

TOWN BOARD
JUNE 24, 1998

A regular meeting of the Town Board of the Town of Bethlehem was held on the above date at the Town Hall, 445 Delaware Avenue, Delmar, NY. The meeting was called to order by the Supervisor at 7:30 p.m.

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

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Supervisor Fuller welcomed everyone to a regular Town Board meeting and began the meeting with the pledge of allegiance.

The first item on the agenda was a presentation by Cablevision regarding transfer of system assets to Time Warner. Supervisor Fuller introduced Mr. George Smede from Cablevision.

Mr. Smede thanked the Board for inviting him to give this presentation or overview of the changes. He noted this is a swap of geographical areas with Time Warner. He said this will present an updated system for the Bethlehem area. He introduced Mr. Peter Taubkin, Vice President of Time Warner, who introduced Gregg Bobbitt and Kathleen Teller from Time Warner and showed a video pertaining to their services. He noted there are 200,000 customers and 377 Albany employees. He said they have expanded their customer service hours for customer convenience. He noted that Time Warner pays 22 million dollars annually in program costs with a 10 million dollar annual capital budget. He said they currently have 80 channels.

Presentation
by Cablevision
regarding transfer
to Time Warner

Mr. Taubkin said with the technology as described, they are able to give a variety of services to their customers. He said the high speed internet service, Roadrunner, will be available over the cable lines. He said this will be 100 times faster than the telephone. He addressed the issue of other services provided.

Mr. Taubkin said 50 million dollars has been invested over the past few years to the system. He said they integrated systems so that customers have the same amount of channels and line-up.

Mr. Taubkin said they value customer service and part of their commitment is shown in the on-time guarantee. If they are late, the customer is given \$20 on the spot and if they are late for an installation, the installation is free. He said one of their other commitments is to education by bringing cable to classrooms. This commitment includes the opportunity to get a free modem and free access to the internet.

Mr. Taubkin said they are also active in their community. He said they take pride in offering unique corporate citizenship. They also work with non-profit organizations.

Mr. Taubkin said he hoped this helped the Board understand who they are and that they look forward to serving the Town. He offered to answer any questions anyone might have. Supervisor Fuller noted there will be a public hearing set and questions and answers can be handled at that time. She said tonight really was to let the community know, up front, that this is the beginning of the process. She asked if there were any questions or comments from the Board. She asked if anyone in the audience had any questions. There were none.

Attorney Kaplowitz asked if this will affect the reception that the residents are getting now, the number of channels or quality of reception. Mr. Taubkin said certainly the technology that they put in place speaks to upgrading technology which includes signal through fiber-optics. As far as channels, Mr. Taubkin said the channels are pretty close. He said it is not until after the transaction is

complete that they get into the position of looking to see what they can integrate.

Attorney Kaplowitz asked what can be expected in regard to cost. Mr. Taubkin said this transaction has no implications on rates. Attorney Kaplowitz said whatever is provided will be at the present rate. Mr. Taubkin said again this transaction has no effect on rates. Attorney Kaplowitz asked if Mr. Smede is going to be around when this transaction takes place. Mr. Taubkin said he certainly hoped he was. Attorney Kaplowitz thanked Mr. Taubkin.

Councilman Burns thanked the gentlemen for the presentation. She said she had one question about cost which everyone is interested in and service was another. She asked how this would affect revenues to the Town. Mr. Taubkin said the transaction actually takes the franchise agreement and transfers it over to Time Warner cable. He said they would operate the franchise according to the provisions in the agreement. Franchise fees may be discussed when the agreement comes up for renewal, according to Mr. Taubkin. He said the Town may wish to adjust that at that time. Councilman Burns asked if everything in the agreement remains. Mr. Taubkin said it carries on.

Councilman Burns asked about digital television. She said recently there was an article about cable television and boxes and technology around what in 5 years will be provided. She asked if he could explain what Time Warner is doing right now. Mr. Taubkin said he can explain and he said he thinks everyone will agree that technology changes tremendously fast. He said to give timetables to certain technology wouldn't be fair but he did say that what they have done in this area by launching Roadrunner and building other infrastructures has shown their commitment to be on the cutting edge of technology. He said they understand where they have to be to obtain that level. He explained this is a broad answer. Councilman Burns thanked him.

