

TOWN BOARD  
MARCH 12, 2008

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 6:00 p.m.

PRESENT: John H. Cunningham, Supervisor  
Samuel Messina, Councilman  
Kyle Kotary, Councilman  
Mark Hennessey, Councilman  
Kathleen A. Newkirk, Town Clerk  
James T. Potter, Esq., Town Attorney  
ABSENT: Joann V. Dawson, Councilman

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Supervisor Cunningham welcomed everyone to a meeting of the Bethlehem Town Board. He asked Receiver of Taxes, Nancy Mendick, to lead the pledge of allegiance.

Public comment on agenda items.

Marie Capone stated on Channel 10 she watched an interview with Political Commentator, she pointed at Mr. Kotary and walked away.

Bob Jasinski asked that when he came to the Portable Toilet Bids please give the vendor, whether they are low bidder, and the price of the award of bid. He said the repair on a police vehicle is the second one, what is taking place. The Supervisor stated some of the accidents that happen are not always the Town's fault.

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John Smolinsky stated he wanted to endorse the recommendation to appoint Katherine Daniels to CACC. Katherine spent a year and half spent on BPAC developing the COMP Plan. She is professional, articulate, and able to make a significant impact, he said

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Nancy Neff congratulated the Town on receiving a municipal agricultural planning grant. The grant states it is to be done in cooperation with the cooperative extension and local farmers. She asked if the Town has contacted any local farmers to serve in this capacity and how the committee would function. She stated that it would not serve the farmers in this Town to have a committee of individuals that are concerned only about the bucolic settings that farms are known for and not the agricultural business they truly are. Ms. Neff stated the grant's purpose is to enhance viability of agriculture within the Town and it should be a separate issue from preserving open space. Ms. Neff explained that agriculture is a business to make a profit, like any other business and it needs undeveloped land –it is not in the business of providing open space.

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The first item on the agenda was a presentation by Jason Baum, GIS Specialist regarding GIS System capabilities. Jason said that he had the cooperation of all Town Departments. GIS is the Geographical Information System, it is like maps on the computer. The goal is to give easier access to higher quality information and support decisions that are made by department heads or other decision makers. It is structured as layers and these layers have a database of information behind them. The layers can be made of points, lines or shapes and lines can be roads, shapes that would be parcels, or they could be continuous like elevations or other values that would be continuous across space that don't stop at a certain place. The GIS is made up of data and is called special data because all data in the GIS has a special component -- then you have the hardware, software, and the trained users. Then it also has to be applied to a specific problem or question. The special data can be provided by the State or the County and also aerial

photography that has been straighten out and is developed by contractors that develop a plan and then the Town will develop it on a GIS workstation. The GIS data is continuously updated, it can be shared on a map, and it can be used for a consensus or an analysis. Some of the benefits are a higher level of analysis, visualize information, model what if scenarios, and make better-informed decisions. Some examples are zoning maps, mapping websites, MS4 Municipal Separate Storm Water System which is a new regulation that the Town has to meet. The pavement assessment that was done in corporation with the Highway Department and the infrastructure mapping project.

The GIS website is only available inside the Town Network only for Town employees. It runs on open source or free software costs the Town nothing and provides access to GIS data and is continuously being improved incrementally and upgraded. The plan is to make the data and the entire application available to employees in the field. Outfall mapping is a new requirement where the outfalls are mapped and the elicit discharges shown. Mr. Baum stated he used an in-house created application on a rugged mobile computer to map and record the water quality and it was finished quickly and efficiently using GIS. Pavement Assessment in corporation with the Highway Department pavement quality based on standardized ranking system. This will have management benefits of managing pavement quality but other financial benefits as well. There are different grades 1-10, on a map you can see 10 being the best, 3 being the worst. While looking on the GIS map you can see where there is poor quality pavement. Infrastructure mapping -- which first the Town got a New York State Records Management Improvement Fund Grant for funding and scanned all the engineering drawings in Town. Then Geo-reference or give all four corners of the drawings a coordinates so they will lay in their proper space in the GIS.

Mr. Baum said the GPS and the engineering drawing in the background can be used to play connect the dots from the GPS points and create the GIS layers for water, sanitary and storm water systems. These are steps one and two. They scanned the engineering drawings known as record drawings, which are received from a developer. They are all scanned and then they get geo-referenced.

The infrastructure mapping has had the additional benefit of conserving the engineering drawing and the digital scan and those scans were then converted to microfilm which are stored off site so they are protected for good as another additional benefit of putting the record drawings in scan digital format on the network to be shared. Other projects include a water model which was created by O'Brien & Gere with GIS data, updating local addresses for the 2010 Census, sewer catchment and pump station analysis, maps for the search for Joshua Szostack which they were searching for along the Hudson near the Port of Albany, and some other Police Department mapping. Supervisor Cunningham asked about how long the digitalization of the infrastructure would take. Jason stated that the estimated project time would be 2-4 years.

