

TOWN BOARD
APRIL 24, 1991

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 Deputy Supervisor at 7:30 p.m.

- PRESENT: Frederick C. Webster, Deputy Supervisor
 Robert J. Burns, Councilman
 M. Sheila Galvin, Councilwoman
 Charles Gunner, Councilman
 Bernard Kaplowitz, Esq., Town Attorney
 David Austin, Administrator, Parks & Recreation Dept.
 Bruce H. Secor, Commissioner of Public Works
 Richard Webster, Deputy Comptroller
 Charles Herr
 Brenda Hentage
 Red Goyer
 Sue Thomas
 Liz McCoy
 Karen Speader
 Jancy Houck
 Sherwood Davies
 Marie Capone
 Kathy Keenan, News Herald Representative
 Michael Larabee, The Spotlight Representative
 Barbara Hayden, Times Union Representative
 Carolyn M. Lyons, Town Clerk

ABSENT: Kenneth J. Ringler, Jr., Supervisor

The regular Town Board Meeting was called to order by the Deputy Supervisor, Frederick C. Webster. He indicated as is our usual practice if anyone has any questions concerning anything that comes up on the agenda, please raise your hand to be recognized and if you have anything in particular you would like to bring up or bring to the attention of the Town Board, feel perfectly free to do that at the end of the agenda.

The first item on the agenda is to accept the resignation of John Thompson, Assessor effective April 30, 1991. The Deputy Supervisor read the following letter.

April 10, 1991

Resignation,
Assessor

To: Supervisor and Town Board Members
Subject: Resignation of Appointed Assessor

1. The undersigned respectfully submits his resignation from the position of Sole Assessor, to be effective April 30, 1991.
2. Since my appointment on February 15, 1982 I have enjoyed associating with many dedicated employees. I will miss that association.
3. This action on my part is predicated on personal reasons.

Sincerely,

/s/ John F. Thompson

The motion was made by Ms. Galvin and seconded by Mr. Burns that the resignation of John F. Thompson, Assessor, be and it hereby is accepted with regret. The motion was passed by the following vote:

Ayes: Mr. Webster, Mr. Burns, Ms. Galvin, Mr. Gunner.
Noes: None.
Absent: Mr. Ringler.

The second item is a recommendation from the Traffic Safety Committee for Yield Signs on Berwick Road at either side of its intersection with Dumbarton Drive. He read the Memorandum from Frederick J. Holligan, Chairman of the Traffic Safety Committee.

MEMORANDUM

DATE: April 9, 1991
 TO: Honorable Kenneth Ringler, Town Supervisor
 FROM: Frederick J. Holligan, Chairman, Traffic Safety Committee
 SUBJECT: Stop Sign Request - Berwick Road & Dumbarton Drive,
 TSC-90-009

The Traffic Safety Committee has completed its study of the request for a stop sign at the intersection of Berwick Road and Dumbarton Drive and as a result we make the following recommendation:

Install Yield signs on Berwick Road at either side of its intersection with Dumbarton Drive.

This recommendation is based on line of sight measurements done at this intersection by committee members, which when applied to a guideline provided in the New York State Department of Transportation Manual of Uniform Traffic Control Devices, indicates that the placement of Yield signs as recommended above will provide adequate control at said intersection.

Deputy Supervisor Webster asked if anyone had any questions as he saw that the Traffic Safety Committee is represented here? Councilman Robert J. Burns asked if this was a petition from a group of residents or one letter. Mr. Charles Herr indicated that he believed it was from a local resident. Deputy Supervisor Webster repeated that it was a request from a local resident. Councilman Burns asked if it was a high accident rate area or a speed control issue again, as you recall? Mr. Herr stated that they had two accident reports that came through, one was an accident in 1986 and another in 1989 both of them with a vehicle on Dumbarton Drive being hit by a vehicle coming out of Berwick and the vehicle on Dumbarton in both cases did have the right-of-way.

The Deputy Supervisor indicated that if anyone else had any questions or we could schedule this for a public hearing.

Public
 Hearing
 Set
 Amendment
 To Traffic
 Ordinance
 Yield Signs
 Berwick Road
 and
 Dumbarton Drive

The motion was made by Mr. Gunner and seconded by Mr. Burns that a public hearing be scheduled for May 22, 1991 at 7:30 p.m. to consider installation of Yield Signs on Berwick Road at either side of its intersection with Dumbarton Drive. The motion was passed by the following vote:

Ayes: Mr. Webster, Mr. Burns, Ms. Galvin, Mr. Gunner.
 Noes: None.
 Absent: Mr. Ringler.

Deputy Supervisor Webster continued and we have another item that we could also incorporate into that same public hearing, for another request.

The next item is a request from the Traffic Safety Committee for installation of a Stop Sign on Reineman Street to control northbound traffic at the intersection of Fliegel Avenue. He read the Memorandum from Frederick J. Holligan, Chairman of the Traffic Safety Committee.

MEMORANDUM

DATE: April 9, 1991
 TO: Honorable Kenneth Ringler, Town Supervisor
 FROM: Frederick J. Holligan, Chairman, Traffic Safety Committee

SUBJECT: Traffic Safety Petition - Fliegel Avenue & Reineman Street
TSC-90-005

The Traffic Safety Committee has reviewed the petition for a four-way stop at the intersection of Fliegel Avenue and Reineman Street as well as for a Children Playing sign and a reduction in the speed limit on Fliegel Avenue from the present 30 mph to 15 mph. Because the town boundary line runs through this intersection, The Albany County Department of Public Works was also requested to conduct an investigation into the traffic control needs in the vicinity of this intersection. A copy of their findings is attached for your information.

Basically, the report from the county recommends:

1. Installation of a stop sign on Reineman Street to control northbound traffic at the intersection of Fliegel Avenue.
2. Installation of a Children at Play sign on Fliegel Avenue, west of Schoolhouse Road.
3. Change the existing 30 mph Speed Limit sign on Fliegel Avenue, to a 30 mph Area Speed Limit sign.
4. Installation of a 30 mph Area Speed Limit sign on Elm Street, west of Schoolhouse Road.

The Traffic Safety Committee recommends as follows:

1. The installation of a stop sign as outlined in item #1 above.
2. No Children at Play sign should be installed as said installation would not be in conformance with the New York State Department of Transportation Manual of Uniform Traffic Control Devices.

The Town of Guilderland has also received a copy of the County report and will be taking action on their side of the intersection.

The Town of Bethlehem Highway Department will be taking the appropriate action on the speed limit sign changes as recommended by the County.

The minimum speed limit allowed by the New York State Vehicle & Traffic Law for town streets is 30 mph.

Deputy Supervisor Webster indicated that the only sign that requires any action on our part he believed is installation of the Stop Sign on Reineman Street. The other side of that is in the Town of Guilderland. The 30 mile per hour speed limit signs are going to be changed by the County he believes, and it looks as if the order has already been cut to install those and the Stop Sign at the corner of Reineman Street is, he believes, the only Stop Sign in question, is that correct?

Mr. Charles Herr indicated that the Speed Limit has actually been there and posted it needs adjustment of posting between the two Towns, each Town has a 30 mile per hour speed limit and we are going to post the speed limit sign better for the Town of Bethlehem and we hope that Guilderland will do the same with their speed limit sign. Deputy Supervisor Webster asked but there will be no change in the speed limit so there would be no requirement on behalf of the Town Board? Mr. Herr indicated this was correct there would be no change the speed is regulated by Town Ordinance in both towns and the Stop Sign requirement is met by the poor sight distance at the intersection and because the intersection is split between two Towns and each Town has to take their own legal action in their own Town.

The Deputy Supervisor indicated so what we need here is a motion to conduct a public hearing on the installation of a Stop Sign on Reineman Street controlling northbound traffic at the intersection of Fliegel Avenue.

The motion was made by Mr. Gunner and seconded by Mr. Burns that the amendment to the Traffic Ordinance for installation of a Stop Sign on Reineman Street to control northbound traffic at the intersection of

Public
Hearing
Set
Amendment
To Traffic
Ordinance
Stop Sign
Reineman St.
and
Fliegel
Ave.

