

*Town Supervisor*

*David VanLuven*

*Town Board Members*

*Joyce Becker*

*Maureen Cunningham*

*James Foster*

*Giles Wagoner*

# TOWN OF BETHLEHEM

## Town Board Agenda

Wednesday, April 11, 2018

6:00 PM



### I. 5:00PM Special Meeting of the Supervisor

- **THE SUPERVISOR CALLED TO ORDER THE SPECIAL MEETING OF THE SUPERVISOR**

Town Board members present: Supervisor VanLuven, Councilwoman Becker, Councilwoman Cunningham, Councilman Foster, Councilman Wagoner.

**Motion To:** adjourn into Executive Session to discuss contract negotiations with the police unions and related personnel issues.

**RESULT:** ADOPT [UNANIMOUS]  
**MOVER:** James Foster, Board Member  
**SECONDER:** Giles Wagoner, Board Member  
**AYES:** VanLuven, Becker, Cunningham, Foster, Wagoner

Councilman Foster recused himself from the entire Executive Session.

A motion to recess the Executive Session and Special Meeting of the Supervisor until the conclusion of the regular session was offered by Councilwoman Cunningham, seconded by Councilwoman Becker and approved by all Board members present.

### II. Pledge of Allegiance

Attendee Name	Title	Status	Arrived
David VanLuven	Town Supervisor	Present	
Joyce Becker	Board Member	Present	
Maureen Cunningham	Board Member	Present	
James Foster	Board Member	Present	
Giles Wagoner	Board Member	Present	
Nanci Moquin	Town Clerk	Present	
James Potter	Town Board Counsel	Present	

**III. Announcements**

**IV. Public Comments**

David Carey spoke about New York State Justice Center.

**V. Minutes Approval**

**1. Wednesday, March 28, 2018**

**RESULT:** ACCEPTED [UNANIMOUS]  
**MOVER:** Maureen Cunningham, Board Member  
**SECONDER:** Joyce Becker, Board Member  
**AYES:** VanLuven, Becker, Cunningham, Foster, Wagoner

**VI. Line Items**

- **REQUEST FROM DIRECTOR OF PLANNING FOR TOWN BOARD TO APPROVE THE CONSERVATION EASEMENT AGREEMENT FOR THOMAS EVANS ON 10.5 ACRES OF LAND AT TAX PARCEL ID 122.00-2-10.1 (CEA 1), LOCATED ALONG BARENT WINNIE ROAD FOR A PERPETUAL TERM**

A motion to approve the conservation easement agreement for Thomas Evans on 10.5 acres of land at tax parcel ID 122.00-2-10.1 , located along Barent Winnie Road for a perpetual term was offered and approved as follows:

**RESULT:** APPROVE [UNANIMOUS]  
**MOVER:** Maureen Cunningham, Board Member  
**SECONDER:** James Foster, Board Member  
**AYES:** VanLuven, Becker, Cunningham, Foster, Wagoner

- **REQUEST FROM DIRECTOR OF PLANNING FOR TOWN BOARD TO APPROVE THE CONSERVATION EASEMENT AGREEMENT FOR THOMAS EVANS ON 3.41 ACRES OF LAND AT TAX PARCEL ID 122.00-2-12 (CEA 2), LOCATED ALONG BARENT WINNIE ROAD FOR A PERPETUAL TERM**

A motion to approve the Conservation Easement agreement for Thomas Evans on 3.41 acres of land at tax parcel ID 122.00-2-12 located along Barent Winnie Road for a perpetual term was offered and approved as follows:

**RESULT:** APPROVE [UNANIMOUS]  
**MOVER:** Maureen Cunningham, Board Member  
**SECONDER:** Joyce Becker, Board Member  
**AYES:** VanLuven, Becker, Cunningham, Foster, Wagoner

- **REQUEST FROM THE CHIEF OF POLICE FOR THE BOARD TO PROMOTE DETECTIVE JAMES CROSS TO THE POSITION OF DETECTIVE SERGEANT EFFECTIVE APRIL 15, 2018**