Councilman Messina stated that the Town has invested a lot in this project and looks at this as a tool. He stated when he worked for the State of New York the problem was that it was difficult for the inside users to manipulate the site. Mr. Baum stated that he has tracked the activity for the website between 2-48 hits a day mainly from Engineering, Building and Planning. He also said that he would like to do some training in different departments to make it easier for the day-to-day activities and also ask for suggestions for improvements for the tasks that they perform.

Councilman Kotary asked if information could be extracted for reports so that Town Board could use it as an analytical tool for budget making decisions and policy decisions. He said they can look at where the Town's priorities are with infrastructure, roads, etc. He asked if there was a plan to take it to the next level, things like reports that can be accessed, or build them. Mr. Baum stated that first the data has to exist within the system to be able to attach to other systems, It is integrated but the pipes have to be in there in order to attach a work order to them. There has been some preliminary work done. As far as reports, this application is more of a view and query, you can look at it and say what is that. He said he would

have to design a query based on a specific question called an ad hoc query. He said if the Board needs an answer to a specific question and if the data exists to answer the question, he can come up with a routine or a program or something to extract the information to better inform the decision.

Councilman Kotary had one more question in terms of the technology. He said he knows fairly recently they worked with Erik in engineering and the Water Department with hand held tools – whether to be able to drive by and pick up a meter or to be able to be on location and type in the GIS information – asking if they are at that point or how soon before all of it can be tied in so they are not only taking photos and scan maps and so forth but getting live or real time data being dumped into the system. Mr. Baum said that is a big question and has lot of parts. He said the capability does exist for that but to create that specific application he would have to create a formal project around it – get specifications, decide what software is needed, what capabilities are needed and that type of thing. He said if there is a specific application they decide they need to have, it could definitely be added. He further noted it is a flexible system and was created to be flexible and integrate new capabilities.

Councilman Kotary asked if this is something other Towns are doing in this area or is the Town ahead of others. Mr. Baum said we consciously modeled the system after the Town of Colonie -- the organization, policies and procedures, the fact that he was in the IT Department and service all of the departments. He said that kind of organizational structure. He said Colonie is well ahead of us and totally integrated with their work order system and their financials. He said other towns – Guilderland has a GIS and he is not specifically knowledgeable about any other towns. He said he knows pretty much all municipalities have used GIS in some way or another. He said most have it as an internal capability.

Councilman Kotary asked where the Town gets its ornythographic data from. Mr. Baum said that is from the NYS Cyber Security and Critical Infrastructure Coordination. He said they contract an annual aerial photography of ¼ of the State so every 4 years the Town’s quarter of the State is updated. He said they then give it to the Town when it is done. He said they flew it in 2007 and we should get delivery any time now. Mr. Kotary thanked Mr. Baum.

Supervisor Cunningham asked if there were any other questions. There were none and the Supervisor thanked Mr. Baum.

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The next item was a request from Director of Economic Development and Planning, George Leveille, to appoint Katherine Daniels as a Member of the Citizens Advisory Committee on Conservation. Supervisor Cunningham noted this past week they received the resignation of Paul Selhoff as a Member of the Citizens Advisory Committee for Conservation and he is no longer able to serve on the CACC. He said they have the opportunity to appoint someone who comes highly recommended.

The motion was made by Mr. Hennessey and seconded by Mr. Kotary to approve the appointment of Katherine Daniels as a Member of the Citizens Advisory Committee on Conservation. The motion was carried by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mr. Hennessey.

Noes: None.

Absent: Mrs. Dawson.

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The Supervisor asked if there was any discussion. Councilman Messina noted Mrs. Daniels was not here when John Smolinsky said some positive words about her and he wanted her to hear the positive words. He said he talked about her professionalism, credentials, about her Statewide, if not national experience in this and her credibility. Mr. Messina said he would also say that in his view, she is the type of person who could bring together the various interests in this Town

including large landowners, business persons and others to make CACC really spin. He said it is a pleasure to have her aboard and thanked her.

Councilman Kotary said he wanted to welcome Mrs. Daniels aboard also and to thank her. He said she previously reached out to him to provide him with information and to brief him up on several issues related to conservation and planning. He said this was well before this position came open. He said she is somebody who has taken the time to research and has an incredible amount of professional experience related to this topic. He said he is very encouraged by her joining the team. He welcomed her aboard.

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The next item was to approve the Town Board minutes of February 13, 2008.

The motion was made by Mr. Kotary and seconded by Mr. Messina to approve the Town Board minutes of February 13, 2008 as submitted. The motion was carried by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mrs. Dawson, Mr. Hennessey.  
Noes: None.  
Absent: None.

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The next item was a request from Chief of Police, Louis Corsi, for acceptance of a grant from CSX Corporation and approve budget modification in the amount of \$5,000.