Fliegel Avenue be added to the public hearing of May 22, 1991 at 7:30 p.m. The motion was passed by the following vote:

Ayes: Mr. Webster, Mr. Burns, Ms. Galvin, Mr. Gunner.
Noes: None.
Absent: Mr. Ringler.

Deputy Supervisor Webster indicated once again this will be combined with the Berwick Road Yield Signs on May 22nd.

Councilman Burns asked, related to that but not part of the public hearing, two old issues pop up on this one and one is the Committee is recommending that No Children At Play Sign be installed at the location because it would not be in conformance with the New York State Department of Transportation Manual and so on, he takes it that is the argument that if a motorist would somehow be able to understand that children might be at play there is no need in a given area, there is no need for a sign, but we have held off setting any signs because there was going to be a study and an inventory and he has not heard a word about that and instead of putting that - Deputy Supervisor Webster indicated that he thought that his was the intersection where a child was struck at, is it not? An unidentified resident from the audience indicated that it was. Mr. Charles Herr stated well there was an accident there involving a child and he did see the accident report and the best he could tell from the accident report, the accident was not at the intersection but somewhat removed from it where the children were riding bicycles and darted across the street somewhat removed from the intersection. The unidentified couple from the audience indicated No they did not believe that that was true, it was right at the intersection, right on the corner. Mr. Herr indicated once again that the police report did not imply that and the gentleman from the audience indicated that he was at the scene of the accident and he saw that it was at the intersection and the lady indicated that the child was carried by the car and dragged, starting right at the intersection. Mr. Herr indicated O.K. Councilman Burns asked if that was the argument against the Children At Play Signs. Mr. Herr indicated that basically the argument is that the sign is really not very effective and the Committee is making a study of the existing signs around the Town and he believes that the Committee has a policy right now not to install any new signs until they examine the existing policy and what is going on around the Town.

Councilman Burns indicated that this has been going on for at least six months or more and his concern is and he did not see the value of fifteen or twenty of the signs within a development or something of that nature, but he saw nothing wrong with it if the neighbors feel that they could use and are a little more comfortable if one sign were posted at least at the entrance to the residential area and that was the way he felt before and the only reason we held off was because there was going to be this inventory or study and get back to us. Deputy Supervisor Webster stated that he thought this was an issue we should address at the public hearing though as he thought that we should get some input from the people in the area at the public hearing. Councilman Burns asked but that sign does not require a public hearing and Deputy Supervisor Webster indicated that this does not require a public hearing, but there is nothing, and he felt that it is something that should be discussed and perhaps recommend to the Highway Department if we feel that it should be installed.

Marie Capone indicated she had two things, what you are talking about, we talked about two years ago, it costs \$35,000 for the signs and it went on the back burner. Councilman Burns asked \$35,000 and Mrs. Capone indicated to do the whole Town and installation of the signs. Deputy Supervisor Webster indicated that he thought this was a different issue than what Councilman Burns was talking about and Mrs. Capone responded, No this is what Bob was asking at the beginning and two years ago they talked about it but it was too expensive to put them in. On Jefferson Road where you have all of your stop signs the speed limit has increased by two miles per hour. Councilman Burns indicated that he was only talking about the Children At Play signs right now, he was not talking about Stop Signs or whether they slow traffic, that is another discussion or another topic, but he did not think that we have authorized any in several years but that is usually because there have been a few in the general area so we have said well that is enough, but

are there any in this area right now, do the neighbors know, Children At Play Signs at all? The unidentified couple and another couple of residents of the area indicated none at all.

Deputy Supervisor Webster indicated but also on the corner of Fliegel Avenue and Schoolhouse Road recently within the last month another Stop Sign has gone up, by the corner where the old fire house used to be, and this area is 30 miles per hour from Fliegel Avenue heading right into Schoolhouse Road and somebody within the last thirty days has put a Stop Sign in there. Mr. Herr indicated that the Stop Sign was put up by the County in connection with this study that they did at Fliegel Avenue and this was a County jurisdiction on this corner. Councilman Burns asked maybe if we could at least get the report and have some discussion and get a police down once and for all.

The Deputy Supervisor asked for a motion to add that to the public hearing on the 22nd day of May.

The motion was made Mr. Gunner and seconded by Mr. Burns that the discussion of the policy for Children At Play Signs be added to the public hearing scheduled for May 22, 1991. The motion was passed by the following vote:

Ayes: Mr. Webster, Mr. Burns, Ms. Galvin, Mr. Gunner.

Noes: None.

Absent: Mr. Ringler.

Deputy Supervisor Webster stated that those of you who are from that area if you do attend that public hearing, that is something we would like to have brought up. A couple of residents asked where the hearing would be held and Deputy Supervisor Webster indicated right here in this room on the 22nd of May.

Another unidentified resident who indicated she was from the Town of Guilderland and asked if there would also be correspondence between you and Mr. Moss because it is a joint effort right by both Town. Deputy Supervisor Webster indicated that he was not sure, they have the same information that we have here and they have the same recommendations, but he has nothing here indicating that Guilderland is anticipating putting this on their Board at any future date, we really don't know. Town Attorney, Bernard Kaplowitz, indicated that it was not a joint effort in the respect that Bethlehem is wholly responsible for its side and Guilderland for its side, neither one has to help the other so to speak, we are agreeing to holding a hearing on putting the sign on the Bethlehem side. The unidentified resident asked when you say the Stop Signs is that at where Reineman meets Fliegel Avenue. Deputy Supervisor Webster indicated, yes, where Reineman Street meets Fliegel heading north is correct, heading south is the Guilderland corner. The unidentified resident asked so you would have to stop at that corner anyway, really. Another resident indicated you stop there anyway because you can't see, it is a blind corner so you if anything the sign should be out on both ways on Fliegel. Deputy Supervisor Webster indicated but that is in the Town of Guilderland and another unidentified resident asked what about the other side? The Deputy Supervisor stated that the western corner of Fliegel and Reineman is in the Town of Guilderland, the northern corner of Reineman and Fliegel is in the Town of Guilderland, the south-east corner is in the Town of Bethlehem, it runs on an angle right through the intersection. An unidentified resident asked so on that four way intersection Bethlehem only owns one corner. Deputy Supervisor Webster indicated well it is very close if you are heading west on Fliegel when you get to the corner and he could not really tell from the measurements here, but before you get to the corner you come into Guilderland. The unidentified resident asked because we were wondering if there was a possibility of having a four way stop put there and she knew that we could only do it on what you own, but you only have one corner. Deputy Supervisor Webster stated that it was a very difficult intersection and the resident indicated it really is.

Councilman Burns asked, Fred, Lieutenant Holligan's letter says the Town of Guilderland will be taking action on their side of the intersection and it almost sounds like he has spoken with someone there. Deputy Supervisor Webster indicated well that could be and asked a couple of the residents present if they had any knowledge of this at

all. One of the residents responded that they all received a letter from Kevin Moss on a petition that they asked him to look into this because every year it is the same thing. Deputy Supervisor Webster asked has he said that he would? The resident responded that he said, Yes, they were considering it, but as of when she did not know, she would have to try to call the Guilderland Town.

Deputy Supervisor Webster indicated that he would leave a note and see that the Town of Guilderland is notified that we are going to have a hearing on the 22nd of May and perhaps a little nudging from your side of the street would be helpful. The resident agreed and thanked the Town Board.

Councilman Burns continued, Fred, the second old issue that comes up is the statement that the minimum speed limit on Town streets is 30 and we talked about that a number of years ago after some requests and never really went further with it, but there was a good question there as to whether or not we could impose an area speed limit of twenty-five, and you see it all around New York State and that was what we must do, our Committee and he knew that you folks have said that a number of times, but it seems visible elsewhere in New York State where development areas have twenty-five mile per hour zones, and, again, if we could just get that resolved as we are making this as a statement of fact, and he thought that we found that if we make it an area as opposed to one street, we could do it. Now if the Committee feels that it is not appropriate and makes a different argument, that is something else to discuss, but the argument here is simply that they can't do it. Deputy Supervisor Webster indicated that it would be a good issue certainly to come before the Traffic Safety Committee and he knew that there was a little difference in the Village law, because the Village of Colonie has dropped theirs to twenty miles per hour, but there is something about Village law being applicable there or something. Mr. Herr replied that as he understands the Vehicle & Traffic Law, and Mr. Kaplowitz can verify it if he has looked at it recently, as he has not looked at it for a few years, but basically the State law prohibits any area speed limits less than thirty miles an hour. An unidentified gentleman from the audience indicated well under that situation there you have Schoolhouse Road being a lot more of a main drag for the whole traffic to go through there and that is thirty miles per hour and we have a back street with very many children and people backing out of their driveways and you have thirty miles an hour through there, and the intersection crossing through both at thirty miles per hour with no one to stop them, no one.

