

TOWN BOARD
JANUARY 27, 1993

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: Kenneth J. Ringler, Supervisor
Frederick C. Webster, Councilman
Charles Gunner, Councilman
Sheila Fuller, Councilwoman
Bernard Kaplowitz, Esq., Town Attorney
Kathleen A. Newkirk, Town Clerk

ABSENT: M. Sheila Galvin, Councilwoman

SUPERVISOR RINGLER: Good evening, like to welcome everybody to a regular business meeting of the Bethlehem Town Board. This evening there are no public hearings but as usual practice, at the end of any item on the agenda if anybody wants to ask a question about anything, as time permits, if you raise your hand, we will try to do that and at the end of the meeting anyone who would like to bring anything to the attention of the Board may do so.

First item on the agenda is a request from David Austin, Administrator of Parks & Recreation, for approval of appointment of seasonal personnel per the attached list.

The motion was made by Mr. Gunner and seconded by Mr. Webster to approve the appointment of seasonal personnel as per the list submitted by David Austin, on memorandum dated January 27, 1993. The motion was passed by the following vote:

Approve
Seasonal
Personnel
Parks &
Recreation
Dept.

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

SUPERVISOR RINGLER: Next I have a request from Judith Kehoe, Comptroller, for approval of attendance of Judith Kehoe and Richard Webster at the Government Finance Officers Association Conference, March 24-26, 1993 in Albany with expenses paid, \$85.00 per person.

The motion was made by Mrs. Fuller and seconded by Mr. Gunner to approve the attendance of Judith Kehoe and Richard Webster at the Government Finance Officers Association Conference, to be held March 24-26, 1993 in Albany, NY with expenses paid. The motion was passed by the following vote:

Approve
Attendance
Gov. Finance
Officers'
Association
Conference
for Comptroller
and Deputy
Comptroller

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

SUPERVISOR RINGLER: Next I would like to accept the resignation of Christopher Barker as counsel to the Bethlehem Sewer District.

The motion was made by Mr. Webster and seconded by Mrs. Fuller to accept the resignation of Christopher Barker as Counsel to the Bethlehem Sewer District. The motion was passed by the following vote:

Accept
Resignation
Counsel to
Sewer District
Christopher
Barker

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

SUPERVISOR RINGLER: Next I have a recommendation from the Town Attorney, Mr. Kaplowitz, for appointment of Charles Tobin, III to the

position of Counsel to the Bethlehem Sewer District. Todd is a great attorney and he has been volunteering with our Bethlehem seniors and is President of the Bethlehem Senior Projects currently. He has been doing a good job for us.

Appoint
Charles
Tobin, III
Counsel to
Sewer District

The motion was made by Mrs. Fuller and seconded by Mr. Webster to approve the appointment of Charles Tobin, III to the position of Counsel to the Bethlehem Sewer District effective immediately. The motion was passed by the following vote:

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

Approve
Assignment
House Nos.
Jacob Drive
McCormack Rd.
North, Fliegel
Ave. and
Schoolhouse
Road

SUPERVISOR RINGLER: Next I have a recommendation from Terry Ritz, Engineering Department of Public Works, for approval of assignment of house numbers on Jacob Drive, McCormack Road North, Fliegel Avenue and Schoolhouse Road. In addition to that McCormack Road in the one section, the northern section, he would like to have that named McCormack Road North for benefit of emergency services. McCormack Road is split by the Cherry Avenue Extension. The house numbers on that would basically remain the same and we are just adding north at the end of it. This will be handled in the usual practice, they will be notified and they have 6 months in which they can change this and the post office will honor it. We are also going to remind them that they should put these house numbers, as we usually do, on the house, right.

TOWN CLERK NEWKIRK: Yes.

SUPERVISOR RINGLER: Offer a motion to approve those numbers.

The motion was made by Mr. Gunner and seconded by Mr. Webster to approve the assignment of house numbers and name assignments as per the recommendation of the Engineering Department in their memorandum dated January 21, 1993 for Jacob Drive, McCormack Road North, Fliegel Avenue and Schoolhouse Road. The motion was passed by the following vote:

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

COUNCILMAN GUNNER: Does he want those drawings?

TOWN CLERK NEWKIRK: Yes, if you don't want them, I will take them back, sure. Thank you.

SUPERVISOR RINGLER: It is probably at the end of his memo, I think.

COUNCILWOMAN FULLER: Yes, it is there.

COUNCILMAN WEBSTER: Yes, he wants them back.