The motion was made by Mr. Messina and seconded by Mr. Hennessey for acceptance of grant from CSX Corporation and approve budget modification in the amount of \$5,000 as requested by Louis Corsi, Chief of Police. The motion was carried by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mrs. Dawson, Mr. Hennessey.  
Noes: None.  
Absent: None.

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The next item was a request from Louis Corsi, Chief of Police, for approval of appointment of Eric Kerr to the position of Telecommunicator, effective March 16, 2008.

The motion was made by Mr. Hennessey and seconded by Mr. Kotary for approval of appointment of Eric Kerr to the position of Telecommunicator, effective March 16, 2008 as requested by Louis Corsi, Chief of Police. The motion was carried by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mrs. Dawson, Mr. Hennessey.  
Noes: None.  
Absent: None.

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The next item was a request from Josh Cansler, Commissioner of Public Works, for approval of award of bid for Radio Read Meters to E.J. Prescott, Inc., Montpelier, VT at the bid prices submitted.

The motion was made by Mr. Messina and seconded Mr. Kotary for approval of award of bid for Radio Read Meters to E.J. Prescott, Inc., Montpelier, VT at the bid prices submitted as requested by Josh Cansler, Commissioner of Public Works. The motion was carried by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mrs. Dawson, Mr. Hennessey.  
Noes: None.  
Absent: None.

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The next item was a request from Nan Lanahan, Administrator, Parks and Recreation Department for award of bid for Portable Toilets.

The motion was made by Mr. Kotary and seconded by Mr. Hennessey for approval of award of bid for Portable Toilet to Sani-Kan, Saugerties, NY at the price of \$12,775 as requested by Nan Lanahan, Administrator, Parks and Recreation Department. The motion was carried by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mrs. Dawson, Mr. Hennessey.

Noes: None.

Absent: None.

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

The motion was made by Mr. Messina and seconded by Mr. Hennessey as listed in the Memorandum dated March 12, 2008 at the titles and salaries as requested by Nan Lanahan, Administrator, Parks and Recreation Department. The motion was carried by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mrs. Dawson, Mr. Hennessey.

Noes: None.

Absent: None.

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The next item was a request from Josh Cansler, Commissioner of Public Works, for award of bid for Chemicals as per Memorandum submitted.

The motion was made by Mr. Kotary and seconded by Mr. Hennessey for approval of award of bid for Chemicals according to the commodities as listed in the Memorandum dated March 12, 2008 and as requested by Josh Cansler, Commissioner of Public Works. The motion was carried by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mrs. Dawson, Mr. Hennessey.

Noes: None.

Absent: None.

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The next item was a request from Erik Deyoe, Town Engineer, for acceptance of deed for John Street, Selkirk for drainage purposes.

The motion was made by Mr. Hennessey and seconded by Mr. Kotary for acceptance of deed for John Street, Selkirk for drainage purposes as listed in the Memorandum dated March 3, 2008 as requested by Erik Deyoe, Town Engineer. The motion was carried by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mrs. Dawson, Mr. Hennessey.

Noes: None.

Absent: None.

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The next item was a request from Gregg Sagendorph, Highway Superintendent for approval of award of bid for Precast Manholes to The Fort Miller Company. The board was also requested to reject the bids received for gasoline and diesel fuel.

The motion was made by Mr. Messina and seconded by Mr. Kotary for approval of award of bid for Precast Manholes to The Fort Miller Company. The board also approved the rejection all the bids received for gasoline and diesel fuel. The Gasoline, Diesel Fuel and Heating Oil will be purchased from the New York

State Contract as requested by Gregg Sagendorph, Highway Superintendent. The motion was carried by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mrs. Dawson, Mr. Hennessey.  
Noes: None.  
Absent: None.

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The next item was a request from Louis Corsi, Chief of Police for transfer of funds regarding insurance proceeds for repair of police vehicles in the amount of \$8,040.58.

The motion was made by Mr. Kotary and seconded by Mr. Hennessey for transfer of funds regarding insurance proceeds for repair of police vehicles in the amount of \$8,040.58 as requested by Louis Corsi, Chief of Police. The motion was carried by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mrs. Dawson, Mr. Hennessey.  
Noes: None.  
Absent: None.

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The next item was a request from Robert Leslie, Senior Planner for the Town Board to support the application for a New York State Department of Transportation Safe Routes to School Grant for the construction of a sidewalk along Orchard Street from Cherry Avenue to Crestwood Lane.

The motion was made by Mr. Kotary and seconded by Mr. Messina to support the application for a New York State Department of Transportation Safe Routes to School Grant for the construction of a sidewalk along Orchard Street from Cherry Avenue to Crestwood Lane as requested by Robert Leslie, Senior Planner. The motion was carried by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mrs. Dawson, Mr. Hennessey.  
Noes: None.  
Absent: None.