A motion to approve the promotion of Detective James Cross to the position of Sergeant effective April 15, 2018 was offered and approved as follows:

**RESULT:** APPROVE [UNANIMOUS]  
**MOVER:** Giles Wagoner, Board Member  
**SECONDER:** Joyce Becker, Board Member  
**AYES:** VanLuven, Becker, Cunningham, Foster, Wagoner

- **REQUEST FROM THE CHIEF OF POLICE FOR THE BOARD TO PROMOTE OFFICER MICHAEL COZZY TO THE POSITION OF SERGEANT EFFECTIVE APRIL 16, 2018**

A motion to approve the promotion of Officer Michael Cozzy to the position of Sergeant effective April 16, 2018 was offered and approved as follows:

**RESULT:** APPROVE [4 TO 0]  
**MOVER:** Maureen Cunningham, Board Member  
**SECONDER:** Joyce Becker, Board Member  
**AYES:** David VanLuven, Joyce Becker, Maureen Cunningham, Giles Wagoner  
**ABSTAIN:** James Foster

- **REQUEST FROM THE CHIEF OF POLICE FOR THE BOARD TO PROMOTE OFFICER ROBERT BALDWIN TO THE POSITION OF SERGEANT EFFECTIVE APRIL 17, 2018**

A motion to approve the promotion of Officer Robert Baldwin to the position of Sergeant effective April 17, 2018 was offered and approved as follows:

**RESULT:** APPROVE [UNANIMOUS]  
**MOVER:** James Foster, Board Member  
**SECONDER:** Maureen Cunningham, Board Member  
**AYES:** VanLuven, Becker, Cunningham, Foster, Wagoner

- **REQUEST FROM THE ASSISTANT ADMINISTRATOR OF PARKS AND RECREATION FOR THE APPROVAL OF SEASONAL PERSONNEL**

A motion to approve the seasonal personnel listed on the Assistant Administrator of Parks and Recreation's memo was offered and approved as follows:

**RESULT:** APPROVE [UNANIMOUS]  
**MOVER:** Giles Wagoner, Board Member  
**SECONDER:** Joyce Becker, Board Member  
**AYES:** VanLuven, Becker, Cunningham, Foster, Wagoner

- **REQUEST BY DEPUTY COMMISSIONER OF PUBLIC WORKS TO APPROVE A SEQRA RESOLUTION ESTABLISHING THE TOWN BOARD AS LEAD AGENCY AND ESTABLISH A NEGATIVE DECLARATION FOR THE US 9W/ FEURA BUSH RD / GLENMONT RD INTERSECTION AND GLENMONT RD SIDEWALK PROJECT.**

**Res # 2018-013**

**SEQR RESOLUTION**  
**9W FEURA BUSH ROAD ROUNDABOUT/  
GLENMONT SIDEWALK PROJECT - 2018**

A meeting of the Town Board of the Town of Bethlehem, Albany County, New York was convened in public session at the Town Hall in the Town of Bethlehem, New York on April 11, 2018 at 6:00 o'clock p.m., local time.

The meeting was called to order by the Town Supervisor and, upon roll being called, the following members were:

PRESENT:

David VanLuven	Town Supervisor
Joyce Becker	Member
Maureen Cunningham	Member
Jim Foster	Member
Giles Wagoner	Member

ABSENT: none

The following persons were ALSO PRESENT:

The following resolution was offered by Councilman Foster, seconded by Councilman Wagoner, to wit;

**RESOLUTION DETERMINING THAT ACTION TO UNDERTAKE THE 9W FEURA BUSH ROAD ROUNDABOUT/GLENMONT SIDEWALK PROJECT IN THE TOWN OF BETHLEHEM, NEW YORK WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.**

