for uniformity is another exception that will allow for this to proceed. Mr. Secor said the software business is complicated. He said until you get it running and benchmark it, by the time it is done, the software field changes.

Councilman Burns said she thinks it is great that we are looking to the future and want to automate everything. She said she has a great computer system at home and she would love to buy all the

software but she can't afford it. She said in his memo to the Supervisor, September 1997, he was informed that you couldn't do this in house and that a vendor should be sought and he agreed. She asked if that was September, why it was not put in the budget. Mr. Secor said they knew they would have to do something but they did not have a cost factor. He said the comparative shopping had not been done. He said the budget is made up in July and August and it goes to the Board in September and he did not amend it.

Mr. Secor explained the Capital Reserve funds and noted these monies are set aside to do this type of improvement. He said there was no reason to increase the budget in this case. Councilman Burns said she did not know if she agreed with that because Capital Reserves are for certain things. Mr. Secor said again, this is a unique situation. He said the type of things in Capital Reserves, not in the operating budget, are one time expenses. This is certainly a one-time expense. Councilman Burns said not really because every year you will be having an \$8,000 fee. Mr. Secor said that will come out as he said in the memo, as annual maintenance fees and other expenses will be paid out of the current year budgets. He said the annual fees would be budgeted as a normal operating expense. Councilman Davis noted that Mr. Secor said this would save thousands of dollars in the long term, she thinks \$8,000 is probably minimal when you look at the overall savings. Mr. Secor said he would be afraid of any system that is purchased and the vendor says this is it... this is your software, good-bye, thank you very much. He said because that is not the way life works. He said you have to have the system support and updates. He said they are going to have changes in postal rules and they are doing this all the time. He said by getting this software it can electronically print the bills anyway they want them. He said it might be a small savings but those things are always going to change. He said when you pick-up the phone, you want someone on the other end who is knowledgeable that can help you out. He said this needs to be bought into this.

Councilman Davis asked Mr. Dammeyer if the hardware can handle this. Mr. Dammeyer said it can. She asked if this was a problem. Mr. Dammeyer said it was not.

Councilman Burns had another point she wanted to make. She said back in March of this year, they voted on several water meters of the radio-read type from E.J. Prescott, noting she thought it was the March 12th meeting and they were approved. Mr. Secor said that was correct but the standardization was done a year ago. He said the procurement process was gone through and it was standardized on census meters. He said there was a memorandum to the Town Board once it was selected. He said they will go to bid every year because there are a number of dealers and you can still get competitive prices.

Councilman Burns said one point she is trying to make, and maybe everybody else knew it but she did not, on the March 12th meeting when she approved the water meters, she did not know coming up a month later they would have to buy a \$64,000 software package for it. Mr. Secor said he did not know then either. She said she is not looking at a full picture, she is only looking at parts and she finds that troublesome. She said she did not have a full picture. Mr. Secor said he gave all the information he had at the time. He said they were still doing comparisons, shopping around and then it had to be reviewed with Mr. Dammeyer. Councilman Burns said he should have known this back in 1997. Mr. Secor said he did not agree to it until he wrote the memo.

Councilman Burns said the point is that they could have known the whole picture and he did know. Mr. Secor said the meter purchase really isn't going to change the need for software. Ms. Burns said she understood that.

Councilman Burns said her third point is, she guesses it is a matter of interpretation as far as a request for proposals go. She said she knows by law the Town does not have to go to bid but it can be done if we want to. Comptroller Kehoe said essentially it was done by the various vendors that Mr. Dammeyer had contacted and developing the set of specifications for what was wanted. Ms. Burns

asked when they were contacted. Mr. Dammeyer said it was in November noting there are very few that offer utility billing software for municipalities. Ms. Burns said she would prefer it be put out on an rfp. She said she thinks this would be appropriate and obviously, we don't have to. Comptroller Kehoe said the same end resulted by the procedures Mr. Dammeyer utilized. She said that was her comfort level with it.

Supervisor Fuller asked if an rfp generates anything different from what is in front of the Board. Comptroller Kehoe said she did not believe it would. She said it is the same process where you are identifying who the vendors are that have the product or skills that you are looking for and advising them of what it is that is needed. She said you are meeting with them and demoing the software, testing and meeting with them. She said it is the same exact same steps, except you did not call it a request for proposals. Councilman Burns said a request for proposal would be published some where. Comptroller Kehoe said formally, not publicly necessary, but typed up and sent out. She said it does not require a legal notice. She said as an example when they do an rfp for audit services, she went through the Capital District book of lists to look at accounting firms, looking at the area of expertise they had and used that to select 6 or 7 firms to send the rfp to. Basically, per that list, they met the qualifications and then received proposals back from those that were interested. She said there is no publishing required. Councilman Burns asked if it is in the contract reporter. Comptroller Kehoe said it is not published. She said it is a process by which you are contacting the qualified vendors to get the information that you need and get quotes.