Attorney Kaplowitz indicated that he knew what they were saying and he has not looked at it in a few years, every few years it comes up and he thought that there has been a change since that, it used to be the only exception you could drop to twenty or twenty-five within two hundred feet of the front of each corner of a building of a school. Mr. Herr indicated that you could go down to fifteen in schools. Attorney Kaplowitz asked is that what it is, I have not looked at recently, he would have to look again, but Bob reminds me somewhat that we did find a Comptroller's Opinion or some authority for the fact that you may be able to drop it to twenty-five but again when you talking about an area rather than a particular road, you had to be serving a particular purpose or need as he recalled, but he was talking off of the top of his head. Mr. Herr indicted that you can have a linear speed limit on a particular highway as low as twenty-five, areas have to be no lower than thirty, school zones can go as low as fifteen. Attorney Kaplowitz indicated you may be way ahead of me and Mr. Herr continued that he believed that this was still the law. Councilman Burns asked if we could double check that before the public hearing and Deputy Supervisor Webster indicated that it was something we should look into he thought and Councilman Burns asked that this be done and refer it back to the Committee. Deputy Supervisor Webster asked Attorney Kaplowitz to take a look at this. Attorney Kaplowitz stated that you could refer that issue back to Committee but don't you want to go ahead with the public hearing. Councilman Burns indicated yes he did want to go on with the hearing and Deputy Supervisor Webster indicted that he was saying can we just explore this a little further before the public hearing. Attorney Kaplowitz indicated that we should ask the Traffic Safety Committee to explore this and he would be glad to help in any way that he could. An unidentified person from the audience again asked don't they do that if there is an area where you do have limited sight, where

they would lower the speed limit in that area because of the limited sight, and Councilman Burns asked you mean like on a curve or something. Mr.Herr indicated that was only an advisory sign on a curve it was only an advisory speed you go down a curve to only five miles per hour but that does not have to be obeyed. Deputy Supervisor Webster indicated Yellow Signs you do not have to obey right - and Councilman Burns indicated - don't print that - Laughter - and Mr. Herr indicated if you find it reasonable and prudent rather than legal violation, absolutely. Deputy Supervisor Webster stated, I did not say that, Mike - Laughter.

The next item on the agenda was to acknowledge receipt of a Preliminary Plat for Krumkill Manor from the Planning Board and this was for informational purposes only, a twenty-five lot subdivision.

Preliminary
Plat
Krumkill
Manor

The next item was a request from John Flanigan, Building Inspector, for approval of the 1991 Renewal for Trailer Permits for Breckenridge Village and Shady Grove West from Garden Homes Management. At the last meeting we approved the renewal for Shady Grove East permit and this is for Shady Grove West and Breckenridge Village.

1991
Trailer
Camp
Renewals
Breckenridge
Village
and
Shady Grove
East

The motion was made by Mr. Gunner and seconded by Mr. Burns that the 1991 Trailer Camp Permits for Breckenridge Village and Shady Grove East be renewed until December 31, 1991, in accordance with the recommendation of John H. Flanigan, Building Inspector. The motion was passed by the following vote:

Ayes: Mr.Webster, Mr.Burns, Ms. Galvin, Mr.Gunner.

Noes: None.

Absent: Mr.Ringler.

The next item was to approve the Town Board minutes of March 27th, 1991 distributed on April 10, 1991.

Minutes
Approved

The motion was made by Mr. Burns and seconded by Ms. Galvin that the Town Board Minutes of March 27, 1991 be and they hereby are approved as submitted to the Town Board. The motion was passed by the following vote:

Ayes: Mr.Webster, Mr.Burns, Ms.Galvin, Mr.Gunner.

Noes: None.

Absent: Mr.Ringler.

The next item was to adopt a resolution designating the Polling Places in the Town of Bethlehem effective May 1, 1991 all of which are accessible to the handicapped and he believed there were no changes from last year.

Polling
Places

The following resolution was offered by Ms. Galvin and seconded by Mr. Burns:

RESOLVED, that in accordance with Election Law, Article 4, Subdivision 4-104, the Town Board of the Town of Bethlehem, hereby designates the following named locations as polling places for any election to be held in the Town of Bethlehem effective May 1, 1991 through April 30, 1992, and

BE IT FURTHER RESOLVED, that the accessibility for physically handicapped voters for each designated polling place is hereby indicated:

<u>ELECTION DISTRICT</u>	<u>POLLING PLACE</u>	<u>ACCESSIBLE TO HANDICAPPED</u>
1	Slingerlands Fire Hall	Yes
2	Bethlehem Public Library	Yes
3	First United Methodist Church	Yes - Separate Entrance on side towards Tebbutt's Funeral Home.
4	Elsmere Grade School	Yes - Separate Entrance on Herrick Ave. side of building.
5	Selkirk Fire Hall No. 2 Glenmont	Yes
6	Selkirk Fire Hall No. 1 Selkirk	Yes
7	Selkirk Fire Hall No. 3 So.Beth.	Yes
8	Elsmere Fire Hall	Yes
9	Delmar Fire Hall	Yes
10	North Bethlehem Fire Hall	Yes
11	Hamagrael School	Yes
12	Bethlehem Central High School	Yes
13	Bethlehem Central Middle School	Yes - Separate Entrance to left of main door.
14	Parks & Rec. Bldg., Elm Ave. Park	Yes
15	Slingerlands Grade School	Yes - Separate Entrance on Union Avenue side.
16	First United Methodist Church	Yes - Separate Entrance on side toward Tebbutt's Funeral Home.
17	St. Stephen's Episcopal Church	Yes
18	Town Hall Auditorium	Yes - Separate Entrance at rear, east side of Bldg.
19	Bethlehem Historical Museum	Yes - Ramp Entrance on Rte 144.
20	Educational Services Center	Yes
21	Elsmere Grade School	Yes - Separate Entrance on Herrick Ave. side of Bldg.
22	Glenmont Grade School	Yes
23	Bethlehem Central High School	Yes
24	Becker School (RCS)	Yes
25	Delmar Fire District Annex	Yes
26	Slingerlands Grade School	Yes - Separate Entrance on Union Avenue side.
27	Community Room - Bethlehem Terr.	Yes

and

BE IT FURTHER RESOLVED, that in accordance with New York State Election Law, Section 5-202 (Sub. 5) Registration Day(s) in the Town of Bethlehem will be consolidated into two locations as follows:

Town Hall Auditorium - Districts

1,2,3,4,8,9,10,11,12,13,15,16,17,18,20,21,22,23,26,27.

Becker School - Districts
5,6,7,14,19,24,25.

The resolution was adopted by the following vote:

Ayes: Mr.Webster, Mr.Burns, Ms.Galvin, Mr. Gunner.

Noes: None.

Absent: Mr. Ringler.

Dated: April 24, 1991

The next item was a request from John Flanigan, Building Inspector, to pay the registration fee for Kevin Shea to attend the New York State Building Officials Conference on Educational Methodology to be held at Rensselaer Technology Park in Troy, NY.

New York
State
Building
Officials
Conference

The motion was made by Ms.Galvin and seconded by Mr. Burns that at the request of John H. Flanigan, Building Inspector, Kevin Shea, Assistant Building Inspector, be and he hereby is authorized to attend the New York State Building Officials Conference on Educational Methodology to be held at Rensselaer Technology Park in Troy, NY with his registration fee paid. The motion was passed by the following vote:

Ayes: Mr.Webster, Mr.Burns, Ms. Galvin, Mr.Gunner.

Noes: None.

Absent: Mr. Ringler.