WHEREAS, Town of Bethlehem (the "Town") desires to undertake the 9W Feura Bush Road Roundabout/Glenmont Sidewalk project (the "Project"), which shall consist of the construction and reconstruction of the following: (a) a two-lane modern roundabout with pedestrian accommodations at the intersection of Route 9W/Feura Bush Road/Glenmont Road in the Town of Bethlehem; (b) a Safe Routes to School (SRTS) component to complete a gap in the sidewalk connection to the Glenmont Elementary School (approx. 1,300 feet); and (c) a sidewalk along Glenmont Road connecting the new roundabout to Vagele Lane and adjacent neighborhoods (approx. 2,800 feet), all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto required for such purpose; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”), and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the “Regulations”), the Town desires to determine whether the Project may have a “significant effect on the environment” (as said quoted term is defined in the SEQR Act and the Regulations) and therefore require the preparation of an environmental impact statement; and

WHEREAS, to aid the Town in determining whether the Project may have a significant effect upon the environment, an environmental assessment form (the “EAF”) has been prepared and submitted to the Town, a copy of which was presented to and reviewed by the Town at this meeting and copies of which are on file at the office of the Town; and

WHEREAS, pursuant to the Regulations, the Town has examined the EAF in order to make an initial determination as to the potential environmental significance of the Project; and

WHEREAS, the Project does not appear to constitute a “Type I Action” (as said quoted term is defined in the Regulations), and therefore coordinated review and notification is optional with respect to the actions contemplated by the Town with respect to the Project; and

WHEREAS, the Town desires to make its initial determination of significance with respect to the Project and has determined not to undertake coordinated review and notification procedures with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

(1) Based upon an examination of the EAF, the recommendation of the Town Engineer, and based further upon the Town’s knowledge of the area surrounding the Project and such further investigation of the Project and its environmental effects as the Town and the Town Engineer have deemed appropriate, the Town makes the following findings with respect to the Project:

(A) The Project shall consist of the construction and reconstruction of the following: (a) a two-lane modern roundabout with pedestrian accommodations at the intersection of Route 9W/Feura Bush Road/Glenmont Road in the Town of Bethlehem; (b) a Safe Routes to School (SRTS) component to complete a gap in the sidewalk connection to the Glenmont Elementary School (approx. 1,300 feet); and (c) a sidewalk along Glenmont Road connecting the new roundabout to Vagele Lane and adjacent neighborhoods (approx. 2,800 feet), all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto required for such purpose, and

(B) No potentially significant impacts on the environment are noted in the EAF, none were describe or noted by the Town Engineer and none are known to the Town.

(2) Based upon the foregoing investigation of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact therein indicated, the Town makes the following findings and determinations with respect to the Project:

(A) The Project constitutes an “unlisted action” (as said quoted term is defined in the Regulations) and therefore coordinated review and notification of other involved agencies is strictly optional. The Town has determined not to seek lead agency status with respect to the Project or to undertake coordinated review and notification procedures with respect to the Project;

(B) The Project will result in no major impacts and, therefore, is one which will not cause significant damage to the environment. Therefore, the Town hereby determines that the Project will not have a significant effect on the environment, and the Town will not require the preparation of an environmental impact statement with respect to the Project; and

(C) As a consequence of the foregoing, the Town has decided to prepare a negative declaration with respect to the Project.

(3) The Town Supervisor of the Town is hereby directed to file a copy of the negative declaration with respect to the Project in the office of the Town.

(4) This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

David VanLuven	VOTING <u>yes</u>
Joyce Becker	VOTING <u>yes</u>
Maureen Cunningham	VOTING <u>yes</u>
Jim Foster	VOTING <u>yes</u>
Giles Wagoner	VOTING <u>yes</u>

The foregoing Resolution was thereupon declared duly adopted.

