

TOWN BOARD
AUGUST 8, 2001

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
Daniel G. Plummer, Councilman
Susan Burns, Councilman
Kathleen A. Newkirk, Town Clerk
Robert J. Alessi, Esq., Town Attorney

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Supervisor Fuller invited everyone to join the Board in the pledge of allegiance.

The first item on the agenda was a request from Kevin Shea, Building Inspector, for approval of dumping permit for Lasher Road, Selkirk. Supervisor Fuller asked for a motion to remove the item from the table.

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to remove the request for a dumping permit for Lasher Road, Selkirk from the table. The motion was passed by the following vote:

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

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The Supervisor noted the information requested by the Board has been received. She asked Mr. Shea to give a brief overview of the information. The location of the dumping is approximately 530 feet south of Mr. Trout's property and accessed by an existing dirt road. He said the area is about 1,000 feet from Lasher Road and approximately 1,000 feet from any residence.

Questions were raised about the benefit to Becker School and the construction taking place; continued renewal of dumping permits; what is being done at the site; notification of adjacent residents; length of time this may continue; and distance from existing residences.

Mr. Trout thanked everyone, and especially Mr. Shea, for tabling this item for 2 weeks to secure additional information.

The motion was made by Ms. Burns and seconded by Mrs. Davis to approve the renewal of a dumping permit for Robert Hillmann, Lasher Road, Selkirk with stipulations

as requested by Building Inspector, Kevin Shea. The motion was passed by the following vote:

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

The next item was a request for approval of reappointment of Assessor, M. David Leafer. Supervisor Fuller said the term is 6 years and it was time to renew for another 6 year term. She said Mr. Leafer has done a superb job for the Town of Bethlehem and survived the full value assessment. She also noted he continues to be there for our customers every day, noting there have only been about 3 residents in 8 years that have come in and she credits Mr. Leafer with his handling of his office. She thanked him.

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to approve the appointment of Mr. M. David Leafer, Delmar, New York to another 6 year term as Assessor for the Town of Bethlehem.

Question was raised in regard to training for this position. Mr. Leafer indicated he has continued to keep his education requirements up-to-date.

The motion was passed by the following vote:

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

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Councilman Davis added that Mr. Leafer's department, under his supervision, does a wonderful job. She noted she has heard this from many seniors and residents. Mr. Leafer said he has a cracker jack crew and this helps to provide excellent service.

The following item was a request from Administrator, Nan Lanahan, Parks and Recreation Department, for approval of appointment of Summer Personnel.

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to approve the appointment of summer personnel as requested by Mrs. Lanahan in her Memorandum dated August 8, 2001 at the titles and salaries indicated. The motion was passed by the following vote:

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

The next item was a request from Nan Lanahan, Administrator, Parks and Recreation Department, for approval of appointment of Youth Employment Service Director at a salary of \$12.60 per hour.

The motion was made by Ms. Burns and seconded by Mr. Lenhardt to approve the appointment of Susan Lackner, Glenmont, New York to the position of Youth Employment Service Director at a salary of \$12.60 per hour. The motion was passed by the following vote:

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

The following item was a request from Superintendent of Highways, Gregg Sagendorph, for approval of award of bid for a loader-mounted snowblower.

The motion was made by Mr. Plummer and seconded by Mr. Lenhardt to approve the award of bid for a loader-mounted snowblower to Arrowhead Equipment, Inc., Queensbury, New York at the bid price of \$77,435 as recommended by Highway Superintendent, Gregg Sagendorph. The motion was passed by the following vote:

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

The next item was a request from Gregg Sagendorph, Superintendent of Highways, for approval of award of bid for track-mounted sidewalk snowplow.

Question was asked pertaining to the company and their going out of business and the awarding of the bid. Mr. Sagendorph explained that the company is the local distributor for the company that builds the machines. He said there are 2 different machines. The German company is in bankruptcy at this time. He said the one company is in business in Canada and has been for 40 plus years and plans to stay in business. Therefore, he said he is recommending award of bid to Cyncon Equipment, Inc.