Councilman Lenhardt asked if this transfer will have any impact on Channel 31. Mr. Taubkin said access is operated in accordance with how it has to be operated. He said this is in accordance with their guidelines that are written. He said it will continue to be available under the agreement.

Mr. Lenhardt further asked, from the Town of Bethlehem's perspective, if they were planning on providing internet access in the short term. Mr. Taubkin said providing Roadrunner would be one of their top priorities but it is not until the transaction is completed that they can determine these things. Councilman Lenhardt thanked Mr. Taubkin.

Councilman Burns asked if they found that the service and cost provided for in another areas is less than Bethlehem's cost, would that have any bearing on what could be negotiated. Mr. Taubkin said rates are sometimes governed depending on what level you are at. He said each system has its own history of how the rates have developed and he said they would take that on and be able to look at that more appropriately at the proper time.

Supervisor Fuller asked Comptroller, Judith Kehoe, to give a brief overview of where we are with the cable contract. Mrs. Kehoe, Cable Administrator, said the current franchise agreement with Cablevision expires in 2001. She said the renewal process starts about 3 years prior to that date. She said in the past the Town has had assistance from the Public Service Commission with the negotiations, as well as, the committee of residents. She said Steve Shaye was in attendance from the PSC and noted he has been involved previously. She said he will be helping with the process as well. The rates charged for the service are not something that can be controlled. It is regulated by PSC or FCC, according to Mrs. Kehoe, and they prefer to leave it to market competition. She said it is governed by formulas sent out by the FCC. She said the franchise fee would continue. She said it would be negotiable with the types of revenues they collect and would be included in that formula. She said currently it includes every bit of revenue that is derived from

the Town of Bethlehem and the Town is charging the maximum rate of 5 percent. She said if the Board were inclined to go lower it can.

Mrs. Kehoe said the process proceeds because the renewal application has been submitted to the PSC and they are about to begin their review of it. She said this is expected to take many weeks. She said they will be preparing a list of questions for Cablevision to respond to. She said she reviewed the application and had a number of questions. She said the Town will also submit questions for clarification and additional information. It is hoped that by the public hearing date, the information will be received.

Mr. Shaye of the PSC said the transfer process is much more structured than it used to be. He said the Federal Government did the 1996 Telecommunications act and put a specific deadline on how long the municipal and State governments have to act on transfers. He said the qualifications of the applicant are looked at. He said the ability of the new company is looked at as to how they may fulfill the obligations of the franchise. He said there is a 120 day period from the completion of the form for the municipal and State government to act on the application. He said the most important point is that Time Warner will have to live up to every obligation that is contained in the existing franchise. He said those are not changed and it is important for the new company to understand the obligations. He again noted it is a pretty structured process.

Supervisor Fuller thanked Mr. Shaye. Mr. Taubkin thanked the Board. Supervisor Fuller asked for a motion to set the public hearing.

Time Warner
Cablevision
Public Hearing
July 22, 1998
at 7:30 PM

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to set a public hearing for July 22, 1998 at 7:30 p.m. to consider the transfer of system assets to Time Warner from Cablevision. The motion was passed by the following vote:

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

Engineering
Service out-
of-district
water service
McCormack Road
North, Slinger-
lands

The next item was a request from Michael Cirillo, Engineering Services Administrator, for approval of out-of-district water customer service for premises McCormack Road North, Slingerlands. Supervisor Fuller said there is a letter of request for service to a proposed house to be built on McCormack Road North. Supervisor Fuller said this would provide out-of-district customer service with an agreement related to providing temporary water service by Water District No. 1 and the future extension thereof at a rate of double the established water rate in the District or as may be changed in the future. A service connection permit will be required.

