

TOWN BOARD
FEBRUARY 22, 1995

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
Freeman T. Putney, Councilman
Doris M. Davis, Councilman
Bernard Kaplowitz, Esq., Town Attorney
Catherine T. Picarazzi, Deputy Town Clerk

ABSENT: Frederick C. Webster, Councilman

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Acknowledge Receipt Annual Franchise Fee from Mid-Hudson Cablevision, Inc. Supervisor Fuller welcomed everyone to a regular meeting of the Bethlehem Town Board. The first item on the agenda was to acknowledge receipt of the Annual Franchise Fee from Mid-Hudson Cablevision Inc., Catskill, NY in the amount of \$86.48 for the year 1994, which is 3% of \$2,882.78 for the year ending December 31, 1994.

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Award Bid for Bethlehem Report The next item on the agenda was a recommendation from Public Information Specialist, Mr. Richard Lewis, for approval of award to Bleezarde Publishing, Inc., Ravena, NY, for the printing of Bethlehem Report, for the year 1995.

The motion was made by Mrs. Davis and seconded by Mr. Putney, to approve the award to Bleezarde Publishing, Inc., Ravena, NY for the printing of the Bethlehem Report for the 1995 year.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mr. Putney, Mrs. Davis.
Noes: None.
Absent: Mr. Webster.

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Approve Town Board Minutes Jan 11,25, 1995 The following item was to approve Town Board minutes of January 11 and January 25, 1995.

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis, to approve the Town Board minutes of January 11 and January 25, 1995.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mr. Putney, Mrs. Davis.
Noes: None.
Absent: Mr. Webster.

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Award Bid Gravel The next item was a recommendation from Highway Superintendent, Mr. Gregg Sagendorph, for award of bid for Gravel for 1995. The bid is to be awarded to Valente Gravel, Inc. of Troy, NY and to Valente Gravel, Division of Callanan Ind, of Wynantskill, NY.

The motion was made by Mr. Putney and seconded by Mrs. Davis, to award the Gravel bid for the year 1995 to Valente Gray, Troy, NY and to Valente Gravel, Division of Callanan Ind, of Wynantskill, NY, as recommended by Mr. Sagendorph, Highway Superintendent.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mr. Putney, Mrs. Davis.
Noes: None.
Absent: Mr. Webster.

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The next item was a recommendation from Highway Superintendent, Gregg Sagendorph for award of bid for Rental of Large Track Excavator for 1995 to Robert H. Finke & Sons, Selkirk, NY.

Award Bid
Rental of
Large
Track
Excavator

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to award the Rental of Large Track Excavator for the 1995 year to Robert H. Finke & Sons, Selkirk, NY, as recommended by Mr. Sagendorph, Highway Superintendent.

The motion was passed by the following vote:

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

Noes: None.

Absent: Mr. Webster.

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The following item was a recommendation from Highway Superintendent, Mr. Gregg Sagendorph, for award of bid for Guide Rails for 1995 to Chemung Supply Corp, Elmira, NY.

Award Bid
Guide Rails

The motion was made by Mr. Putney and seconded by Mr. Lenhardt to award the bid for Guide Rails as recommended by Mr. Gregg Sagendorph, Highway Superintendent, to Chemung Supply Corp, Elmira, NY.

The motion was passed by the following vote:

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

Noes: None.

Absent: Mr. Webster.

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The following item on the agenda was a recommendation from Highway Superintendent, Mr. Gregg Sagendorph, for award of bid for Washed Crushed Stone for 1995 to Callanan Industries, South Bethlehem, NY.

Award Bid
Washed
Crushed
Stone

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to award the bid for Washed Crushed Stone, as recommended by Mr. Gregg Sagendorph, Highway Superintendent, to Callanan Industries of South Bethlehem, NY.

The motion was passed by the following vote:

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

Noes: None.

Absent: Mr. Webster.

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The next item was a recommendation from Highway Superintendent Mr. Gregg Sagendorph, for award of bid for Topsoil for 1995 to Valente Gravel, Division of Callanan, Wynantskill, NY.

Award Bid
Topsoil

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to award the bid for Topsoil, as recommended by Mr. Gregg Sagendorph, Highway Superintendent, to Callanan Industries of South Bethlehem, NY.