The motion was made by Mr. Lenhardt and seconded by Ms. Burns to approve the award of bid for a track-type sidewalk snowplow with sander for use by the Highway Department to Cyncon Equipment, Inc., Rush, New York at a bid price of \$68,970. The motion was passed by the following vote:

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

The following item was a request from Superintendent of Highways, Gregg Sagendorph, for approval of award of bid for one (1) rubber-tired sidewalk snowplow/snowblower combination.

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to approve the award of bid for the rubber-tired sidewalk snowplow/snowblower combination for use by the Highway Department to William H. Clark Municipal Equipment, Inc., Rensselaer, New York at a bid price of \$55,718. The motion was passed by the following vote:

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

Noes: None.

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Discussion ensued regarding the company and its bankruptcy status. Mr. Sagendorph noted the company did not have to reveal this since the company has a machine. Question was raised as to whether information could be put in the bid specifications. Town Attorney Alessi said it is not standard form to have information about the status of a company in the specification for several reasons. He said the most prominent of which is companies who are in receivership are entitled to bid but the bids are entitled to be rejected based on the fact of their status. He said there are many other issues that go into this and he said there is a standard provision in Town of Bethlehem bids that the Town can reject any or all bids for basically whatever reason. In his opinion, the Town always tries to be fair and stick as close to the letter of the request as possible. He said the answer is that the spec is not in the existing bid and he does not have a recommendation for the Board indicating that it would be in there. Supervisor Fuller thanked Mr. Alessi.

The following item was a request from Commissioner of Public Works, Bruce Secor, for approval of award of bid for truck mounted high velocity sewer cleaner.

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to approve the award of bid for a truck mounted high velocity sewer cleaner to Super Products Corporation, Rensselaer, New York at a bid price of \$109,980 and not award the finance package at this time with a re-bid being done near the end of the year when the unit is ready to be delivered. The motion was passed by the following vote:

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

Noes: None.

The next item was a request from Bruce Secor, Commissioner of Public Works, for approval to go to bid for the Rehabilitation of Clarifier No.5 for the New Salem Water Purification Plant. Advertising could be set for August 15, 2001 and open bids on August 30, 2001 at 2:00 pm.

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

WHEREAS, the Town desires to advertise for bids for the rehabilitation of Clarifier No. 5 for the New Salem Water Purification Plant, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 15th day of August, 2001 and that bids be received up to 2:00 p.m. on the 30th day of August, 2001 at which time the bids will be publicly opened and read.

The resolution was adopted by the following vote:

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

Noes: None.

The following item was a request from Commissioner of Public Works, Bruce Secor, to consider proposed traffic safety improvement in North Bethlehem - new connector from Blessing Road to Krumkill Road at its intersection with Schoolhouse Road and also to consider the SEQR resolution. Supervisor Fuller asked if there were any questions from the Board.

Questions were raised, some procedural with regard to the next steps. Mention was made that the various permits have been applied for and note made that there has not been a request or need for a public hearing. Comment was made that a discussion had been held with regard to the cost of this project and sharing of that cost with the developer and question as to whether this offer is still in tact. Supervisor Fuller said that she assumes that all is still in effect. She said the items for tonight's meeting are the Negative Declaration and the SEQR resolution. This particular part of the proposal has been discussed numerous times by those involved in the project. Mention was made that Mr. Quadrini is willing to share in what he feels is appropriate for him. At this time, the Corps of Engineers response has not been received and this will determine the scope of the project.

Supervisor Fuller asked for a motion to adopt the SEQR resolution declaring a negative declaration.

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BETHLEHEM TO ISSUE A NEGATIVE DECLARATION AND NOTICE OF DETERMINATION OF NON-SIGNIFICANCE PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR THE PROPOSED NEW TOWN CONNECTOR ROAD ACROSS THE QUADRINI PROPERTY (A.K.A. THE BLESSING ROAD REALIGNMENT).