A motion to adopt the SEQRA Resolution establishing the Town Board as Lead Agency and establish a Negative Declaration for the US 9W/Feura Bush Rd./ Glenmont Rd intersection and Glenmont Rd sidewalk project was offered and approved as follows:

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** James Foster, Board Member  
**SECONDER:** Giles Wagoner, Board Member  
**AYES:** VanLuven, Becker, Cunningham, Foster, Wagoner

- **REQUEST FROM DEPUTY COMMISSIONER OF PUBLIC WORKS TO APPROVE A BOND RESOLUTION IN THE AMOUNT OF \$4.845 MILLION FOR THE US 9W/FEURA BUSH RD/GLENMONT RD INTERSECTION & GLENMONT RD SIDEWALK PROJECT, PURSUANT TO LOCAL FINANCE LAW AND SUBJECT TO PERMISSIVE REFERENDUM.**

**Res # 2018-014**

**BOND RESOLUTION  
9W FEURA BUSH ROAD ROUNDABOUT/  
GLENMONT SIDEWALK PROJECT**

A meeting of the Town Board of the Town of Bethlehem, Albany County, New York was convened in public session at the Town Hall in the Town of Bethlehem, New York on April 11, 2018 at 6:00 o'clock p.m., local time.

The meeting was called to order by the Town Supervisor and, upon roll being called, the following members were:

**PRESENT:**

David VanLuven	Town Supervisor
Joyce Becker	Member
Maureen Cunningham	Member
Jim Foster	Member
Giles Wagoner	Member

**ABSENT:** none

The following persons were ALSO PRESENT:

James Potter, Town Attorney  
Nanci Moquin, Town Clerk

The following resolution was offered by Councilwoman Cunningham, seconded by Councilwoman Becker, to wit;

BOND RESOLUTION DATED APRIL 11, 2018

A BOND RESOLUTION, DATED APRIL 11, 2018, OF THE TOWN BOARD OF THE TOWN OF BETHLEHEM, ALBANY COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE 9W FEURA BUSH ROAD ROUNDABOUT/GLENMONT SIDEWALK PROJECT, AT AN ESTIMATED MAXIMUM COST OF \$4,850,000, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$4,850,000 OF THE TOWN, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

BE IT RESOLVED, by the Town Board of the Town of Bethlehem, Albany County, New York (the "Town") (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Town is hereby authorized to undertake the 9W Feura Bush Road Roundabout/Glenmont Sidewalk project, which shall consist of the construction and reconstruction of the following: (a) a two-lane modern roundabout with pedestrian accommodations at the intersection of Route 9W/Feura Bush Road/Glenmont Road in the Town of Bethlehem; (b) a Safe Routes to School (SRTS) component to complete a gap in the sidewalk connection to the Glenmont Elementary School (approx. 1,300 feet); and (c) a sidewalk along Glenmont Road connecting the new roundabout to Vagele Lane and adjacent neighborhoods (approx. 2,800 feet), all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto (hereinafter referred to as "purpose") required for such purpose. The estimated maximum cost of said purpose will not exceed \$4,850,000.

SECTION 2. It is hereby determined that said purpose is an object or purpose described in subdivision 20c., d., or e. of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is fifteen (15) years.

SECTION 3. The Town Board plans to finance the estimated maximum cost of said purpose by (A) the receipt of various federal and state grants and other funding sources, and (B) the issuance of serial bonds in an amount not to exceed \$4,850,000 of the Town, hereby authorized to be issued therefore pursuant to the Local Finance Law. In the event that such grants or other funding sources become available, the Town will issue



obligations in a principal amount less than the \$4,850,000 amount authorized by this resolution, or pay down such obligations with the amount of such grants and other sources.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of said Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 63.00 and Section 164.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.

SECTION 8. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this resolution. The Town then reasonably expects to reimburse such expenditure with the proceeds of the bonds or bond anticipation notes authorized by Section 3 of this resolution. This resolution shall constitute the declaration of the Town's "official intent" to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 9. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Town has complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act (“SEQRA”), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, has determined that the undertaking of the Route 9W Feura Bush Roundabout/Glenmont Sidewalk Project is an “unlisted action” and the Town has issued a “negative declaration” with respect to the action under the State Environmental Quality Review Act.

SECTION 12. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) (a) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

(b) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(2) Said obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 13. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in the official newspaper or newspapers of the Town.