Councilman Lenhardt asked Mr. Secor about the statement regarding participation in future extensions and the fact that it takes care of any situation such as happened on Elm Avenue. Mr. Secor said that was the idea. He said most of the areas in Slingerlands are in the Water District. The water district does not take in the last few parcels on McCormack Road before it gets to the Normanskill. At some point, Mr. Secor explained, there should be a district extension to take those in. He said the attorney drew up a more formalized agreement to be notarized and actually filed in the County Clerk's office.

Mr. Secor said there was an instance of agreements signed on Elm Avenue East but never recorded and they are now changed over. He said it will make any new homeowner aware of the fact that they have this obligation. The requirement that they pay double the water rate is established by the State of New York when they granted the water supply application to the Town. Houses or properties outside of the water district do not pay water district tax, therefore, they are charged double the water rate to try and make some parity between inside and outside use. He said all the homes in the Town of New Scotland that are served cannot be taxed and they pay double the water rate.

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to approve the out-of-district water service including the signing of an agreement with the owner to provide temporary water service at a rate of double the established water rate or as may be changed in the future for premises of Mrs. Joyce Chapman, McCormack Road North, Slingerlands. The motion was passed by the following vote:

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

The next item is a request from Engineering Services Administrator, Michael Cirillo, for approval of acceptance of deed for drainage easement purposes from The Meadows of Bethlehem.

Engineering
Services
acceptance of
deed drainage
easement Meadow

The motion was made by Mr. Johnson and seconded by Ms. Burns for acceptance of deed for drainage easement purposes from The Meadows of Bethlehem for Columbine Drive and Fields End Drive, Glenmont, Town of Bethlehem. The motion was passed by the following vote:

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

The following item was a request from Michael Cirillo, Engineering Services Administrator, for approval of acceptance of deed for highway right-of-way for Delaware and Kenaware Avenues, Delmar.

Engineering
Services
acceptance of
highway right-
of-way Delaware
and Kenaware
Avenues

The motion was made by Mr. Johnson and seconded by Mr. Lenhardt to approve the acceptance of deed for highway right-of-way for Delaware and Kenaware Avenues, Delmar as per the Conditional Approval of Final Plat for the Porter W. Howard Subdivision from Harry Gochee, Delmar, NY. The motion was passed by the following vote:

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

The following item was a request from Bruce Secor, Commissioner of Public Works, for approval of purchase of property Rupert Road, So. Bethlehem and authorization of the Supervisor to execute documents for purchase. Supervisor Fuller asked Mr. Secor to explain this request. Mr. Secor displayed a map showing the location of the proposed land to be purchased. He said the map shows Rupert Road and South Albany Road, as well as, Onesquethaw Creek. He said the Town of Bethlehem owns about 27 acres of land on Rupert Road, noting the section of the land that is the closed sanitary landfill, closed about 10 years ago.

Commissioner
of Public Works
approval purchase
property Rupert
Road

Mr. Secor said there is currently an active construction and demolition debris disposal site which is filling in right now. He said there is a closure plan for this area and he expects that will be done within the next 3 or 4 years. He said then it will be closed.

Mr. Secor said there are ground water monitoring wells and they are installed for the sanitary landfill and the C and D site. He said stream samples have been done and there is no evidence of pollution going into the creek. He said across the stream is Spawns Hollow. He said the home easterly of the landfill site has had the well tested and there is no evidence of pollution in that. He noted C.T. Male and Associates came in to help with the closure plan and they felt it was far enough away and deep enough that there will never be a problem.

Mr. Secor said the Hummels purchased the property and proposed a subdivision and there was either 40 or 60 lots proposed for this site

with individual wells and septic tanks. He said there was a working landfill with a proposal for brand new houses next to it. He said that became very difficult. He said the Albany County Health Department notified the Hummels that they would not approve the subdivision unless Town water was available. At the time this came through, according to Mr. Secor, the Town spoke to the Hummels about purchasing it but as mentioned in the Memorandum, there was never a reasonable amount reached. He said recently the Hummels have decided to sell the property and sent a letter to the Supervisor. He said it was vacant land and the recommendation from the Engineering Division is to look at purchasing parcels 1 and 2 so that no new houses can be constructed right next to the landfill. He said it would provide a buffer zone. He said there are no plans for expanding the landfill. He said that would be a Town Board decision if it was ever made. He said this is simply being looked at as buffer.