The next item was a request from Building Inspector, John Flanigan, concerning three construction trailers for the New York Telephone Company for construction to be done for an addition to their building on Delaware Avenue.

New York
Telephone
Three
Construction
Trailers

The Deputy Supervisor asked if there were any questions.

The motion was made by Ms. Galvin and seconded by Mr. Gunner that a trailer permit be issued for a period of one year to park three construction trailers for New York Telephone Company on their property located at 334-338 Delaware Avenue, Delmar, NY. to construct a new addition to their building. The motion was passed by the following vote:

Ayes: Mr.Webster, Mr. Burns, Ms. Galvin, Mr.Gunner.

Noes: Noes:

Absent: Mr.Ringler.

Councilman Burns indicated that there were several trailers on the Bethlehem side of the bridge that were placed there by either the Thruway Authority or their contractors to do some work at Exit 23 of the Thruway and asked does the State have to come to the Town if they want to put a trailer up, as he did not recall any trailer applications for this. Deputy Supervisor Webster asked if was within the Town of Bethlehem and Councilman Burns indicated that they were on our side of the Geurtze Bridge and although the work is being done on the Albany side. Attorney Kaplowitz stated that there would be some question if they are State Trailers if we could control them if we wanted. Councilman Burns indicated that he did not know if they were State trailers or not, but he did not recall any application. The Deputy Supervisor indicated that he did not know if they were on State highway and he did not even remember seeing them there. Attorney Kaplowitz asked if they were State owned trailers or the contractor, or did he know? Councilman Burns responded that it was a Field Office, they set up the Field Office while the work was being done. Deputy Supervisor Webster asked if it was on the State right-of-way? Councilman Burns responded it was on one of those old gas stations that are now

abandoned and Red Goyer from the audience indicated at the old gas station and the Deputy Supervisor indicated that he now knew where they were and meant. Attorney Kaplowitz indicated that they could well be for the State of New York and in many areas the State can ignore our zoning and in many areas do a lot of things, so the general theory is that the Town cannot tell the State what to do. Councilman Burns indicated that he would check with John Flanigan about this. Councilman Gunner asked who owns the property? Deputy Supervisor Webster indicated well if it is in that gas station it has got to be privately owned.

Appoint
Parks &
Recreation
Seasonal
Personnel

The next item is a request from David Austin, Administrator of Parks and Recreation Department, for approval of summer personnel. He requests that the following be approved.

Attendant at a rate of \$4.65 per hour.

Benjamin T. Lazarus 58 Huntersfield Road Delmar, Ny 12054	Kimberlee J. Dale 65 University Street Selkirk, NY 12158
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Gregory D. Zornow 31 Axbridge Lane Delmar, NY 12054	Melissa Kermani 38 Linda Court Delmar, NY 12054
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Attendant at a rate of \$4.85 per hour.

Shannon E. Perkins 4 Oak Road Delmar, NY 12054	Carly A. Cushman 27 Linton Street Selkirk, NY 12158
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Attendant at a rate of \$4.45 per hour.

Michael DeCecco 39 Elwood Road, Box 306 Slingerlands, NY 12159	Brian J. Lenhardt 13 Magdalen Road Delmar, NY 12054
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Attendant at a rate of \$4.55 per hour.

Michael A. Rossi 31 Peel Street Selkirk, NY 12158	Jeremy M. Wolkenbreit 20 Axbridge Lane Delmar, NY 12054
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Recreation Program Director at a rate of \$8.90 per hour.

Robert K. Oliver
115 Roweland Avenue
Delmar, NY 12054

Senior Attendant at a rate of \$5.50 per hour.

James C. Browe
42 Fairlawn Drive
Selkirk, NY 12158

Senior Attendant at a rate of \$5.65 per hour.

Patricia M. Paonessa
31 Pine Street
Albany, NY 12203

Lifeguard at a rate of \$5.95 per hour.

Lisa K. Pass: 9 Patroon Place Glenmont, NY 12077	Andrew P. Patrick 114 Roweland Avenue Delmar, NY 12054
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Lifeguard at a rate of \$5.75 per hour.

Christina M. Mann 333 Kenwood Avenue Delmar, NY 12054	Lynn S. Kovach 21 Dumbarton Drive Delmar, NY 12054
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Lifeguard at a rate of \$6.35 per hour.

Kirsten M. Wehmann
64 Huntersfield Road
Delmar, NY 12054

Laborer at a rate of \$5.20 per hour.

Brendan P. Liston
18 Bridge Street
Slingerlands, NY 12159

Laborer at a rate of \$5.00 per hour.

Brian W. Applebee 12 Birchwood Place Delmar, NY 12054	Geoffrey P. Rice 88 Marlboro Road Delmar, NY 12054
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Attendant at a rate of \$5.25 per hour.

Elizabeth A. Buyer
59 Delmar Place
Delmar, NY 12054

Recreation Instructor I at a rate of \$4.50 per hour.

Allison Wenger 7 Douglas Road Delmar, NY 12054	Christine Nelson 26 Windsor Court Delmar, NY 12054
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Kathleen Jeram 45 Tamarack Drive Delmar, NY 12054	Emily Church 25 Parkwyn Drive Delmar, NY 12054
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Thomas Leyden 54 Brockley Drive Delmar, NY 12054	Veronica M. Michaelis 53 Constitution Court Glenmont, NY 12077
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Recreation Instructor I at a rate of \$4.70 per hour.

Jennifer A. Curtis 15 Linton Street Selkirk, NY 12158	Kara Ragone 17 Belmont Court Selkirk, NY 12158
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David Cleary
25 Bartlett Lane
Delmar, NY 12054

Recreation Instructor I at a rate of \$4.90 per hour.

Kate McNamara 40 Stockbridge Road Slingerlands, NY 12159	Jonathan E. Scholes 9 Woodmont Drive Delmar, NY 12054
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Recreation Instructor I at a rate of \$5.10 per hour.

Abigail M. Mansky
27 Kenaware Avenue
Delmar, NY 12054

Recreation Instructor II at a rate of \$5.25 per hour.

Heather Taft 36 Ruxton Road Delmar, NY 12054	Carl Meacham 705 Baxter Court Delmar, NY 12054
--	--

Recreation Instructor II at a rate of \$5.45 per hour.

Craig K. Christian
19 Venture Terrace
Glenmont, NY 12077

Recreation Instructor II at a rate of \$5.65 per hour.

David DeCecco
39 Elwood Road
Box 306
Slingerlands, NY 12159

Recreation Instructor II at a rate of \$6.45 per hour.

Anne M. Carey
8 Wiggand Drive
Glenmont, NY 12077

Recreation Instructor III at a rate of \$8.10 per hour.

Elizabeth Anderson
370 Wellington Road
Delmar, NY 12054

Recreation Instructor I at a rate of \$4.50 per hour

Erin Rodat
71 Cherry Avenue
Delmar, NY 12054

David Seegal
324 Elm Avenue South
Delmar, NY 12054

The motion was made by Ms. Galvin and seconded by Mr. Geurtze that at the request of David Austin, Administrator of Parks & Recreation Department, the above-mentioned personnel be and they hereby are approved as temporary employees for the Parks & Recreation Department to serve at the pleasure of the Town Board at the recommended rates of pay. The motion was passed by the following vote:

Ayes: Mr. Webster, Mr. Burns, Ms. Galvin, Mr. Gunner.

Noes: None.

Absent: Mr. Ringler.

Bids
Latex
Modified
Asphalt
Pavement
"Micro-Paving"

The next item was a request from Martin Cross, Superintendent of Highways, to go out to bid for Latex Modified Asphalt Pavement Micro-paving and we could advertise on May 1st, with bids to be opened on the 13th of May, 1991 at 2:00 p.m.

The motion was made by Ms. Galvin and seconded by Mr. Gunner that the Town Clerk advertise for the purchase and application of Latex Modified Asphalt Pavement in THE SPOTLIGHT issue of May 1, 1991 with bids to be opened on the 13th day of May, 1991 at 2:00 p.m. The motion was passed by the following vote:

Ayes: Mr. Webster, Mr. Burns, Ms. Galvin, Mr. Gunner.

Noes: None.

Absent: Mr. Ringler.