SECTION 14. This resolution is adopted subject to permissive referendum pursuant to Section 35.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

David VanLuven	VOTING <u>  yes</u>
Joyce Becker	VOTING <u>  yes</u>
Maureen Cunningham	VOTING <u>  yes</u>
Jim Foster	VOTING <u>  yes</u>
Giles Wagoner	VOTING <u>  yes</u>

The foregoing resolution was thereupon declared duly adopted.

A motion to adopt a bond resolution for US 9W/Feura Bush Rd/ Glenmont Rd intersection and Glenmont Rd sidewalk project, pursuant to local finance law and subject to permissive referendum was offered and approved as follows:

**RESULT:**               **ADOPTED [UNANIMOUS]**  
**MOVER:**               Maureen Cunningham, Board Member  
**SECONDER:**           Joyce Becker, Board Member  
**AYES:**                 VanLuven, Becker, Cunningham, Foster, Wagoner

- **REQUEST BY DEPUTY COMMISSIONER OF PUBLIC WORKS TO APPROVE A RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING, IN THE AMOUNT OF \$672,846, FOR DESIGN SERVICES AND ROW INCIDENTALS FOR THE US 9W / FEURA BUSH RD / GLENMONT RD INTERSECTION & GLENMONT RD SIDEWALK PROJECT.**

Res # 2018-015

RESOLUTION BY MUNICIPALITY  
(Locally Administered Project)

RESOLUTION NUMBER:

**A Resolution authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore**

WHEREAS, a Project TAP/CMAQ: US 9W/Feura Bush Road/Glenmont Road Intersection & Glenmont Road Sidewalks P.I.N. 1760.80 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80 % Federal funds and 20 % non-federal funds.

WHEREAS, the Town of Bethlehem desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Design and ROW Incidentals.

NOW, THEREFORE, the Town Board of the Town of Bethlehem duly convened does

hereby

RESOLVE, that the Town Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Town Board is hereby authorized to pay in the first instance 100% of the federal and non-federal share of the cost of Design, and ROW Incidentals work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$672,846.00 is hereby appropriated from the general fund and made available to cover the cost of participation in the above phases of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Town Supervisor be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Town of Bethlehem with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project and it is further

RESOLVED, this Resolution shall take effect immediately

STATE OF NEW YORK }

} ss.:

COUNTY OF Albany }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted \_\_\_\_\_, 20\_\_ with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said

\_\_\_\_\_  
This \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Clerk

A motion to adopt the resolution authorizing the implementation and funding of design services for the US 9W/ Feura Bush Rd./ Glenmont Rd intersection & Glenmont Rd. sidewalk project was offered and approved as follows:

**RESULT:**                   **ADOPTED [UNANIMOUS]**  
**MOVER:**                   Giles Wagoner, Board Member  
**SECONDER:**               James Foster, Board Member  
**AYES:**                    VanLuven, Becker, Cunningham, Foster, Wagoner

- **REQUEST BY DEPUTY COMMISSIONER OF PUBLIC WORKS TO AUTHORIZE ENGINEERING DESIGN SERVICES AND RIGHT-OF-WAY INCIDENTALS IN THE AMOUNT OF \$672,846 FOR THE US 9W/FEURA BUSH RD/GLENMONT RD INTERSECTION & GLENMONT RD SIDEWALKS PROJECT AND AUTHORIZE THE TOWN SUPERVISOR TO EXECUTE AN AGREEMENT WITH CREIGHTON MANNING.**

A motion to authorize engineering design services and right-of-way incidentals in the amount of \$672,846 for the US 9W / Feura Bush Rd. / Glenmont Rd intersection & Glenmont Rd sidewalks project and authorize the Town Supervisor to execute an agreement with Creighton Manning was offered and approved as follows:

**RESULT:**                   **APPROVE [UNANIMOUS]**  
**MOVER:**                   Maureen Cunningham, Board Member  
**SECONDER:**               James Foster, Board Member  
**AYES:**                    VanLuven, Becker, Cunningham, Foster, Wagoner