The motion was passed by the following vote:

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

Noes: None.

Absent: Mr. Webster.

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Award Bid
Rental of
Heavy
Construction
Equipment

The following item was a recommendation from Highway Superintendent, Mr. Gregg Sagendorph, for award of bid for Rental of Heavy Construction Equipment for 1995 to Gail-Rail Contracting, Glenmont, NY; Vadney Underground Plumbing, Delmar, NY; Anjo Construction, Latham, NY; Peter K. Frueh, Inc., Selkirk, NY; Trinity Construction, Selkirk, NY; and John Cross Excavating, Selkirk, NY.

The motion was made by Mr. Lenhardt and seconded by Mr. Putney to award the bid for Rental of Heavy Construction Equipment, as recommended by Mr. Gregg Sagendorph, Highway Superintendent, to Gail-Rail Contracting, Glenmont, NY; Vadney Underground Plumbing, Delmar, NY; Anjo Construction, Latham, NY; Peter K. Frueh, Inc., Selkirk, NY; Trinity Construction, Selkirk, NY; and John Cross Excavating, Selkirk, NY.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mr. Putney, Mrs. Davis.
Noes: None.
Absent: Mr. Webster.

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Approve
Seasonal
Personnel
Parks & Rec.
Dept.

The next agenda item was a request from Administrator of Parks & Recreation Department, Mr. David Austin, Administrator for approval of appointment of seasonal personnel.

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to approve the following appointment of seasonal personnel as follows

Recreation Instructor I: Sharon Fellows, Matthew Carotenuto, Heather Mann, Anthony Genovese, all of Delmar, NY

Recreation Instructor II: Sean Mooney, Delmar, NY

Recreation Instructor III: John P. DeMeo, Schenectady, NY
(Mr. DeMeo is a teacher and wrestling coach for the Bethlehem School District.)

Lifeguard: Jill Dugas, Glenmont, NY

Senior Recreation Program Director: Michael Fitzpatrick, Glenmont, NY

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mr. Putney, Mrs. Davis.
Noes: None.
Absent: Mr. Webster.

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Release of
Bond from
Marine Midland
and
Replace with
Letter of
Credit from
M&T Bank
Somerset
Woods Sub.

The following item was a recommendation from Michael J. Cirillo, P.L.S., Engineering Services Administrator, for release of bond from Marine Midland Bank, N.A. and replacement with letter of credit from M & T Bank for the Somerset Woods Subdivision, Section One.

The motion was made by Mr. Putney and seconded by Mr. Lenhardt to approve the release of bond from Marine Midland Bank, NA in the amount of \$34,000 and to replace the bond with a letter of credit from M & T Bank for the amount of \$34,000 for the bonding of the Somerset Woods Subdivision, Section One with an expiration date of January 22, 1996.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mr. Putney, Mrs. Davis.
Noes: None.
Absent: Mr. Webster.

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The next agenda item was a recommendation from Bruce Secor, Commissioner of Public Works, regarding water district extension for Elm Avenue/Elm Avenue East and setting of public hearing.

Discussion
Water
District
Extension
Elm Ave &
Elm Ave. E.

Mr. Secor explained to the Board, the section of Elm Avenue in question, is south of Feura Bush Road continuing to where it intersects with Elm Avenue East, north of the power lines along Elm Avenue, then out Elm Avenue East to the lands of Bardon.

Mr. Secor indicated he had received a number of requests from people in this area to consider extension of the water district. A letter of interest was sent out to the residents in this area at the end of 1993. There was enough support for this, that he had a formal engineer's map plan and report prepared. This report is on file with the Town Clerk.

The engineer's report, Mr. Secor continued, deals with two separate areas also. The proposed Elm Avenue East Water District Extension and the proposed Elm Avenue Extension. He received about 75% of responses, from the upper area of Elm Avenue, but the lower area of Elm Avenue, he received less than 50%. This is why it wasn't brought back to the Board. He explained, you need a minimum of 51% of the assessed valuation and 51% of the resident voters.

Mr. Secor indicated, the next step is to set a Public Hearing to see if the residents in this area are in favor of this project. Mr. Secor also stated that people in this area have been waiting 15 years for town water.