Approve
Attendance
Bldg. Insp.
and Assist.
Bldg. Insp.
Eastern
States

SUPERVISOR RINGLER: Next a request from Mr. Flanigan is requesting approval of attendance of John Flanigan and Kevin Shea at the Eastern States Building Officials federation of March 3-5, 1993 in White Haven, PA. This will be for approval of attendance, vehicle and payment of registration fee. The employees will be paying for their own housing.

Bldg. Officials
Federation

The motion was made by Mr. Webster and seconded by Mrs. Fuller to approve the attendance of John Flanigan and Kevin Shea at the Eastern State Building Officials Federation meeting to be held March 3-5, 1993 in White Haven, PA with use of a vehicle and payment of registration fee of \$40.00 each. The motion was passed by the following vote:

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

SUPERVISOR RINGLER: Next we have received a gift from Citgo Petroleum, \$386.00, the purpose of which is to purchase a new sign for the new Elm Avenue playground. The Town Board has to authorize acceptance of that gift.

Authorize
 acceptance
 of gift
 from CITGO
 to purchase
 Playground
 Sign at
 Elm Ave Park

The motion was made by Mr. Gunner and seconded by Mr. Webster to authorize acceptance of a gift of \$386.00 from Citgo Petroleum Corporation, Glenmont, NY for the purpose of purchase of a new sign for the new Elm Avenue Park playground. The motion was passed by the following vote:

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

SUPERVISOR RINGLER: Next a request from Mr. Secor, Commissioner of Public Works, for approval of attendance of one employee at a one day training session, Lead and Copper Rule Compliance, How to Conduct a Corrosion Control Study, on February 3, 1993 with registration fee paid of \$60.00.

Approve
 Attendance
 Public Wks
 employee
 training
 session
 Lead and
 Copper Rule
 Compliance

The motion was made by Mrs. Fuller and seconded by Mr. Gunner to approve the attendance of one employee from the Department of Public Works at a one day training session, Lead and Copper Rule Compliance, How to Conduct a Corrosion Control Study, on February 3, 1993 at Albany, NY. The motion was passed by the following vote:

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

SUPERVISOR RINGLER: Next I have a recommendation from Mr. Secor, Commissioner of Public Works, regarding charges for water tap and meter installations and I will read his letter to the Town Board.

MEMORANDUM

TO: Members of the Town Board
 FROM: Bruce H. Secor, P.E., Commissioner DPW
 DATE: January 20, 1993
 SUBJECT: Charge for Water Tap and Meter

Attached is a copy of a memo dated December 21, 1989, which recommended that the tap fee for Water District No. 1 be set at \$450.00 per service. Since 1990, costs of materials, labor and equipment have all risen and it is necessary that we now ask that the fee be increased.

The recommendation is that we set the fee for a standard 3/4" water service at \$450.00 for a short tap and \$650.00 for a long tap. Since most of the taps the Water District does are in new subdivisions, the cost for providing a water service is less when the water main is on the same side of the street as than the cost of boring under the road and hand digging around all the other underground utilities when the water main is on the opposite side of the street from the house. Therefore, we are suggesting a two-tier tapping fee.

Even with a two-tier fee in place, there will still be special situations where the costs of providing a tap will exceed the base fee of \$450.00 or \$650.00. In those instances, I request that the Board establish a policy that if the actual costs of installing the tap exceeds the base permit fee, that the additional installation cost be recovered on a time and material basis. Water taps for services larger than the 3/4" standard (1", 1 1/2" or 2") are currently billed on a time and material basis. This should remain,

with the applicant paying the \$650.00 as a minimum fee at time of application and that any costs incurred in excess of that be billed on a time and material basis.

The work involved in providing a water service tap includes excavating to the main, using with a special tapping machine to install a brass corporation valve, laying the copper water service line from the water main to the property line and installing a brass curb stop and valve box. This effort is considerably complicated when underground cable t.v. exists on both sides of the road, along with existing gas mains, gas service lines, underground power and telephone cables. The crew must hand dig around these utilities and special boring equipment is required to bore under the road.

As a matter of comparison we have checked with a number of water utilities in our area to identify the fees that they charge for connecting to a water main and the work that is actually done by the utility.

Please contact me if you have any questions or need additional information.

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Does anybody have any questions regarding that?