Bids
Rental
of Heavy
Construction
Equipment

The next item was a request from Martin Cross, Superintendent of Highways, to go to bid for Rental of Heavy Construction Equipment and we could advertise again on May 1st and open bids on May 13th at 2:10 p.m.

The motion was made by Ms. Galvin and seconded by Mr. Burns that the Town Clerk advertise for bids for Rental of Heavy Construction Equipment for use of the Highway Department and the Department of Public Works in THE SPOTLIGHT issue of May 1, 1991 and that bids be received up until 2:10 p.m. on the 13th day of May, 1991 at which time they will be opened and read aloud. The motion was passed by the following vote:

Ayes: Mr. Webster, Mr. Burns, Ms. Galvin, Mr. Gunner.

Noes: None.

Absent: Mr. Ringler.

Next item was a request from Martin Cross, Superintendent of Highways, to award the bid for Guide Rails to Chemung Supply Corporation, Elmira, NY. The Deputy Supervisor asked if there were any questions concerning these bids.

Award of
Bid
Guide
Rails

April 17, 1991

Bethlehem Town Board
445 Delaware Avenue
Delmar, NY 12054

Dear Board Members:

On April 3, 1991, the Town advertised for bids to purchase and install guide rails along town highways. Four bids were solicited from various suppliers with three bids being received from Albany Bridge Corp., Cardona and Sons, Inc., and Chemung Supply Corp. on April 15, 1991.

After careful review of all bids, I find that the low bid, submitted by Chemung Supply, meets or exceeds our specifications in every detail. Their workmanship and product have proven very satisfactory in previous years.

Therefore, I find it in the best interest of the Town of Bethlehem to award the contract for guide rail purchase and installation to Chemung Supply Corp. of Elmira, New York.

Very truly yours,
/s/ Martin J. Cross
Superintendent of Highways

The motion was made by Mr. Gunner and seconded by Mr. Burns that the bid for Guide Rails for use of the Highway Department in 1991 be and it hereby is awarded to Chemung Supply Corporation, Elmira, NY, the lowest of the bids received and conforming with the specifications of the Town. The motion was passed by the following vote:

Ayes: Mr. Webster, Mr. Burns, Ms. Galvin, Mr. Gunner.
Noes: None.
Absent: Mr. Ringler.

Councilman Burns indicated that the Supervisor usually reads those into the record. Does he have to or is it O.K. not to. The Town Clerk indicated that she usually puts this in automatically, how many bids were received and whether or not this was awarded to the lowest bidder.

Deputy Supervisor Webster read again the portion of the letter "After careful review of all bids, I find that the low bid, submitted by Chemung Supply, meets or exceeds our specifications in every detail."

The next item was a request from Martin Cross, Superintendent of Highways, to award the bid for Washed, Crushed Stone to Callanan Industries, South Bethlehem, NY.

Bid
Washed
Crushed
Stone
Tabled

April 17, 1991

Bethlehem Town Board
445 Delaware Ave.
Delmar, NY 12054

Dear Board Members:

On April 3, 1991, the Town advertised for bids to purchase washed crushed stone for use by the various departments within the Town. Bids were solicited from four suppliers with two bids being received from Callanan Industries and Cushing Stone on April 15, 1991.

After careful review of both bids, I find Cushing Stone to have submitted the low bid on all items. However, these prices are FOB town trucks at their quarry site. Cushing Stone is located in Amsterdam, New York. When compared to Callanan Industries (the other bidder) and

the location of their quarry (South Bethlehem), it would be both financially and timewise more beneficial to purchase the stone from the local quarry. The savings in trucking costs, fuel and manhours would far outweigh the savings per ton in the purchase of the stone.

In addition, Callanan Industries' prices per ton remained the same as in 1990, when they were the successful bidder.

Therefore, I find it in the best interest of the Town to award the contract for washed crushed stone to Callanan Industries of South Bethlehem, New York.

Very truly yours,
/s/ Martin J. Cross
Superintendent of Highways

Councilwoman Galvin indicated that she has a question on that one as to how it was bid, what were our specs when that one went out to bid, was it FOB the quarry or was it at the Town location.

Deputy Supervisor Webster stated it was to be furnished per Ton FOB Town of Bethlehem trucks. The price to be furnished per Ton FOB, Town of Bethlehem. Councilwoman Galvin asked FOB Town of Bethlehem or Town of Bethlehem trucks. Deputy Supervisor Webster indicated FOB Town of Bethlehem trucks.

Councilman Burns asked so we are rejecting a low bid because of the cost to be incurred by the FOB Town trucks but in fact we asked for that? Deputy Supervisor Webster indicated these prices are FOB Town trucks at their quarry site, the bid proposal says price to be furnished per ton FOB Town of Bethlehem trucks.

Councilwoman Galvin indicated that she has a problem with rejecting the low bid given the way the specs were drawn on that one then.

Councilman Burns indicated if Cushing Stone had modified or gone away from the specifications, and asked if Mr. Cross was in the building or out in the hallway and the Deputy Supervisor indicated that no one from the Highway Department was present.

Mr. Bruce H. Secor, Commissioner of Public Works, asked if he could throw something in what the intention is there is that it is a loaded price, in other words it is a price on our truck it is not sitting, stockpiled someplace and it was not clear, whether if that was the intention of what was said, in other words FOB our trucks they are going to load it into our trucks and the price includes them loading our truck. Councilwoman Galvin indicated, Bruce what bothers me is according to Marty's letter of advise, the reason for rejecting the low bid of Cushing Stone is it is FOB Town trucks at their quarry site. Now if we went out to bid with an FOB Town truck price and didn't specify Town truck in the Town of Bethlehem, she has a problem with rejecting Cushing's bid on the grounds that they are the low bidder but it is going to cost us more to transport it from Amsterdam because we bid FOB Town trucks, we did not specify Town truck in the Town of Bethlehem. Mr. Secor indicated that he agreed with her completely but again the analysis is if their price had been twenty cents and this guy was two dollars, it might have been cheaper to go get it, and he thought that the analysis was what he has given you as if we did ask for prices on our truck and if there was another quarry closer as they could have done it it might have worked out, he did not have that kind of a problem with the specs, and he understood what she was getting at and maybe it could be reworded in the future, but this is the same specs they have used for a number of years and he thought the intention was there.

Councilwoman Galvin stated that what bothered her was disregarding the low bidder who met our specs, we don't really have problems. Councilman Gunner indicated that they met the specs but the other bidder is closer, but he could have bid lower FOB there and would have gotten it, but he also saw what she was saying and maybe we could just table this.

The motion was made by Mr. Gunner and seconded by Ms. Galvin that the award of the bid for Washed Crushed Stone be tabled until the award of the bid is cleared up. The motion was passed by the following vote:

Ayes: Mr. Webster, Mr. Burns, Ms. Galvin, Mr. Gunner.
Noes: None.
Absent: Mr. Ringler.

Councilman Burns asked and what is Marty going to do, is he going to change the terminology and re-bid or what? Councilman Gunner indicated maybe he will have an explanation.

The next item on the agenda was a request from Martin Cross, Superintendent of Highways, to award the bid for Type IV Gravel to Troy Sand & Gravel Co., Inc., Watervliet, NY and Run-of-Bank Gravel to Clemente-Latham Valente Gravel Division, Wynantskill, NY. Award of Bid - Gravel

April 18, 1991

Bethlehem Town Board
445 Delaware Ave.
Delmar, NY 12054

Dear Board Members:

On April 3, 1991, the Town advertised for bids to purchase Type IV gravel and run-of-bank gravel for use by various departments throughout the town. Bids were solicited from four suppliers with three bids being received from Troy Sand and Gravel, William Larned and Sons, and Clemente Latham-Valente Gravel on April 15, 1991.

After careful review of these bids, I find Troy Sand and Gravel to have submitted the low bids for Type IV gravel and Clemente Latham to have submitted the low bids for all but one delivery point for the run-of-bank gravel.

I, therefore, find it in the best interest of the Town of Bethlehem to award the contract for Type IV gravel to Troy Sand and Gravel and to award the contract for run-of-bank gravel to Clemente Latham-Valente Gravel Division.