Mrs. Davis stated she has spoken with the residents in this area and they have a real problem in certain areas because of the rock.

Mr. Putney questioned, why part of Elm Avenue was excluded. Mr. Secor responded, the other area is already in the water district. Three property owners paid out of pocket to be on line as a out of district water users.

Mr. Lenhardt questioned, if it was all along Elm Avenue. Mr. Secor answered, just Elm Avenue to the power lines and then Elm Avenue East to lands of Bardon.

Mrs. Davis stated, the residents in this area have trouble with their wells, as well as, selling their homes. Mr. Secor agreed.

Motion to set a Public Hearing for March 22, 1995, at 7:30 pm, to extend the Elm Avenue and Elm Avenue East Water District was made by Mr. Lenhardt and seconded by Mrs. Davis.

Set Public
Hearing
Extension
of Water
District
Elm Ave &
Elm Ave. E.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mr. Putney, Mrs. Davis.
Noes: None.
Absent: Mr. Webster.

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The next agenda item was a recommendation from Commissioner of Public Works regarding proposed yard waste composting facility SEQRA review and consider adoption of resolution with regard to lead agency status.

Supervisor Fuller pointed out that DEC does not wish to be lead agency.

SEORA
Resolution
Proposed
Yard Waste
Composting
Facility

Motion for the Town of Bethlehem to be lead agency for the proposed yard waste composting facility SEORA review was made by Mr. Putney and Mr. Lenhardt.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mr. Putney, Mrs. Davis.
Noes: None.
Absent: Mr. Webster.

The following SEQR RESOLUTION was adopted:

SEQR RESOLUTION
CLASSIFICATION OF ACTION AND LEAD AGENCY COORDINATION
YARD WASTER COMPOSTING FACILITY

- WHEREAS, The Town Board of the Town of Bethlehem is desirous of undertaking and funding the construction of a Yard Waste Composting Facility ("the Proposed Action"); and,
- WHEREAS, the Town Board of the Town of Bethlehem has received an Engineer's Report, dated October, 1994, titled "Proposed Residential Yard Waste Composting Facility for the Town of Bethlehem", which more particularly describes the Proposed Action; and,
- WHEREAS, the Proposed Action includes the construction for a new Yard Waste Composting Site which will have nominal design capacity for Town-wide yard wastes and furthermore the proposed project includes construction of a residential drop-off and pick up area, brush and wood storage area, storage garage and storm water management pond; and,
- WHEREAS, The State Environmental Quality Review Act ("SEQR") regulations found at 6 NYCRR Part 617.3(a) require that no agency shall carry out, fund or approve an action until it has complied with the requirement of SEQR; and,
- WHEREAS, 6 NYCRR 617.5(a) requires that as early as possible in an agency's formulation of an action it proposed to undertake it shall determine: (1) whether the action is subject to SEQR; (2) whether other agencies are involved; (3) the appropriate classification of the action; and (4) whether a full or short environmental assessment form is necessary; and,
- WHEREAS, the undertaking and funding of the proposal to construct a Yard Waste Composting Facility as outlined in the engineers Report of October, 1994, a copy of which is hereto attached, constitutes a Type I action subject and pursuant to SEQR; and,
- WHEREAS, 6 NYCRR 617.6 establishes procedures and time periods for coordinated review of Type I actions; and,
- WHEREAS, the involved agencies with respect to the Proposed Action includes: (1) New York State Department of Environmental Conservation and, (2) the New York State Department of Transportation; and,
- WHEREAS, coordinated SEQR review of the Proposed Action will be undertaken in accordance with 6 NYCRR Part 617.6(b) in that the Proposed Action is classified as Type I, and,
- WHEREAS, the anticipated impacts of the Proposed Action are primarily of local significance and the Town Board is an involved agency with the broadest governmental powers for investigation of the environmental impacts for the Proposed Action.

NOW THEREFORE BE IT RESOLVED,

that the Town Board hereby authorizes the Town Supervisor to initiate coordinated review of the Proposed Action by filing a copy of the Engineer's Report dated October, 1994 and appropriate notice including a full EAF, with involved agencies, and to notify said agencies that a Lead Agency must be agreed upon within thirty (30) calendar days of the date of mailing said notice; and that the Town Board of the Town of Bethlehem is desirous for serving as the Lead Agency for the Proposed Action for purpose of SEAR review; and,

BE IT FURTHER RESOLVED,

THAT HAVING NOTIFIED THE INVOLVED AGENCIES OF THE Town Board's desire to be Lead Agency and in the absence of any timely challenge to such assertion of Lead Agency, the town Board hereby declares that it shall be Lead Agency for SEQR review of the Proposed Action.