WHEREAS, the Town Board on July 12, 2000 adopted a resolution authorizing the Town Engineer to apply for and obtain the necessary approvals to construct the

For an official copy of the minutes, please visit the Town Hall, 445 Delaware Avenue, Delmar, NY or call 439-4955, extension 158.

proposed Town connector road between the Krumkill Road/Schoolhouse Road intersection and Blessing Road,

WHEREAS, THE Town Engineer has proceeded with the design and other supporting documentation, including a completed, full Environmental Assessment Form (EAF) for the project, necessary to apply for the permits required for the road construction,

WHEREAS, the Town Engineer and the Town Board have reviewed the EAF and have determined that the proposed connector road is an unlisted action pursuant to the State Environmental Quality Review Act and its regulations,

WHEREAS, THE town Board undertook to establish itself as lead agency after coordination with the other involved agencies, including the New York State Department of Environmental Conservation and the Albany County Highway Department,

WHWHEREAS, None of the other involved agencies objected to the Town Board acting as lead agency,

WHEREAS, after thorough consideration of the EAF and supporting documents, including written comments on the proposed project and the Town Engineer's recommendations thereto, the Town Board has determined that the proposed realignment of Blessing Road is in the public interest and will not have an adverse environmental impact;

NOW, THEREFORE, BE IT RESOLVED THAT THE Town Board hereby ISSUES a Negative Declaration and Notice of Determination of Non-Significance pursuant to the State Environmental Quality Review Act for the proposed new town connector road across the Quadrini property (a.k.a. the Blessing Road Realignment) and directs that Town staff satisfy the notice and filing requirements of the State Environmental Quality Review Act.

The foregoing resolution was presented for adoption by Ms. Burns, seconded by Mrs. Davis and passed by the following vote:

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

Noes: None.

Absent: None.

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The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to approve the Town Board issuing a negative declaration with regard to the proposed new connector road from Blessing Road to Krumkill Road. The motion was passed by the following vote:

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

Noes: None.

The next item was a request from Engineering Services Administrator, Michael Cirillo, for the assignment of new house numbers on Elsmere Avenue. Supervisor Fuller noted the numbers are to be 268 and 266A and 266B.

The motion was made by Mr. Lenhardt and seconded by Ms. Burns to approve the assignment of new house numbers on Elsmere Avenue, Delmar as follows:

<u>Former Number</u>	<u>New Number</u>
268A Elsmere Avenue	268 Elsmere Avenue
268B Elsmere Avenue	266A and 266B Elsmere Avenue.

The motion was passed by the following vote:

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

The next item was to acknowledge receipt of the Annual Franchise Fee for the year 2000 in the amount of \$224.16 from Mid-Hudson Cablevision, Inc.

The following item was to acknowledge receipt of Time Warner Cable fee for the period April through June 2001 in the amount of \$76,549.52.

The next item was to acknowledge receipt of Certificate of Conditional Approval of Final Plat for the Dunn, 3-Lot Subdivision from the Planning Board for information purposes.

The next item was to acknowledge receipt of Final Plat Map for Nolan-Brown, 4-Lot Subdivision on Feura Bush Road, Glenmont from the Planning Board for information purposes.

The next item was to acknowledge receipt of Final Plat Map for Medwin Subdivision, Feura Bush Road, Glenmont, from the Planning Board for information purposes.

The following item was to acknowledge receipt of Final Plat Map for Meadowview Subdivision, Wemple Road, Glenmont from the Planning Board for information purposes.

The next item was to acknowledge receipt of Final Plat for Onesquethaw Estates Subdivision, Rupert Road, South Bethlehem from the Planning Board for information purposes.

For an official copy of the minutes, please visit the Town Hall, 445 Delaware Avenue, Delmar, NY or call 439-4955, extension 158.

The next item was to approve the Town Board minutes of July 11, 2001.

The motion was made by Mr. Plummer and seconded by Ms. Burns to approve the Town Board minutes of July 11, 2001 as submitted. The motion was passed by the following vote:

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

Noes: None.

Supervisor Fuller asked if anyone wished to address the Board. Mrs. Marie Capone asked if anything was happening with Groesbeck Place. Supervisor Fuller said there was nothing. Mrs. Capone asked when something will be done. The Supervisor said she did not know. She said she spoke with Bethlehem Central Schools and they are looking into the bus routes. She said there is nothing scheduled at this time.

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The motion was made by Mr. Plummer and seconded by Ms. Burns to adjourn the regular Town Board meeting at 8:02 p.m. The motion was carried by the following vote:

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

Noes: None.

Absent: None.

Town Clerk