Very truly yours,
/s/ Martin J. Cross
Superintendent of Highways

The motion was made by Ms. Galvin and seconded by Mr. Gunner that the bid for Gravel be and it hereby is awarded to Troy Sand & Gravel Co., Inc., Watervliet, NY for the Type IV Gravel and to Clemente-Latham Valente Gravel Division Wynantskill, NY for the Run-Of-Bank Gravel for use of the Town of Bethlehem in 1991. The motion was passed by the following vote:

Ayes: Mr. Webster, Mr. Burns, Ms. Galvin, Mr. Gunner.
Noes: None.
Absent: Mr. Ringler.

The next item was a request from Martin Cross, Superintendent of Highways, to award the bid for Topsoil to J. Wiggand & Sons, Glenmont, NY.

April 18, 1991

Bethlehem Town Board
445 Delaware Ave.
Delmar, NY 12054

Dear Board Members:

On April 3, 1991, the Town advertised for bids to purchase topsoil for use by the various departments within the town. Bids were

solicited from four suppliers with four bids being received from Troy Topsoil, J. Wiggand & Sons, William Larned & Sons, and Clemente Latham-Valente Gravel on April 15, 1991.

After careful review of all bids, I find that the low bid was submitted by Troy Topsoil Co. This firm was awarded the topsoil contract in 1990, when they were also the low bidder. However, during the past year, their soil has failed to meet our specifications, causing numerous problems and additional work and expense (see attached letters). Several attempts to correct the situation were unsuccessful.

Therefore, I find it in the best interest of the Town of Bethlehem to award the contract for topsoil to the lowest bidder, J. Wiggand and Sons of Glenmont, New York. Having been the supplier of topsoil to the Town in previous years, we are familiar with the quality of their product, which will meet our needs and specifications.

Thank you for your consideration.

Very truly yours,
/s/ Martin J. Cross
Superintendent of Highways

The Deputy Supervisor indicated that we received two letters one from John Geurtze, Director of Field Operations for the Department of Public Works.

April 15, 1991

Town Board Members
Town of Bethlehem
445 Delaware Avenue
Delmar, NY 12054

Dear Members:

The supplier of top soil for 1990 was totally unacceptable. Many times where we had to top soil and seed after water breaks or new installations, we had to go back and re-do the job because the stone and gravel that was in the top soil. The little amount of top soil in it washed out from the rain and the grass seed would not germinate.

Sincerely,

/s/ John B. Geurtze
Director of Field Operations

There was an additional letter from David Austin, Administrator of Parks & Recreation Department.

DATE: April 17, 1991
TO: Kenneth J. Ringler, Jr., Members of the Town Board
FROM: David Austin, Administrator
RE: Bid for Topsoil

It is my understanding that Troy Topsoil has submitted a bid for this year's topsoil contract. I recommend that you do not accept their bid due to the poor quality of the topsoil received by them last year. It contained many stones which had to be sifted or raked out. It also meant we were paying for stone instead of soil.

Thank you for your consideration.

Bid For
Topsoil
Tabled

Councilwoman, M. Sheila Galvin, indicated on this one I would also like some further documentation on what was done according to Marty's letter that there were many attempts to correct the problem from the 1990 contract and she would, also, like to know what the specs were for the 1990 contract and how the Topsoil that was supplied differed from those specs before I vote on this one, again to reject the low bidder.

Town Attorney, Bernard Kaplowitz, indicated before you don't accept the low bidder you had better be very well sure that it is documented and there is a good reason, because we have always gone to

the low bidder and you are required to go unless there is a good reason, so he thought that we would want to document that pretty well.

Deputy Supervisor Webster indicated that Gregg Sagendorph was not here. Councilman, Robert J. Burns, indicated that we had a bad batch in 1990 that has been modified and this was not clear. Councilwoman Galvin stated that her big problem was not knowing what the specs were, and Councilman Gunner indicated that they may have had different specs. Councilwoman Galvin indicated that she would need to see what those specs had been for the 1990 contract and then see how the soil that was delivered differed from those specs and failed to meet it, and what corrective measures were attempted and how they failed and if that is adequately documented then we have reason for varying from the lowest responsible bidder, but without that she would have a big problem in voting.

The Deputy Supervisor indicated that he had expected Gregg Sagendorph to be here and he had said that he might even bring in some samples, but he is not in attendance.

The motion was made by Mr. Gunner and seconded by Ms. Galvin that the bid for Topsoil requirements for 1991 be tabled until such time as the Town Board members have a chance to review the 1990 specifications and receive documentation from the Highway Department of the failure of the bidder to meet the specifications. The motion was passed by the following vote:

Ayes: Mr. Webster, Mr. Burns, Ms. Galvin, Mr. Gunner.
Noes: None.
Absent: Mr. Ringler.

Councilman Burns indicated while we are on that he was going to ask if we were going to vote he was going to ask this question too, Clemente-Latham Valente Gravel Division bid at a per ton rate as opposed to per cubic yard which makes it difficult for a liberal arts person to figure out if that is lower than Wiggand or not, Bruce could you answer this, is that in fact lower than Mr. Wiggand's price, or not, it is hard to know. Mr. Secor indicated to be honest with them he did not know, because it depends upon when it rained the last time, the Topsoil piles absorb a lot of water and depending on the type of soil they are supplying and what the stockpile is, we are buying in volume and if they did bid that way it would be a non-responsive bid.

Deputy Supervisor Webster indicated that he thought that this question had been asked and they said that was why they had always requested it in cubic yards, it does get a little heavier. He wondered when you follow these trucks down the highway dripping water all the time.

Councilman Burns indicated perhaps by the time this comes back on we could check this out too.

The next item on the agenda was a request from Martin Cross, Superintendent of Highways, to dispose of vehicles at auction.

April 17, 1991

Bethlehem Town Board
445 Delaware Ave.
Delmar, NY 12054

Dear Board Members:

I respectfully request the permission of the Town Board to dispose of the following vehicles at an auction held by Northway Auto Exchange, Inc. of Clifton Park, New York.

Sale of
Town
Vehicles
at Auction

1 - 1980 Plymouth Volare	HL41GAF209304 (Building)
1 - 1981 Plymouth Fury	1P3BR27N8BA118905 (Engineering)
1 - 1987 Dodge Diplomat	1B3BG26SXHX710195 (Parks)
1 - 1987 Dodge Diplomat	1B3BG26S8HX768192 (Police)

The 1987 Dodge from the Police Dept. was used by the detective office and will not be replaced at this time. The other three vehicles have been replaced by the new 1991 cars from the State Contract or from bid.

Thank you for your consideration.

Very truly yours,
/s/ Martin J. Cross
Superintendent of Highways

The motion was made by Ms. Galvin and seconded by Mr. Burns that the above outlined Town of Bethlehem vehicles be disposed of at an auction to be held by Northway Auto Exchange of Clifton Park, NY for the best obtainable price. The motion was passed by the following vote:

Ayes: Mr. Webster, Mr. Burns, Ms. Galvin, Mr. Gunner.
Noes: None.
Absent: Mr. Ringler.

The next item is to approve for signature the Section 284 Agreement stating certain roads which will be resurfaced or reconstructed during the current fiscal year from Martin J. Cross, Superintendent of Highways.

April 18, 1991

Bethlehem Town Board
445 Delaware Ave.
Delmar, NY 12054

Dear Board Members:

Each year, according to State Law, the Town Board, the County Highway Commissioner and the Town Superintendent of Highways must sign an agreement stating certain roads which will be resurfaced or reconstructed during the current fiscal year, along with an estimated cost of each project.

This Section 284 agreement (attached) will include the following roads for 1991:

Resurface:

Krumkill Road (from Blessing Rd. to Beldale Rd.)
Hoyt Avenue (from Kenwood Ave. to its dead end)
Winne Place (from Kenwood Ave. to Center Lane)
Center Lane (from Hoyt Ave. to its dead end)
Maewin Drive (from Winne Pl. to its dead end)
Haskell Place (from Lansing Dr. to Preston Rd.)
Preston Road (from Dawson Rd. to Stratton Pl.)
Mayfair Drive (from New Scotland Rd. to North Helderberg Pkwy.)
Marlboro Road (from Adams Pl. to Dykeman Rd.)