Mr. Secor said the Town of Bethlehem already owns the railroad right-of-way. It was purchased previously from Bell Crossing Road to the Town line as a potential roadway to the industrial area. Some buffer if owned by the Town, according to Mr. Secor, however, the Engineering Division is recommending that this be purchased. The price suggested is \$1,500 per acre. He said he needs Town Board approval to make an offer of \$1,500 per acre, subject to the actual number of acres that come out of the survey.

Mr. Secor said the additional request is to authorize the Supervisor to sign the paperwork to accomplish this.

Councilman Johnson asked Attorney Kaplowitz if he thought this was the appropriate thing to do. Attorney Kaplowitz noted in regard to purchasing buffer, the more the merrier. He said landfills 5 or 10 years ago got to be a real problem. He said insurance companies were canceling coverages for municipalities all over the State but giving it back if the municipality agreed to take out the landfill coverage. He said a lot of municipalities do not even have coverage. He said a little additional buffer is a very wise thing to do. Councilman Johnson thanked Attorney Kaplowitz.

Councilman Davis asked Mr. Secor about the fact that the Hummels have sent letters to many businesses and other individuals in the Town in that area. She said frankly, she thinks there could be very undesirable usage of the property potentially and thinks this is a much more positive use of the land. She said she thinks the figure is very reasonable. She also noted she thinks the residents in that area would also be relieved not to have a concern about what the potential use of that property could be. Mr. Secor agreed and said the biggest concern of the residents is that this is not being purchased with the idea of expanding the landfill. He said he has no intention of doing that.

Mr. Secor noted a transfer station for C and D will probably be set up. He said we are involved in a regional solid waste solution. The ANSWERS contract does not allow for C and D material at this time, according to Mr. Secor. He said he expects this item will come back to the Town Board to go out to bid for someone to put roll-offs in the transfer station and provide a place for C and D disposal. He said there are very good services provided at the landfill/recycling area.

Councilman Davis noted she is concerned that the land is unzoned and that bothers her. She said if the Town owns it, there is a certain security for the community. Mr. Secor said the Town Park is in the area. He said there is already a park in South Bethlehem and this again would provide additional buffer. He said this is to be used as open space and there is 40 acres in this piece of land. Councilman Davis thanked Mr. Secor.

Councilman Burns said she understands the buffer zone and she thinks that is reasonable. She asked who came up with the number of acres. Mr. Secor said this was suggested by the Engineering Division. He said it was 1,955 feet to the first house. He said he thinks this is a great number. He said there is no scientific basis for this. He said this is a closed landfill which does not have a liner under it. He said it does not have a negative environmental

impact at this time that he knows of. It is covered by clay and there are monitoring wells, according to Mr. Secor. He said having a buffer is a very reasonable price and he hopes the Hummels will accept this offer.

Councilman Burns noted Mr. Secor said the Department of Health would not allow wells to go in there previously when he had talked to them. Mr. Secor said under the New York State Realty Law, a subdivision is 5 or more lots. Under the Town of Bethlehem Code, it is 2 or more for subdivision approval, he said. He said if they were to divide this into 2 or more lots, they would have to go the Planning Board for approval but they could put up to 5 lots here and not have to go to Albany County Health Department for a realty subdivision. Mr. Secor said he and Mr. Cirillo have talked to Mr. Hummel and he has been informed that they are working on this proposal. Mr. Secor said they did walk the property and discussed with Mr. Kaplowitz the conditions that might be put into a purchase contract. The major one, according to Mr. Secor, would be a title search and survey.