- **REQUEST BY DEPUTY COMMISSIONER OF PUBLIC WORKS TO APPROVE RESOLUTION FOR THE USE OF UP TO \$120,000 FROM THE SEWER FUND CAPITAL RESERVE FUND FOR PUMP STATION REHABILITATIONS, SUBJECT TO PERMISSIVE REFERENDUM**

Res # 2018-016

#### RESOLUTION AND PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Bethlehem in the County of Albany, State of New York has on the 11 day of April, duly adopted, subject to a permissive referendum, a resolution as follows:

WHEREAS, the Town Board of the Town of Bethlehem has determined that it is necessary to fund improvements to the Beverwyck, Lyndhurst, Evelyn Drive and Hanney Lane pump stations; and

WHEREAS, it is estimated that the cost of said services will not exceed \$120,000; and

WHEREAS, in recognition of these needs, funds for such purpose are in the Sewer Fund Capital Reserve Fund; and,

NOW, THEREFORE, BE IT RESOLVED, that it is in the public interest to fund improvements to the Beverwyck, Lyndhurst, Evelyn Drive and Hanney Lane pump stations ; and,

BE IT FURTHER RESOLVED, that the Town Board authorizes the expenditure of the reserve moneys to fund this request up to maximum amount of \$120,000; and,

BE IT FURTHER RESOLVED, that the Town Comptroller is authorized to expend from the Sewer Fund Capital Reserve Fund the funds necessary up to \$10,000 in said reserve fund; and

This resolution shall be subject to permissive referendum, as permitted by law.

The motion to adopt the resolution was offered by Councilman Wagoner, seconded by Councilwoman Cunningham and duly adopted by the following vote:

AYES: Supervisor VanLuven, Councilwoman Becker, Councilwoman Cunningham, Councilman Foster, Councilman Wagoner

NOES: none

ABSENT: none

DATED: April 11, 2018

A motion to adopt the resolution approving the use of up to \$120,000 from the Sewer Fund Capital Reserve Fund for pump station rehabilitations, subject to permissive referendum was offered and approved as follows:

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Giles Wagoner, Board Member
<b>SECONDER:</b>	Maureen Cunningham, Board Member
<b>AYES:</b>	VanLuven, Becker, Cunningham, Foster, Wagoner

- **REQUEST BY DEPUTY COMMISSIONER OF PUBLIC WORKS TO AUTHORIZE \$104,500 IN ENGINEERING SERVICES TO ADIRONDACK MOUNTAIN ENGINEERING, PC RELATED TO THE PROPOSED PUMP STATION REHABILITATION PROJECT AND AUTHORIZE THE SUPERVISOR TO SIGN THE ENGINEERING SERVICES CONTRACT**

A motion to authorize \$104,500 in engineering services to Adirondack Mountain Engineering, PC related to the proposed pump station rehabilitation project and authorize the Supervisor to sign the engineering services contract was offered and approved as follows:

**RESULT:** APPROVE [UNANIMOUS]  
**MOVER:** Joyce Becker, Board Member  
**SECONDER:** James Foster, Board Member  
**AYES:** VanLuven, Becker, Cunningham, Foster, Wagoner

**VII. New Business**

**VIII. Adjournment**

**Motion To:** adjourn the regular meeting and reconvene the special meeting of the Supervisor and the executive session to discuss contract negotiations with police unions and related personnel issues

**RESULT:** ADOPT [UNANIMOUS]  
**MOVER:** Maureen Cunningham, Board Member  
**SECONDER:** Joyce Becker, Board Member  
**AYES:** VanLuven, Becker, Cunningham, Foster, Wagoner

A motion to adjourn the executive session and special meeting of the Supervisor was offered by Councilwoman Cunningham, seconded by Councilwoman Becker and approved with the following vote:

**AYES:** Supervisor VanLuven, Councilwoman Becker, Councilwoman Cunningham, Councilman Wagoner

**NOES:** none

**ABSENT:** none

**RECUSED:** Councilman Foster

Adjourned at 8:00pm