COUNCILMAN GUNNER: I spoke with Bruce earlier and I guess I was concerned about the unequal payments. I know that you can't run the line down the middle of the road, it is expensive to do and would be problems if you have to repair the road, however, I was curious as to who and why a certain side of the road is picked because when that is done, it mitigates somebody on the other side of the street... again somebody on the other side of the street right away and, for what reasons. And, basically, Bruce what was that reason?

MR. SECOR: Well, it is part of the original design in the original subdivision. Usually, it is keyed off where the storm drainage is. We have got to try to keep the water main on the opposite side of the street from the storm drainage where we can. It is also laid out for fire protection, which side we are going to have the fire hydrants on. It is not a big design consideration. The water main is very flexible, it can go any place. You usually work around the other gravity services, which is the sewer and the storm drainage.

COUNCILMAN GUNNER: But... however, though because somebody just happens to be on the wrong side of the street, they pay an extra \$200. Why don't we just charge \$550. for every hook-up?

SUPERVISOR RINGLER: And, then if anything goes above that charge on a time and material basis?

COUNCILMAN GUNNER: Yes, provided... there is a little catch in there because somebody if you have to go further for the one person, you are going to be right back to the same type thing. And, I guess, if you could avoid that I would agree with the statement.

MR. SECOR: What we can do is, is set a cap of say \$100 over the base fee. In other words, it is \$550. is the charge, if our costs exceed \$650., we charge anything over the \$650. That way you pick up the extra special case if you hit rock or have a real problem but then it will average out. Some will cost a little less, some will cost a little more and it could average out.

COUNCILMAN GUNNER: Do you see any problem with that?

MR. SECOR: No, we can do either way. As I say, it is kind of a coin toss and we have had a flat fee up until now and that would be fine. We can try that. We fill out a report for every tap that is done and at the end of the year we look at it and that is the basis on which we make the recommendation to the Board. We actually keep track of the cost of each tap we put in.

SUPERVISOR RINGLER: That would not be out of the ordinary with the other communities. The Town of Colonie who does the work as we do it, charge about \$550, \$527. So, I mean it is still...

COUNCILMAN GUNNER: And, it wouldn't reduce the anticipated income really.

MR. SECOR: No.

COUNCILMAN GUNNER: It shouldn't, I mean it might be a little bit.

MR. SECOR: It is not a big number, we do 100 taps a year, that is a lot. It is not a big number.

SUPERVISOR RINGLER: So, your recommendation is that we go for \$550. and if it exceeds \$650. then they would pay it on a time and material basis. Everybody in agreement with that?

COUNCILMAN WEBSTER: That sounds fair.

COUNCILWOMAN FULLER: That is fine.

SUPERVISOR RINGLER: I concur. Motion to that effect.

The motion was made by Mr. Gunner and seconded by Mr. Webster that the charge for water tap and meter be set at \$550. with additional charges on a time and material basis for any tap exceeding \$650. The motion was passed by the following vote:

Set Water
Tap and
Meter
Charge

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Mrs. Fuller.

Noes: None.

Absent: Ms. Galvin.

SUPERVISOR RINGLER: Next we have received a recommendation from Mr. Secor, Commissioner of Public Works, for award of the bids for Chemicals.

Award Bid
Chemicals

MEMORANDUM

TO: Members of the Town Board
FROM: Bruce H. Secor, P.E., Commissioner
DATE: January 20, 1993
SUBJECT: Award of Bids - Chemicals
Department of Public Works

We recommend award to the following low bidders who meet our specifications.

Commercial Sulfate of Alumina
Holland Company, Inc.
Adams, Massachusetts

Calgon
Calgon Corporation
Pittsburgh, PA

Liquid Chlorine
K.A. Steel Chemicals, Inc.
Rensselaer, NY

Copper Sulfate
Fassy and Besthoff, Inc.
Edgewater, NJ

And, Bruce, you have two here, why is that, under copper sulfate?

MR. SECOR: The second one, we just wanted to show, the low bidder was actually VanWaters & Roger but they did not meet the specifications, so we are just showing that to the Board. There was a lower quote sent in but it did not meet the specifications.

SUPERVISOR RINGLER: So, your recommendation is Faesy and Besthoff.

MR. SECOR: Our recommendation is the second low, which meets the specs which is Faesy and Besthoff.

SUPERVISOR RINGLER:

Activated Carbon
Jones Chemicals, Inc.
Warwick, NY.

The motion was made by Mrs. Fuller and seconded by Mr. Gunner to award the bid for Chemicals to the firms recommended on Mr. Secor's Memorandum dated January 20, 1993. The motion was passed by the following vote:

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

Award Bid
Materials

SUPERVISOR RINGLER: Next I have a recommendation from Mr. Secor, Commissioner of Public Works, for award of the bids for Materials. Curb Boxes - Vellano Bros., is that the same situation as Ramsco?