Councilman Burns asked what the total price would be at the unit price suggested. Mr. Secor said he did not multiply that out, probably about \$70,000 to \$75,000. Ms. Burns asked what fund this would come from. Mr. Secor said it is suggested that it come from the General Fund Capital Reserves. Ms. Burns asked why it was coming from the General Fund. Mr. Secor said this is owned by General Fund, noting all facilities are under general Town expense. He said all the properties owned by the Town are under the General Fund. Ms. Burns asked if there is a land acquisition fund. Mr. Secor referred this question to Comptroller Kehoe. Mrs. Kehoe said there is a budget line item within the General Fund for land purchase within the engineering budget code. She said it is only \$30,000. Mr. Secor said that is for right-of-way for sidewalks. Mrs. Kehoe said that is designated to be spent this year. She said there is no money left. She said she does not have sufficient money to transfer from other departments to cover up to that \$75,000. She said typically anything more than \$50,000 expenditure, which is the thresholds for major capital expenditure, anything beyond that would be appropriate to draw out the monies from the Capital Reserves. She noted this would be subject to a permissive referendum when this commitment is approved.

Councilman Burns went back to the future use of the land and asked if there will be any language or documentation that states what the future use will be. Mr. Secor said unless the Town Board would put something in, he did not have anything in mind. He said the fee would be offered to the owner and it would be owned by the Town. He said it would be up to the Town Board if anything would ever happen to this land. Councilman Burns noted he said it was going to be a buffer. Mr. Secor said that is all that is being proposed. He said the Town owns 75 acres over on Route 396 as a clay borrow site and have a mining permit for that. He said that was purchased to provide the clay cover for the landfill and do the clay maintenance. Councilman Burns said it is a little hard to understand that people might want to build there. Mr. Secor noted people build next to airports and than complain about the airplanes. Supervisor Fuller noted that is why this is proposed as a buffer. She said it was apparently back in 1987 when the subdivision was proposed. Mr. Secor agreed, it was a 48 lot subdivision in March of 1987. Councilman Davis said she thinks one reason someone might develop it is that it is flat, it is easy to develop. It doesn't have a lot of development problems, according to Mrs. Davis. She said there are no ravines, there are no real obstacles. Mr. Secor said all of the homes are 150 by 200 feet deep lots. He said there could be a potential for a line of houses right across to the landfill.

Supervisor Fuller thanked Mr. Secor.

The motion was made by Mrs. Davis and seconded by Mr. Johnson to approve Mr. Secor offering \$1,500 per acre to the Hummels for land adjacent to the Town landfill site and approve authorizing the Town Supervisor to execute the necessary paperwork. The motion was passed by the following vote:

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

Parks and
Recreation
approval
Seasonal
Personnel

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

The motion was made by Ms. Burns and seconded by Mr. Johnson to
approve the appointment of seasonal personnel as listed on the
Memorandum from David Austin, Administrator of Parks & Recreation
Department, dated June 24, 1998 at the titles and salaries listed.
The motion was passed by the following vote:

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

Chief of
Police
transfer
from Insurance
Recovery Account

The following item was a request from Richard LaChappelle, Chief
of Police, for approval of transfer from Insurance Recovery Account
to Police Account to provide for repair of damaged police vehicle.
Supervisor Fuller explained the transfer is in the amount of
\$3,671.03.

The motion was made by Mr. Johnson and seconded by Mrs. Davis to
approve the transfer of \$3,671.03 from the Insurance Recovery Account
to Police Account to provide for repair of damaged police vehicle.
The motion was passed by the following vote:

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

Request from
Comptroller
transfer
for approval
reclassification
within assessor's
department and
transfer for
MIS department

The next item was a request from Comptroller, Judith Kehoe, for
approval of budget transfer for approval of reclassification within
the Assessor's Department and transfer for MIS Department for a
software purchase. Supervisor Fuller noted this is a budget line
item and the Assessor needs to reclassify within the Department
consulting budgeted within contractual which should have been
budgeted within personnel services. She said the MIS department
needs a transfer for software purchase to benefit the Justice
Department and Police Department. She said this software will
provide an interface between the 2 departments.

The motion was made by Mr. Johnson and seconded by Mr. Lenhardt
to approve the reclassification within the Assessor's Department in
the amount of \$5,000 and the transfer for purchase of software within
the MIS Department budget line item in the amount of \$4,500.

Councilman Burns asked Comptroller Kehoe in regard to the
Assessor's office, if that money was going toward an individual or
what. Mrs. Kehoe explained the budget code was a separate category
to track the cost associated with the update and it was basically
budgeted in error as a contractual item when it was actually personal
services. Councilman Burns said it was in the wrong column so to
speak. Mrs. Kehoe agreed, noting there is no change to the total
fund, no change to the total budget of the Assessor's office.