Other town roads will be resurfaced under the CHIPS program (State funded) while still others will be completed as time and finances permit.

Very truly yours,
/s/ Martin J. Cross
Superintendent of Highways

Agreement
Expenditure
of Highway
Moneys

The motion was made by Ms. Galvin and seconded by Mr. Gunner that the Town Board approve and sign the Section 284 Agreement stating the roads which will be resurfaced and reconstructed during 1991 as outlined under the following Agreement For The Expenditure of Highway Moneys. The motion was passed by the following vote:

Ayes; Mr. Webster, Mr. Burns, Ms. Galvin, Mr. Gunner.
Noes; None.
Absent: Mr. Ringler.

AGREEMENT FOR THE EXPENDITURE
OF HIGHWAY MONEYS

AGREEMENT between the TOWN SUPERINTENDENT OF HIGHWAYS of THE TOWN OF BETHLEHEM, Albany County, New York, and the undersigned members of THE TOWN BOARD of said Town.

Pursuant to the provisions of Section 284 of the Highway Law we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State of New York for State Aid for the repair and improvement of highways, shall be expended as follows:

1. General Repairs. The sum of \$556,750.00 shall be set aside to be expended for primary work and general repairs upon 148 miles of Town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2, Permanent Improvements. The following sums shall be set aside to be expended for the permanent improvement of Town highways:

Krumkill Road (a) On the road commencing at Blessing Road and leading to Beldale Rd., a distance of 5000', there shall be expended not over the sum of \$72,000.00.

Type Blacktop
Thickness 2" overlay
Subbase Use existing base
Width of traveled surface 24'

Hoyt Ave. (b) On the road commencing at Kenwood Ave. and leading to its dead end, a distance of 1200 feet, there shall be expended not over the sum of \$10,560.00.

Type Blacktop
Thickness 1 and 1/2" overlay
Subbase Use existing base
Width of traveled surface 18' to 24'

Winne Place(c) On the road commencing at Kenwood Ave. and leading to Center Lane, a distance of 900 feet, there shall be expended not over the sum of \$9360.00.

Type Blacktop
Thickness 1 and 1/2" overlay
Subbase Use existing base
Width of traveled surface 24'

Center Lane (d) On the road commencing at Hoyt Ave. and leading to its dead end, a distance of 800 feet, there shall be expended not over the sum of \$7200.00.

Type Blacktop
Thickness 1 and 1/2" overlay
Subbase Use existing base
Width of traveled surface 20'

Maewin Drive (e) On the road commencing at Winne Place and leading to its dead end, a distance of 500 feet, there shall be expended not over the sum of \$4080.00.

Type Blacktop
Thickness 1 and 1/2" overlay
Subbase Use existing base
Width of traveled surface 18'

Haskell Place (f) On the road commencing at Lansing Drive and leading to Preston Rd., a distance of 500 feet, there shall be expended not over the sum of \$5760.00.

Type Blacktop
Thickness 1 and 1/2" overlap
Subbase Use existing base
Width of traveled surface 24'

Preston Road (g) On the road commencing at Dawson Road and leading to Stratton Pl., a distance of 550 feet, there shall be expended not over the sum of \$5760.00.

Type Blacktop
Thickness 1 and 1/2" overlay
Subbase Use existing base
Width of traveled surface 24'

Mayfair Drive (h) On the road commencing at New Scotland Rd. and leading to North Helderberg Pkwy, a distance of 1450 feet, there shall be expended not over the sum of \$12,960.00.

Type Blacktop
Thickness 1 and 1/2" overlay
Subbase Use existing base
Width of traveled surface 20'

Marlboro Road (i) On the road commencing at Adams Place and leading to Dykeman Rd., a distance of 1700 feet, there shall be expended not over the sum of \$15,120.00.

Type Blacktop
Thickness 1 and 1/2" overlay
Subbase Use existing base
Width of traveled surface 20'

No moneys set aside for such permanent improvements shall be expended, nor shall any work be undertaken on such improvements until the County Superintendent approves the plans, specifications and estimates from such construction.

This agreement shall take effect when it is approved by the County Superintendent of Highways.

Signed in duplicate this 29th day of April, 1991.

Supervisor

Councilman

Councilwoman

Councilman

Councilman

Town Superintendent of Highways

The foregoing agreement is hereby approved this _____ day of _____,

County Superintendent of Highways

Contract
Solid
Waste
Consulting
Services

The next item on the agenda was to consider acceptance of the Contract for Stearns and Wheler, Casonovia, NY for Solid Waste Consulting Services. This was brought up at the last Town Board and he read the following Memorandum from Mr. Secor.

MEMORANDUM

TO: Members of the Town Board
FROM: Bruce H. Secor, P.E., Commissioner of Public Works
DATE: April 19, 1991
SUBJECT: Consulting Services for Engineering Standard and Permit Process for Solid Waste Facilities

As requested by the Town Board, the firm of Stearns and Wheler has submitted a draft contract for consulting services to assist the Town in preparing Engineering Standards and developing a Permit Process for Solid Waste Facilities.

The contract essentially reiterates the material presented in their proposal. I have added some comments to the standard language and have affixed a copy of the billing rates for personnel which was included with the proposal.

I hope that this contract is in form acceptable to the Town Board so that we can move forward in this matter. Please contact me if you have any questions or need any further information.

Deputy Supervisor Webster indicated to Councilman Burns that he thought that he had a question from the Solid Waste Task Force perhaps. Councilman Burns indicated that he had been out of Town or would have called Mr. Secor but one of the items that the Task Force insisted upon and agreed upon was that we incorporate into a contract some degree of flexibility so if we were moving ahead and thought that we wanted to enhance one portion of their research or reduce a portion of their research we would be able to do that. Are you comfortable or could you pinpoint this. Mr. Secor indicated, Yes, and the reason for that is we did not include - we asked in the proposals for a man hour breakout and cost estimate and that is all that it was an estimate, with this contract is is an hourly contract, we have agreed to pay them on an hourly basis for what effort they put forward, so if we want to spend more time on area versus another, it is a very fluid thing and we will simply pay for the hourly work done and we will get reporting forms back from them telling us how many ours they spent on certain items and compare it back against the original estimate, and if there are certain areas where we want to spend more time on and other areas where we want to spend less time, basically all we are going to pay for what we want on this rather than going back to some very rigid schedule which no one intended that we do. Councilman Burns indicated OK, and they understand this point. The only other thing is during the early discussions when we developed the scope of our request and so on, we were looking to make sure that the consulting firm would be able to help us identify perhaps some proposals that were initially proposed to DEC years ago before the new specs under New York State Law, perhaps stricter controls over environmental emissions and things of that nature and we wanted to make sure that the consultant could say to us well this was proposed but DEC never really brought that to the Legislature in the form of a bill. Does the statement that they will review New York State Laws, etc. to determine the level of completeness as they apply, is that going to cover that, are they going to be able to say to us, well at a hearing this was discussed at a higher level, that is something we were interested in and again he just wanted to make sure that we were not just going to get a summary of the law as it now exists. Mr. Secor indicated again this has been explained to them, it was in our outlined in the request that went out and addressed in their proposal coming back, that if we meet with the consultant, and actually get started, we will explain exactly what we want to get into and one of the things that we looked at was for firms that had actually participated in the public review and comment period that developed the most recent DEC regulations, but that will come under this proposal and will be part of the tasking that the Committee will do in dealing with the consultant. Councilman Burns indicated that he just wanted to make sure that they are not going to stand up and say, well wait a minute that is not part of the contract. Councilman Burns indicated that this was it everything else seemed satisfactory.

The motion was made by Ms. Galvin and seconded by Mr. Burns that the contract with Stearns and Wheler is hereby acceptable to the Town Board for the Solid Waste Facilities Consulting Services for Engineering Standards and Permit Services. The Supervisor was authorized to sign the contract at the April 10, 1991 Town Board Meeting. The motion was passed by the following vote:

Ayes: Mr. Webster, Mr. Burns, Ms. Galvin, Mr. Gunner.
 Noes: None.
 Absent: Mr. Ringler.