On a motion by Mr. Putney, seconded by Mr. Lenhardt and a vote of four for and none against, with one absent, this RESOLUTION was adopted on February 22, 1995.

AYES: Mrs. Fuller, Mr. Lenhardt, Mr. Putney, Mrs. Davis.
NOES: None.
ABSENT: Mr. Webster.

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The next item was a request for approval from Bruce Secor, Commissioner of Public Works, for extension of water main on Elm Avenue East.

Approve
Extension
of Water
Main on
Elm Ave. E.

Mr. Secor explained to the board, the area along Route 9W is already in the Selkirk Water Extension. The Dowerskill Water District takes in Hague Boulevard, back to Elm Ave East.

The two parcels that are being considered for the water district extension belong to the Bates and Rudolph families.

The Bates property is adjacent to Dowerskill Village on Elm Ave East. Eight years ago Mr. Bates came before the Town Board for approval to hook up as an out of district customer. The Town Board realized a subdivision, Carriage Hill was going in, and other people were interested in water, and gave Mr. Bates permission. He dug a single one inch water line from Hague Boulevard to his property.

The normal procedure when a water district extension is done, is to try to get water mains to the limit of the district extension. So the next person who comes along, can pick up at that point. This section of Elm Avenue East ended up without a water main.

The request that is before the Board is for Mr. Rudolph who has purchased a piece of property and would like to have services as an out of district water user. Mr. Rudolph would pay for the trenching and the installation, and the Town would furnish the pipe. A water main would run along the frontage of the Town Highway Garage and add an additional fire hydrant. The water main would be to the extent of the boundary of the water district. Anyone else on the street who wanted to have water, could hook up and pay for the frontage or by contract, depending upon the number of people.

The Carriage Hill subdivision is southerly from Dowerskill Village off of Jericho Road. There is a 12" water main on Route 9W, which would be brought down Jericho Road to service their subdivision. Depending upon the amount of support that was on Elm Ave East, it would be incorporated into this area. The Engineering Map Plan and Report would cost about \$6,000, whether you take in one lot or a whole subdivision. The overhead costs stay the same.

Mr. Lenhardt wanted to know, if it was in the plan for Dowerskill Village to include the extension area. Mr. Secor responded, it did not, because all of the houses faced interior. The next section of Dowerskill is before the Planning Board and they will, at their expense, bring the water main in for connection.

Mrs. Davis questioned, since the owner was willing to work with the Town on this project, were they aware of the extent of this project. Mr. Secor answered yes. The Rudolph's contractor will dig the trench and install the pipe. All the Town has to do is furnish the material.

Mr. Lenhardt wanted to know the difference between a 1 inch pipe and an 8 inch pipe. Mr. Secor explained, a 1 inch pipe is about 50¢ a foot, the 8 inch pipe is \$8.00.

Motion to approve the extension of water main on Elm Avenue East as recommended by Mr. Bruce Secor, Commissioner of Public Works, was made by Mr. Putney and seconded by Mr. Lenhardt.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mr. Putney, Mrs. Davis.
Noes: None.
Absent: Mr. Webster.

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The Supervisor asked if there was anyone who would like to address the Board. No one responded.

The Supervisor welcomed the Ravena Coeymans students to the meeting.

Executive Session

The motion to adjourn the meeting to Executive Session to discuss negotiations, was made by Mrs. Davis and seconded by Mr. Lenhardt.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mr. Putney, Mrs. Davis.
Noes: None.
Absent: Mr. Webster.

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A motion was made by Mr. Lenhardt and seconded by Mr. Putney to adjourn the regular Town Board meeting at 7:56 p.m.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mr. Putney, Mrs. Davis.
Noes: None.
Absent: Mr. Webster.

Catherine T. Peronazzo
Deputy Town Clerk

EXECUTIVE SESSION

There was no action taken at the Executive Session.