Councilman Lenhardt asked to take a moment and bore some people with a technical question. He said he is involved in the year 2000 situation heavily for a rather large public utility in the State. He asked about the signal that comes from the radio meters as to what information is contained in that signal. Mr. Secor said he does not know and that he has asked them. He said he does not know if there is any date stamping on that. He said the problem they have run into in looking at a lot of the equipment is that they refer to a bios chip that has a date stamp in it and the example was given that if you had a wrist watch, even though it does not have a day and date display, it probably has the same chip in it. They don't make a whole bunch of different chips, they make 1 chip and have whatever features you want off of that. Mr. Secor said even without a day and date display, you can still have year 2000 problems. He said he is going through that with some of the equipment manufacturers. He said some of the manufacturers themselves do not know. Councilman Lenhardt said he thought it would behoove the Town to get some confirmation from the vendors that they are compliant. He said there are legal ramifications after the fact, maybe if someone's water bill is inaccurate, it may not be as critical as if someone's power goes off for a period of time or we have to shut down a generation plant or something like that. He said that is what he is dealing with and it is a large task. Mr. Secor said any new units put in, they ask for certification that they are year 2000 compliant and some of the manufacturer's up until recently were reluctant to give that. He said he went to a show last week where GE was bragging about the fact that they took most of their processing units and sent them off to an independent lab to put the year in and see what would happen.

Supervisor Fuller said they have been meeting with each of the Department heads and have a resident who has been very helpful with what should be looked at for the year 2000. She said he has raised some issues that they are addressing also. Mr. Secor said they are trying not to wait for the last minute. He said they are trying to get it done this year to allow for training. He said it may be different but if some things can be done this year, it will help. He said they will do what they know of and deal with the last one that comes. Supervisor Fuller said it appears that we are in excellent shape here.

Councilman Burns asked if this is something that can be budgeted in this year's budget. Mr. Secor said it would be difficult to come up with a \$64,000 one time expense because the budget is very tight. He said it would be very difficult to say there is that large a

purchase this year and then nothing next year. He said you have bumps that come along and they make it difficult. Ms. Burns said it could be. Mr. Secor said the budget would have to be look at. He said in the budget package explanations appear that show any major differences and they have to be accounted for and not result in a tax increase. Councilman Lenhardt said that is why there are reserve funds, to take care of things like this. He said in Mr. Dammeyer's case, money is put aside in a reserve account for future computer upgrades and things like that rather than doing it in one lump sum in one year.

Councilman Lenhardt asked who the manufacturer of the software is that interfaces with the tax bills. Mr. Dammeyer asked if that was the tax bills that he was referring to. Mr. Lenhardt said it was. Mr. Dammeyer said it is Kimberly Computer Systems. Mr. Lenhardt further asked if they already have verified that this software will be compatible. Mr. Dammeyer said their system does cash receipts, they only receive the money. Councilman Lenhardt said maybe he chose the wrong department. Mr. Dammeyer said the bills are generated in the Water Department but they are collected in the Tax Department. Mr. Lenhardt said he guessed it is the sewer part of the tax. Mr. Dammeyer said that is in the Assessor's office. Mr. Lenhardt asked if that software will be compatible. Mr. Dammeyer said they will interface, indicating it is the NYS Real Property Tax system.

Councilman Johnson asked Mr. Secor with regard to the radio read meter discussion, as relating to the computer software program, if he will be moving along with the radio read meters if there wasn't any computer software program. Mr. Secor said when he came to the Board 2 years ago and presented the program he just wanted to go over it again to put it in perspective. He said when they went out to bid, there was a software package offered with that radio read meter but it would have required redoing all the books and putting them in routes and everything. He said any time you come up with a new system, you expect a certain amount of reentry work. Once set up, then you can go, according to Mr. Secor, but the point you are getting to, why would you rewrite that and then still not be able to give your customers all of the other services that are available. Councilman Johnson said the only point he was making was radio read makes sense to do whether you have computer back-up or not. Mr. Secor said this is a step beyond the radio read and something they are trying to do along with the year 2000 compliance.

The motion was made by Mr. Lenhardt and seconded by Mr. Johnson to approve the purchase of new software for billing and year 2000 compliance at a cost of \$64,000 as requested by Commissioner of Public Works, Bruce Secor and recommended by MIS Director, Jeff Dammeyer and Comptroller, Judith Kehoe. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Noes: Ms. Burns.