Councilman Burns also asked in regard to the second item, if
this was a new software or tool for the Police and Justice
Departments. Mrs. Kehoe said it was. Ms. Burns asked if this was
something they did not foresee back in the budgeting process. Mrs.
Kehoe said actually one of the things that was unforeseen was the
tremendous increase in volume in activity in the Justice Court over
the past year. She said she is particularly aware of the increase
due to the increase in revenues on fines and forfeitures. She said
it is at least \$150,000 higher on the revenue line item just due to
the increase in volume in tickets and associated revenue recovery
from them. She said this software will save time and basically let

these offices work a little bit more efficiently. She said it is a counter measure to the increase in volume. She said she did not have a problem with that and recommends the transfer. Councilman Burns asked if this would interface with other police agencies. Mrs. Kehoe said it is just an internal between these departments which would make a single entry possible with the disposition being done through the software as one step.

Councilman Burns asked why this was being taken from the MIS contingency and not the Police contingency. Mrs. Kehoe said it is typical for software or hardware purchased to come out of the MIS budget. She said since this was an unbudgeted item, MIS did not have the money available in their current budget code. She said the contingency code is, therefore, being used. Mrs. Burns thanked Comptroller Kehoe.

Supervisor Fuller asked if there were any other questions or comments. Councilman Johnson said he wished to comment regarding commending of the Comptroller and MIS Director and the Police Department for working on this item. He said if one spends a couple days with a Police Officer and watches the amount of paper work done, anything that can be done to help reduce the paper work load in a mechanized fashion, he thinks, is absolutely marvelous. He congratulated everyone on this.

The motion was passed by the following vote:

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

The next item was a recommendation from Gregg Sagendorph, Highway Superintendent, for award of bid for one (1) asphalt paver to Rupp Rental and Sales Corp. of Buffalo, NY at the bid price of \$164,970 and one (1) hydraulic excavator to L.B. Smith, Inc., Albany, NY at the bid price of \$140,853. Supervisor Fuller said this was subject to a permissive referendum and the time period resulted in no comments being received.

Highway
Superintende
award bid
for 1 asphal
paver to Rup
rental and
1 hydraulic
excavator to
L.B. Smith

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to approve the award of bid for one (1) asphalt paver to Rupp Rental and Sales Corp. of Buffalo, NY at the bid price of \$164,970 and one (1) hydraulic excavator to L.B. Smith, Inc., Albany, NY at the bid price of \$140,853. The motion was passed by the following vote:

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

The following item was a request from Highway Superintendent, Gregg Sagendorph, for approval of a feasibility study of proposed sidewalks/bikeways in the Town of Bethlehem. Supervisor Fuller asked Mr. Sagendorph to bring the Board up-to-date. She noted some of the Board Members have been involved with the Pedestrian Safety Committee meetings. Mr. Sagendorph said as everyone knows, it has taken on a life form of its own in a positive way. He said they are instrumental in the education process of pedestrian safety with the children. He said you will see one of the next items is to place some signs. He said this is one more phase of it.

Highway
Superintende
feasibility
study of sid
walks/bikewa

Mr. Sagendorph said they have looked at the existing infrastructure of the sidewalks and the bikeways. He said they have taken an accurate inventory and have over 32 miles of sidewalks and bike paths in the Town right now. He said they are looking for the continuity of that system. He said they are looking to expand it but expand it in a uniform, well managed way. He said they have taken a map drawn by the Land Use Management Advisory Committee study and there were 12 areas looked at throughout the Town. He said there are 4 areas, such as Krumkill, Schoolhouse, Russell and Blessing Roads where people have complained in the past that there are no shoulders

and no sidewalks. He said residents are out in the driving lane if it is being used for bicycles or pedestrian traffic. He said it follows on through. He said one of the 12 sites to be studied goes from the high school west on Delaware Avenue to the new proposed Fisher Boulevard. He said they are looking at the continuity of the system. He said right now the Highway Department is building another half of mile of sidewalk on Fisher Boulevard. He said they are in the process of excavating the shoulder and putting the gravel in.