MR. SECOR: No, read the numbers.

SUPERVISOR RINGLER: Curb boxes number H10386 to Vellano Bros. and number H10314 to Ramsco, Inc.; for tapping sleeves, Ramsco, Inc.; tapping valves, U.S. Pipe and Foundry Co.; copper tubing Vellano Bros.; Meters, Badger Meter, Inc.; hydrants, Ramsco, Inc.; valves, U.S. Pipe & Foundry Co.; valve boxes, Ramsco, Inc.; ductile iron pipe, U.S. Pipe & Foundry Co. for 6" and for the sizes 8 to 16", Ramsco, Inc.; pipe fittings, Vellano Bros. Inc.; dresser bell-pack repair sleeves, Ramsco, Inc. and Blair Supply Corp. for the different sizes; stainless steel repair clamps, Vellano Bros., Inc. and Ramsco, Inc., again for some different sizes; bell joint repair clamps, Vellano Bros., Inc. and Ramsco, Inc.; corp stops, Ramsco, Inc.; and curb stops, Ramsco, Inc.

The motion was made by Mr. Webster and seconded by Mr. Gunner to approve the award of bids as per the Memorandum from Commissioner of Public Works, Bruce H. Secor, for Materials for 1993 dated January 20, 1993. The motion was passed by the following vote:

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

Create
position of
Communications
Supervisor
Police Dept.
and appoint
Maureen
Bartkus to
position

SUPERVISOR RINGLER: Next a request from Chief of Police, Richard LaChappelle, for establishment of a position of Communications Supervisor. We discussed this at budget time and since that time the Chief has put together a job description and has met and negotiated with the union and has also a recommendation, the next item on the agenda is the appointment of Maureen Bartkus to the position with a \$1,250. stipend over and above what her normal salary would be.

The motion was made by Mrs. Fuller and seconded by Mr. Webster to create the position of Communications Supervisor. The motion was passed by the following vote:

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

COUNCILMAN GUNNER: Is that salary within the budget?

SUPERVISOR RINGLER: Yes.

SUPERVISOR RINGLER: Next I would like to entertain a motion to appoint Maureen Bartkus effective January 30, 1993 to that position and her salary increased to \$25,102.

The motion was made by Mr. Webster and seconded by Mrs. Fuller that Maureen Bartkus be and she hereby is appointed to the position of Communications Supervisor at a rate of \$25,102. The motion was passed by the following vote:

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

 SUPERVISOR RINGLER: Next I have a recommendation from Mr. Secor, Commissioner of Public Works, regarding water service request for McNessor, Pictuay Road, Selkirk. I will read Bruce's recommendation into the record.

MEMORANDUM

TO: Members of the Town Board
 FROM: Bruce H. Secor, P.E., Commissioner DPW
 DATE: January 22, 1993
 SUBJECT: Water Service Request
 McNessor - Pictuay Road, Selkirk

As per the Supervisor's request, I have reviewed the letter from Mr. and Mrs. McNessor, who are trying to build a home on Pictuay Road in Selkirk.

The parcel that they have purchased is in the Town of Bethlehem and also within the Water District boundaries. At the time of the Water District Extension to Selkirk, there were no homes to service on Pictuay Road and therefore, no water main was installed. Water mains were installed on Route 9W and the Old Ravena Road (see Map "A" attached). A water crossing pipe was also installed near the driveway to the Wickes Lumber yard (see Map "B" - existing water mains shown in blue). In order to begin service on Pictuay Road, I make the following recommendations:

- 1.) That the plugged end of the existing 6" water main under Route 9W near the entrance driveway to Wickes Lumber be excavated and a fire hydrant be installed. This would help provide fire protection for Wickes Lumber and also provide a flushing point in the system.
- 2.) That the Water District install 8" diameter pipe at the District's expense approximately 350' southerly along Route 9W to the intersection with Pictuay Road (shown in green on Map "B").
- 3.) That the McNessors be required to install approximately 250' of 8" diameter water main westerly along Pictuay Road at his expense. In this way, the McNessors would help to put pipe in the ground on Pictuay Road. The total distance to the McNessor parcel, it is not practical to require that they extend the 8" main all the way to their property.