Award of
 Bid
 Iron
 Castings
 Heavy
 Highway
 Frames,
 Grates
 and
 Covers

 The next item was a recommendation from Michael J. Cirillo, Department of Public Works, to award the bid for Iron Castings, Heavy Highway Manhole Frames, Grates and Covers, Precast Concrete Manhole Blocks and Precast Reinforced Concrete Manhole Sections.

MEMORANDUM

TO: Members of the Town Board
 FROM: Michael J. Cirillo, P.L.S.
 DATE: April 18, 1991
 SUBJECT: Award of Iron Casting, Precast Concrete Manhole Blocks and Precast Reinforced Concrete Manhole Sections Bids

Iron Castings

Bid Documents were mailed to six (6) firms.

I have reviewed the bids received from Edgerton Sales Corporation and Vellano Brothers, Inc., with the Highway Department.

I recommend the bid be awarded as follows:

Edgerton Sales Corporation

Types III through Type XX Iron Castings.

NOTE: Edgerton's bid on Types I and II Iron Castings did not meet Town's Specifications and they did not submit a bid for Type XXI.

Vellano Brothers did submit a bid for Type XXI Iron Castings, but at a much higher cost than our commonly used Types III and IV Heavy Duty Iron Castings.

I see no reason at this time to rebid Types I, II and XXI.

Precast Concrete Manhole Blocks

Bid Documents were mailed to three (3) firms.

I have reviewed the bids received from V. Zappala & Co., Inc. and Dagostino Building Blocks, Inc., with the Highway Department.

I recommend the bid be awarded as follows:

V. Zappala & Company, Inc.

Blocks Precast to an Inside Diameter of Four (4) Feet:

1. Six Inch Barrel Blocks.
2. Eight Inch Barrel Blocks.
3. Six Inch Corbel Blocks.
4. Eight Inch Barrel Blocks.

DAGOSTINO BUILDING BLOCKS, INC.

Blocks Precasted to an Inside Diameter of Five (5) Feet:

1. Eight Inch Barrel Blocks.
2. Eight Inch Corbel Blocks.

Precasted Rectangular Blocks and Precasted Concrete Blocks

1. Six Inch Stretcher Blocks.
2. Six Inch Corner Blocks.
3. Eight Inch Stretcher Blocks.
4. Eight Inch Corner Blocks.

Precast Reinforced Concrete Manhole Sections

Bid Documents were mailed to Five (5) Firms.

I have reviewed the bids received from Binghamton Precast & Supply Company, Dagostino Building Blocks and LHV Precast, Inc., with the Highway Department.

Award
Of Bid
Precast
Concrete
Manhole
Blocks

I recommend the Bid be awarded as follows:

Dagostino Building Blocks

Precast Reinforced Concrete Manhole Sections Four (4) Foot Inside Diameter.

The motion was made by Mr. Gunner and seconded by Ms. Galvin that the bids be awarded as follows:

Edgerton Sales Corporation (for Iron Castings)
Types III through Type XX Iron Castings

Note: Edgerton's bid on Types I and II Iron Castings did not meet Town Specifications and they did not submit a bid for Type XXI

Vellano Brothers did submit a bid for Type XXI Iron Castings, but at a much higher cost than our commonly used Types III and IV Heavy Duty Iron Castings.

I see no reason at this time to rebid Types I, II and XXI.

Precast Concrete Manhole Blocks

V. Zappala & Company, Inc.
Blocks Precast to an Inside Diameter of Four (4) Feet:

1. Six inch Barrel Blocks.
2. Eight inch Barrel Blocks
3. Six inch Corbel Blocks
4. Eight inch Barrel Blocks

Dagostino Building Blocks, Inc.
Blocks Precasted to an Inside Diameter of Five (5) Feet:

1. Eight inch Barrel Blocks
2. Eight inch Corbel Blocks

Precasted Rectangular Blocks and Precasted Concrete Blocks

1. Six inch Stretcher Blocks
2. Six inch Corner Blocks
3. Eight inch Stretcher Blocks
4. Eight inch Corner Blocks.

Precast Reinforced Concrete Manhole sections

Dagostino Building Blocks
Precast Reinforced Concrete Manhole Sections Four (4) Foot inside Diameter.

LHV Precast, Inc.
Precast Reinforced Concrete Manhole Sections Five (5) Foot inside Diameter

Award
Of Bid
Precast
Reinforced
Concrete
Manhole
Sections

The Deputy Supervisor asked if anyone had any questions. Councilwoman Galvin asked Mr. Secor if these were all recommended awards to the low bidders and Mr. Secor indicated, yes as far as he knew, but he would check on this.

The motion was passed by the following vote:

Ayes: Mr. Webster, Mr. Burns, Ms. Galvin, Mr. Gunner.
Noes: None
Absent: Mr. Ringler.

The Deputy Supervisor indicated that they had received one additional item to the agenda. We received a letter which was addressed to David Austin, Administrator of Parks & Recreation.

April 24, 1991

Mr. David Austin - Administrator of Parks & Recreation
Members of the Bethlehem Town Board

Dear Mr. Austin & Ladies and Gentlemen,

I would like to inform you of my resignation, effective 4/26/91. I will be joining a branch of the Navy and will be leaving on 5/1/91.

I have enjoyed working at Parks & Recreation and will miss it greatly.

Sincerely,
/s/ William C. Allen

Resignation
Laborer,
Parks &
Recreation

The motion was made by Mr. Gunner and seconded by Ms. Galvin that the resignation of William C. Allen, as Laborer for the Parks & Recreation Department, be accepted with regret effective April 26, 1991. The motion was passed by the following vote:

Ayes: Mr. Webster, Mr. Burns, Ms. Galvin, Mr. Gunner.
Noes: None.
Absent: Mr. Ringler.

Deputy Supervisor Webster indicated that this was the completion of the regular Agenda and asked if there was anything that anyone would like to bring before the Town Board.

Liz McCoy asked if she could ask a question. In relationship to the approval now of the Consultant on the Solid Waste issue and maybe in Ken's absence nobody can answer this, but do you know where we are with the Scoping process for the American Refuel project. Deputy Supervisor Webster indicated that he did not. Liz McCoy continued that there was an inter-agency scoping meeting that she supposed was supposed to occur now that the consultant was on board and asked if that had happened. Mr. Secor indicated that the agenda that was going to go out for the Solid Waste Task Force which was types and they were trying to get in the mail, they were going to mail out the Scoping Document and try to begin that and prepare for a meeting with Stearns & Wheler, and he has not heard anything from Ken as far as a meeting with DEC. Councilman Burns asked Mrs. McCoy if she had heard an actual date and she indicated that she had not but she was just wondering. Mr. Secor indicated just let me throw out one more thing, when Ken and he met with Stearns & Wheler last week he thought it was, when they gave us the draft contract and we did talk about the Scoping issue and they are preparing an outline of what they feel would be involved in that for a presentation to the Board and he expected to have that by the end of this week, so that should come before the Town Board at its next meeting. An unidentified gentleman from the audience asked the contract that was approved by the Town Board a few minutes ago, is that not a contract for Stearns & Wheler to be the Town Board's consultant for the SEQR process? Mr. Secor responded, No, the one that we just did was for the Solid Waste Task Force for Engineering Design Standards and the Permitting Process, there will be a separate item for the Board for the SEQR which is going to be worked up and brought before the Board. The unidentified gentleman asked the funding has been secured for that. Mr. Secor indicated that as he said, in order to get funding you have to give somebody an amount and we are dealing with now is trying to come up with the amount. Councilman Burns asked and we will have time to work on how the payments will be made. Mr. Secor indicated to Councilman Burns that he did not know the answer to that, Bob, Ken has been more involved in that, when he get back he will answer this, but that is all coming back before the Town Board.

Deputy Supervisor Webster asked if there was anything else to come before the Board?

The motion was made by Mr. Burns and seconded by Ms. Galvin to adjourn the Town Board meeting at 8:17 p.m. The motion was passed by the following vote:

Ayes: Mr. Webster, Mr. Burns, Ms. Galvin, Mr. Gunner.

Noes: None.

Absent: Mr. Ringler.

The Deputy Supervisor thanked everyone for coming.


Town Clerk