Mr. Sagendorph said they also plan this year on doing a bike path of about a mile along Wemple Road. He said once again, it looks like a stand alone thing. He said it is going to start at Beacon Road where there are no sidewalks and end at Feura Bush Road. But, this study will look at the feasibility of putting sidewalks along Elsmere Avenue; along Feura Bush Road; check into the Glenmont area on Route 9W, as well as, Glenmont Road; and they are going to go into Selkirk and look at requests made there. He said there is a bypass proposed in the near future and they are going to look at the extension of the sidewalk in both directions of what exists in Selkirk right now.

Mr. Sagendorph said once again, these are long range plans. He said it will take years and years to develop all these areas but they are going to prioritize them and see the feasibility, economic conditions, existing infrastructure and what utilities would have to be moved. He said this is all part of this comprehensive study.

Mr. Sagendorph said the other thing that the study is important for is to look at things like the bike path just recently completed with Federal funding and financing in part by the ISTE~~A~~ funding. He said there is a new Federal funding -- as far as, he knows this has been passed by Congress -- called T-21 which is supposed to take the funding into the 21st Century. If these plans are ready, Mr. Sagendorph thinks the Town can apply for the funding. He said we will be one step ahead of most of the areas by starting with this and having an idea of where we are headed.

Supervisor Fuller thanked Mr. Sagendorph. She said for everyone's benefit -- including those watching television -- she told a little bit about the Pedestrian Safety Group. She said it includes a representative from the Highway Department and a representative from the school district transportation system. She said it is a group of residents, 3 or 4 residents, who have joined what used to be the Traffic Safety Committee and been combined. She said it is a group of about 10 people now. She said there is a representative from Engineering Division; a representative from the Police Department; representative from the Chamber of Commerce, fire department and a neighborhood. She said most of the Town Board Members have been in meeting with these groups and it is going very well.

Supervisor Fuller said everyone has heard pedestrian safety and everyone has heard about all this due to accidents in this community. She said it is a great group of individuals and they are all looking to work together to get the same information from a consultant who can come in and really focus in on the various neighborhoods that are heard from frequently. She said sidewalks are wanted but on the other side of the street. She said bikeways and sidewalks have to be explored. She said this will not be put in tomorrow but plans for the future are being developed for the community in anticipation of applying for funding when the opportunity is there. She asked if there were any questions or comments.

Councilman Lenhardt said in Clough Harbour's proposal item number "b" talks about if readily available, will obtain aerial photographs and digitize them. He said he wanted to point out that there are plenty of resources on the Web where digital items are in place or available through Capital District Regional Planning Commission in a book where they have taken digital items and get a macro view of what is on the Web. He said there are resources where this work has been done to varying degrees. Supervisor Fuller said there is a representative from the State Capital District Transportation Committee who serves on the committee. She said he has provided a

great deal of leadership and information for the Town. Supervisor Fuller thanked Councilman Lenhardt and noted it is a good point.

Mr. Sagendorph mentioned in talking with Jim Halvorsen, from New York State Troopers, -- who is in charge of road rage program Statewide and Town resident -- has attended a few of the meetings and asked if student interns could take part in this study. When Mike Cirillo, Jeff Lipnicky and Mr. Sagendorph spoke with representatives from Clough Harbor, they agreed wholeheartedly that it would save on the cost and be a good program for the interns to work on. Mr. Sagendorph said if you look at the scope of services, they plan on completely it within 8 weeks of notification that they have this proposal award. He said it would be over the summer months and save some money and be a good learning tool for their future employees also.

Councilman Burns said she wished to add, as a Member and having been to a couple of the meetings and from what she has seen, the scope of what they are going to do is quite extensive and she thinks it is a priority within the Town and she thinks it is a great study to go forward with. She thanked everyone.