In the future, any additional development that occurs on Pictuay Road, each user should be required to install a similar amount of 8" diameter water main, so that water service is eventually extended to the westerly boundary of the Water District.

I have discussed this matter with Mr. McNessor and he feels that this is a workable solution for him, since he has already spent considerable money trying to dig wells on his property and has not had any success.

If the Town Board approves this approach, the Water District could install the 8" pipe and then McNessors could have a connection at the end of the 250' of pipe they pay to have installed. We should require a meter pit near the service tap. Then a small diameter

private service line could run from there back to their proposed new home.

Please contact me if you have any questions or need any further information.

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Any questions? Offer a motion to approve that.

Approve
Water Service
McNessor
Pictuay Road
Selkirk

The motion was made by Mr. Webster and seconded by Mrs. Fuller to approve the request for water service to Mr. and Mrs. McNessor for their property located on Pictuay Road, Selkirk. The motion was passed by the following vote:

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

Approve
purchase
of heavy
duty dump
truck,
Highway
Dept. from
State
Contract

SUPERVISOR RINGLER: Next have a request from Mr. Sagendorph, Highway Superintendent, for permission to purchase one heavy duty dump truck from the State Contract. The cost will be \$44,495. and this is in the 1993 budget.

The motion was made by Mrs. Fuller and seconded by Mr. Gunner to approve the purchase of one heavy duty dump truck from State Contract at a cost of \$44,495. The motion was passed by the following vote:

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

Approve
Attendance
Commissioner
of Public
Works
American
Public Works
Association
Meeting

SUPERVISOR RINGLER: Next I have a request from Bruce Secor, Commissioner of Public Works, for approval to attend the American Public Works Association meeting to be held February 2, 1993.

The motion was made by Mrs. Fuller and seconded by Mr. Webster to approve the attendance of Bruce Secor, Commissioner of Public Works, at the American Public Works Association meeting to be held February 2, 1993 at Syracuse, New York with approval of use of Town vehicle for transportation.

COUNCILMAN GUNNER: Bruce, are you still President of that?

MR. SECOR: Yes.

COUNCILMAN GUNNER: When is your term up?

MR. SECOR: Til April.

SUPERVISOR RINGLER: Yes, but then he is going to have to pay for himself to go to these trips. They pick up the tab now.

COUNCILMAN GUNNER: That is true.

The motion was passed by the following vote:

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

Accept
two easements
Trued and
Bane

SUPERVISOR RINGLER: Next I have a recommendation from Mr. Secor, Commissioner of Public Works, for acceptance of two (2) easement for sanitary sewer from Terry L. Trued and Susan H. Bane, pending approval of the Town attorney. Did you look at these?

ATTORNEY KAPLOWITZ: Yes.

SUPERVISOR RINGLER: He has already looked at them.

The motion was made by Mr. Gunner and seconded by Mr. Webster to accept two (2) easement documents for sanitary sewer from Terry L. Trued and Susan H. Bane. The motion was passed by the following vote:

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

SUPERVISOR RINGLER: Next I have a request from Kenneth P. Hahn, Receiver of Taxes and Assessments, for approval of reimbursement of overpaid water rents for the month of December 1992, totaling \$22.02.

Approve
refunds of
overpaid
water rents
Dec. 1992

The motion was made by Mrs. Fuller and seconded by Mr. Gunner to approve the reimbursement of overpaid water rents for the month of December 1992 in the amount of \$22.02 to those persons listed on the Memorandum dated January 5, 1993 from Kenneth P. Hahn, Receiver of Taxes and Assessments. The motion was passed by the following vote:

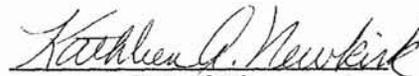
Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Mrs. Fuller.
Noes: None.
Absent: Ms. Galvin.

SUPERVISOR RINGLER: One item for information for the Board, I have to note with regret the passing of Jim Coon. Jim has been serving on our Land Use Management Advisory Committee for the last several years. He was an expert in the field as he worked for the Department of the State of New York and was very, very helpful to our process. As a matter of fact, he has been seriously ill, I guess, for the last several weeks and one thing his wife wanted us to do was to continue delivering LUMAC things to him and he still worked right up to the very end. Jim was an outstanding, very wonderful gentleman and we are all going to miss him.

Is there anything that anyone else would like to bring to the attention of the Board this evening? There was none.

The motion was made by Mr. Webster and seconded by Mr. Gunner to adjourn the regular Town Board meeting at 8:15 p.m. The motion was passed by the following vote:

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


Town Clerk