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New Business – Councilman Messina brought forth Recruitment Guidelines to be considered by his fellow Board Members. He asked that this be reviewed and be brought back for consideration. These guidelines would be intended to be used for all positions to be filled other than Civil Service established positions. Right now there is nothing in place and there should be consistency and a process for reaching out to let people out there know that recruitment is going on. He said it creates a specific amount of time to receive resumes, and a time period to evaluate.

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Public comment on non-agenda items.

Marie Capone stated that once a year for the last ten years she has asked the Town Board for something and she has never gotten it but she will ask again. You are building sidewalks all over the place, put one where it is very needed between Verstandig and Elm Avenue. The traffic is heavy and there are children crossing back and forth.

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Nancy Neff said that the Recruitment Guidelines seem like a good idea because when the vacancies come up on the committees residents do not know they are coming up. A good example was the attorney that hasn't been to any meetings or only been to one meeting wasn't able to serve it was not brought to the public's attention. She said in case people were interested or would have liked to apply for that position. I think this is a great idea to make it known to the public as to when the opening is coming, what department, not just paid positions but also voluntary positions as well.

Ms. Neff then questioned the Town's plans for the agricultural grant if it was to have a separate committee made up of agricultural members or if it is the plan to use the CACC. The concern is CACC made up of one full time farmer, one part-time farmer, and one man who leases his farm -- out of 11 people. She asked how these people going to have any impact on a majority rules atmosphere. Mr. Leveille stated since they received the Grant and it had been authorized to move forward, they have agreed to form a sub-committee of CACC to address this particular issue and it should be comprised of individuals that own and operate and that are in the agricultural and farming business.

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Sonia Christopher, 17 Manson Road, Delmar spoke regarding a storm water issue which is negatively affecting the home which has caused damage to the first floor which she is trying to resolve as a property owner and has been working with the Engineering Department. The back of the property borders the back of National Grid and Delaware Plaza property and the first four years that she owned the property she had no problems. The past couple of years it has been pooling from the property behind hers, so she put in some drainage and with each rain the property gets saturated and so then it spills onto her lawn. With heavy rain it floods her basement. This is the second time this has occurred and it has been brought to National Grid's and Delaware Plaza Associates attention. National Grid came out and put drainage in with crushed gravel and Delaware Plaza Associates said that it was their problem and they did correct it.

Mrs. Christopher continued last week caused further damage and she put in two sump pumps, ripped out carpeting. She said the first floor is a mess. She contacted National Grid again and they said they did what they could do, and she contacted Delaware Plaza Associates and they pointed the finger at National Grid. At this point they are back working with the Town Engineers and requesting whatever support they can give.

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Tom Newell, third generation farmer in the Town up until 1995, said he was involved in probably about the last full-time farming operation Three Farms Dairy and involved his home farm on Wemple Road. People have sent in resumes all whom have wanted to be on committees and all have been over looked. Mr. Newell stated as we embark on the Open Space Plan and the viability of agriculture business in Town, we need to hear the voices of the stakeholders in this Town who are the landowners and large landowners. He said it seems like the primary goal of the plan is to use it as a tool to restrict a property owners' right to develop their land. The farming in this community has declined. He stated he hoped the Town involve the stakeholders who are the larger landowners and the farmers left in this Town that work the land. He hopes any future appointments to the CACC or Planning Board would involve business owners and large stakeholders -- people that own the land.

Supervisor Cunningham then stated to clarify the Farm Land Protection Plan is not to force farmers to continue farming, it is to protect farmers that want to continue farming. No farmer he has ever heard of has ever been prevented from selling any land or doing anything they wished do with their land.

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Jody Jakes questioned if the GIS system is using free software and the maps are given to the Town. Supervisor stated the Town pays the employee, then you have to pay for digitizing the drawings and so forth so there is more added on expense.

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The Supervisor stated that he had some announcements that he would like to make:

1. There was some confusion regarding the public hearing on the Bethlehem Sewer District Pumping Stations. The public hearings will begin at 6:00PM on March 26, 2008.
2. Erik Deyoe, Town Engineer and Deputy Commissioner of Department of Public Works, was awarded the American Public

Works Association Young Leader Award this week and he wanted to publicly congratulate him on this achievement and recognition for his work.

3. The Bethlehem 20/20 committee will be continuing with the next meeting scheduled for this Friday at 8:00AM and all these meetings will be held at the Elsmere Firehouse on the second floor. He said they are open to the public but there is no public comment period during those meetings but the public is welcome to come and watch the meeting.

The motion was made by Mr. Messina and seconded by Mr. Kotary to adjourn the regular Town Board meeting at 6:55 p.m. The motion was carried by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mr. Hennessey.

Noes: None.

Absent: Mrs. Dawson.

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Town Clerk