Councilman Davis said when this began Supervisor Fuller and Highway Superintendent, Gregg Sagendorph, deserve credit for their initiative in doing this because it was done as soon as the meeting in Guilderland was attended and the decision that our community could benefit from this. She said Gregg Sagendorph has spent a lot of time on this over and above what the average person has and she thinks this represents a lot of that time. She thanked them both.

Supervisor Fuller thanked Councilman Davis noting she had forgotten about that meeting. Councilman Johnson said everyone should recognize that Gregg Sagendorph was asked to do a couple of items for the last pedestrian meeting and Gregg not only had those done but had thought to the future and done a lot of this stuff. He wanted to jump ahead and recognize the last item on the agenda. He said the walking signs are also a great job done by Peter Schmidt. He thanked Highway Superintendent, Gregg Sagendorph.

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to approve the compilation of a feasibility study of proposed sidewalks/bikeways in the Town of Bethlehem by Clough Harbour and Associates, Albany, New York at a total price of \$14,500. The motion was passed by the following vote:

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

The next item was a request from Bruce Secor, Commissioner of Public Works, for termination of services of Albany Cleaning Associates, Selkirk, NY and award of bid to the second lowest bidder, Janitronics, Inc., Albany, NY. Supervisor Fuller explained the cleaning services were bid back in May of 1997 and the low bidder was Albany Cleaning Associates and they have not met the expectations of the Town after repeated efforts to remind them of what they were hired to do. She said the Town is not satisfied with the service and, therefore, recommendation was for the approval of the second lowest bidder, Janitronics.

Commissioner of
Public Works
termination of
services Albany
Cleaning Asso-
ciation
recommendation
for approval
second lowest
bidder Janitron
ics

The motion was made by Mr. Johnson and seconded by Ms. Burns to terminate the bid for cleaning services with Albany Cleaning Associates, Selkirk, NY, effective June 24, 1998 and award the bid to the second lowest bidder, Janitronics, Inc., Albany, NY at the submitted bid price. The motion was passed by the following vote:

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

Acknowledge
report from
Pedestrian
Safety
signs regarding
Walk Left Facing
Traffic around
town

The next item was to acknowledge receipt of the report from the Pedestrian Safety Group regarding Walk Left Facing Traffic signs. Supervisor Fuller said this regards signs being placed throughout the Town. The signs, according to Mrs. Fuller, would say Walk Left Facing Traffic.

Supervisor Fuller said the two individuals who spent a lot of time on this item are Peter Schmidt and Mark Sargent and she thanked them for their effort. She said the signs will be used as educational tools only. She noted the signs are enforceable under New York State law, it is the intention of the community that the signs be used as an educational tool only to promote safer pedestrian travel throughout the Town.

Supervisor Fuller said there is a list of the areas that the signs will be placed. She said she was sure everyone sees walkers, joggers, and bikers on opposite sides of the road. She hoped this will be a reminder to walk left facing traffic and ride right with traffic. She said the signs will only be walk left. She thanked the Group for their input.

Approve Town
Board Meetings
May 13 and 27,
1998

The next item was to approve the Town Board minutes of May 13 and May 27, 1998 as submitted.

The motion was made by Mr. Johnson and seconded by Mrs. Davis to approve the minutes of May 13, 1998 with one correction. The motion was passed by the following vote:

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

The motion was made by Mr. Johnson and seconded by Mrs. Davis to approve the minutes of May 27, 1998 as submitted. The motion was passed by the following vote:

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

Supervisor Fuller asked if anyone wished to address the Board. There were none.

A thank you
to Dave
Austin for
a successful
25th anniversary

Supervisor Fuller thanked the Parks Department, David Austin and Nan Hinman, and all of their staff. She said she thinks everyone has enjoyed the 25th anniversary celebration at the Town Park. She noted they did a great job and everyone enjoyed it. She said she would give a plug for Hair of the Dog and Mr. Austin mentioned that he would like to arrange another evening with Hair of the Dog because everyone in the community that went has been asking for another night. The performance was cut short due to a thunder storm.

The motion to adjourn was made by Ms. Burns and seconded by Mr. Lenhardt at 8:50 p.m. The motion was passed by the following vote:

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

Kathleen A. Newkirk
Town Clerk