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The Town Board of the Town of Bethlehem in the County of Albany, State of New York has on the 22nd day of April 1998, duly adopted, a resolution as follows:

WHEREAS, the Town Board of the Town of Bethlehem has determined that it is necessary to replace the old software for utility billings for Water District #1 in order to provide year 2000 compliance software and to provide more efficient services to the community; and

WHEREAS, it is estimated that the costs of replacement software be approximately \$64,000 and,

WHEREAS, in recognition of these needs, funds for such software are in the Water District Capital Reserve Account; and

NOW, THEREFORE, BE IT RESOLVED that it is in the public interest to purchase new software package; and,

BE IT FURTHER RESOLVED, that the Town Board authorizes the expenditure of reserve monies to fund this project up to a maximum amount of \$64,000; and,

BE IT FURTHER RESOLVED, that the Town Comptroller is authorized to expend from the Water District Capital Reserve Account the funds necessary up to \$64,000 in said reserve fund to purchase new software; and

This resolution shall be subject to a permissive referendum, as permitted by law.

The motion to adopt the resolution was made by Mr. Lenhardt, was seconded by Mr. Johnson and duly adopted by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson.

Noes: Ms. Burns.

Absent: None.

The following item was to acknowledge receipt of the Preliminary Plat Approval for Westland Park Section 4 from the Planning Board for information purposes.

Supervisor Fuller thanked Mr. Dammeyer and congratulated him from the Town Board for going above and beyond the call of duty over the last couple years with all the changes in the operation. She also thanked John Esposito, noting they have taken on a major job and they have done it well.

Receipt of preliminary plat approval Westland Park section 4

Town Board and Supervisor thanked Mr. Dammeyer for changes in operation.

Supervisor Fuller asked if anyone wished to address the Board. Tony Arduini, Police Officer and President of the Bethlehem Police Officers Union, noted recently there was a labor management meeting where he was able to discuss a couple topics with Councilman Lenhardt, representing the Board, the Chief of Police, and a couple members of the Police Officers Union. He said he wanted to bring up the topic to the remaining Board Members that were not in attendance. The topic brought up was additional hiring of personnel and he asked Mr. Lenhardt regarding whether the Town would take advantage of a pending grant for the Police Department that has been available since last fall, according to his understanding, and also available up to this point.

Tony Arduini Police Officer inquiring about hiring additional officers

Officer Arduini said he also brought up other areas that could be looked into if there was a concern about the resources that were needed to fund the additional police officer. He said he brought up about the reimbursement from Hartford for the 3 officers that have been out on extended sick leave. He said he also brought up about the grant, about whether the Town could look in discussion with the school district of increasing the amount that the school district funds the Town for the 2 SROs. In further discussion when he asked regarding the grant -- and he indicated Mr. Lenhardt could correct him if he were wrong -- about the position as a representative of the Board was that the Town at this point would not take advantage of the grant, part of the reason being because of the long term costs. He asked Mr. Lenhardt if this was correct. Councilman Lenhardt said it was discussed at a meeting, he believed, last year.

Officer Arduini said he thinks what has happened but he does not want to relate back to numbers of what they have on patrol, in any Police Department they can look at patrol as being the backbone of the Department. Everything relates, reflects and whatever else may relate to the patrol whether it be detectives, training, DARE, SROs, and everything else. He said the unfortunate part is what is going on on some days and as summer approaches, if the Town does not even consider looking at the grants, his concern not only for the residents but as for the Police that serve the Town, the service will not continue to be what it is.

Supervisor Fuller asked if this was the Cops Fast Grant that he was talking about. Officer Arduini said it was. Mrs. Fuller said 3 Police at \$75,000. He answered yes. Supervisor Fuller thanked Officer Arduini and said she wanted to be sure they were speaking of the same program. Councilman Burns asked what it was called, noting she did not know anything about it. Supervisor Fuller explained for Councilman Burns's information. Comptroller Kehoe said it was a Federal grant over a 3 year term which is part of President Clinton's

initiative to put more officers out on the streets. She said there is an application process, they award the grants and the grant must be accepted by the governing body in order to take advantage of the money. Attorney Kaplowitz asked what happens after the 3 years. Comptroller Kehoe said the government does not pay any more funds and the municipality covers the full cost. Attorney Kaplowitz said you are then stuck with the person from then on. Comptroller Kehoe said when the Town accepted the initial 2 grants, it was under the discussion that the Town needed 2 additional officers and 2 would be hired regardless of whether or not the Federal funding was available. She said, therefore, it made a great deal of sense to take advantage of the grant. She said it was found money.

Mrs. Capone supported the plea for more police officers and building inspectors

Mrs. Marie Capone, resident, said she supported Officer Arduini's plea for more police officers. She said we need more police officers and building inspectors and she hoped that the Town Board person that follows the cops is going to shake loose and stop shaking them and following them and stay home and do crossword puzzles. She thanked the Board.

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Supervisor Fuller asked if anyone else wished to address the Board. She thanked everyone for joining the Town Board at their meeting.

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Town Board meeting was adjourned

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to adjourn the regular Town Board meeting at 8:30 p.m. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson, Ms. Burns.
Noes: None.

Kathleen Q. Newbirk
Town Clerk