

**Town Board  
July 28, 2010**

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 6:00PM.

PRESENT: Samuel Messina, Supervisor  
Joann Dawson, Councilwoman  
Mark Hennessey, Councilman  
Mark Jordan, Councilman  
Kyle Kotary, Councilman  
Nanci Moquin, Town Clerk  
James T. Potter, Esq., Town Attorney

Supervisor Messina called the meeting to order and lead the Pledge of Allegiance.

**PUBLIC COMMENT ON AGENDA ITEMS-----**

Marie Capone said the gentleman presenting for Creighton Manning used to be on the Town's traffic safety committee.

Denise Kozlowski – had spoken with a police officer and he said they could patrol and enforce the reduced speed limit on Old Quarry Road if approved. She had submitted information, concerning the feeder roads, to the Town Board and the traffic engineer.

**APPROVAL OF 7/14/10 MINUTES-----**

A motion to approve the Town Board minutes as drafted was offered by Councilwoman Dawson, seconded by Councilman Hennessey and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary  
NAYES: none  
ABSENT: none

**AGREEMENT OF ALL FIRE DISTRICTS AND AMBULANCE/EMS DISTRICTS IN BETHLEHEM TO REQUEST SUPERVISOR AND TOWN BOARD SUPPORT IN STRATEGIC PLANNING AND, AS APPROPRIATE, WITH RESPECT TO THE SUBMISSION OF A GRANT APPLICATION**

A letter signed by five (5) of the fire departments and two (2) ambulance departments had been submitted to the Supervisor. The rank and file of the fire departments had agreed on the contents of the letter. Mr. Lutz, Commissioner in the Elsmere Fire District, presented. There were representatives from the other fire departments present. A strategic plan had been started to be developed last year for the further development of issues facing the fire and ambulance districts. Many of the issues concern man power, facilities, equipment, standard operating procedures and other aspects that affect their ability to protect the Town. They thought it was important to put a five (5) to ten (10) year plan in place. They wanted to retain a consultant to help with the process. There had been grant monies available but that source has gone away. They still want to complete the plan. They had been requesting the support of the Supervisor and the Town Board through a formal resolution to support the effort. They planned on keeping the Town Board involved as they work through the process. Each of the districts have very specific needs to be addressed.

Supervisor Messina said the idea was to work cooperatively and share resources across various taxing districts. This was a recommendation of the 20/20 committee. He would be working with the group and he would keep the Town Board and the staff informed.

It was asked by Councilman Hennessey and confirmed by Mr. Lutz that the grant money in they would have applied for was gone. Councilman Hennessey thought it was a good idea for all the districts to be working together and he thanked all the fire fighters that protect the Town.

Councilman Kotary offered the Town Board's support in their efforts. He asked the starting time and about how long it would take to have a report with recommendations. Mr. Lutz said they were done with framing the RFP after receiving input from the individual fire districts. They would hope to finish the RFP process in the next few weeks and then to get that out to consultants with the experience needed within New York State. They hoped to have a consultant on Board within sixty (60) days. The RFP states a ninety (90) day timeframe in which the consultant would finish their work. They hoped to have recommendations by the end of the calendar year. Councilman Kotary asked for the role they wanted the Town Board to play in their efforts. He understood that they had wanted a resolution supporting the grant application that they now knew had no money. He asked if there was anything else they might want. Mr. Lutz said they would need data from the Town with regards the

large planning initiatives and demographics among other pieces. Even though the grant funding is gone, the districts have decided to move forward using district funds.

Councilwoman Dawson asked the amount they would have been looking for in the grant process. Mr. Lutz said they hoped to be able to achieve efficiency with some consolidation. He thought each district would spend \$20,000 to \$30,000 on the process. He was not completely sure. They might have to limit their scope.

Councilman Jordan thanked all the men and women who serve in the districts.

**PRESENTATIONS BY CREIGHTON MANNING ENGINEERING CONCERNING SPEED LIMIT REDUCTION ON OLD QUARRY ROAD, INTERSECTION CONTROL AT BROCKLEY DRIVE AND ORCHARD STREET AND INTERSECTION CONTROL AT SOUTHWOOD DRIVE, NORTHWOOD COURT AND THORNDALE ROAD.**

Mark Sargent, a traffic engineer with Creighton Manning, presented. They had looked at the speed issues on Old Quarry Rd. They had reviewed the public hearing notes in which the idea of lowering the speed limit from 55 mph to 45 mph had been explored. They had completed a number of investigations related to the speed limit reduction. He visited the site, drove it and as a resident was very familiar with the road. He actually drove the straight areas himself a little above 45 mph and the curves below. The assessment included the following items. The road is narrow, with virtually no shoulder and rolling terrain. It is not heavily developed but has some homes and intersecting driveways. They had looked at the speed limits on some of the surrounding roads and prepared a map. Old Quarry Rd., Rt. 32 and Creble Rd. are all currently posted at 55mph. Creble Rd. and Rt. 32 are very different from Old Quarry Rd. Other roads that are more similar are Rt. 396 and South Albany Rd. and both of those roads are posted at 45 mph. Other roads that they looked with lower speeds went through areas that were more highly developed. The engineering assessment showed that there are seventeen (17) curves on the road. Fifteen (15) of the seventeen (17) are posted with lower speeds. They did a ball bank assessment which shows the lateral force on a vehicle as it goes around a curve. Using the ball bank devise, the road is driven a few times in each direction to determine the safe speed of each curve. The safe speed of the curves varied between 35 mph or 45 mph. The next test was a car following test where the test vehicle followed a vehicle using the road to determine how they fast they traveled and when they sped up and slowed down. This was done a number of times in each direction to determine the average travel speed. The last measure was to review the traffic data from the county speed recorder located in a straight of way. The data showed that 85% of cars using the road traveled at 58 mph. The 10 mph pace was 46 mph to 56 mph which is what most people travel. The over all average was 53mph. The recommendation of the traffic engineers was to post the road at 45mph. They would advise not going any lower than that speed.

Councilman Jordan asked if the speed limit was any lower than the 45mph, what types of problems might arise. Mr. Sargent said people would not obey it. They will travel the road at the speed they feel is safe. All the measures show that the safe speed is 45mph. Posting it lower would have no effect.

Councilman Kotary asked if they looked at the feeder roads. Mr. Sargent said they had not looked into the transition from other zones. This road is not transitioning into a built up area where it might become an issue. There is not a need to post roads at a lower speed limit just to make them the same as neighboring roads. If the road can be traveled comfortably at a higher speed then it is OK to keep it that way.

A motion to approve the Local Law to reduce the speed limit on Old Quarry Road from 55mph to 45 mph was offered by Councilman Jordan, seconded by Councilman Kotary :

Discussion: Councilwoman Dawson asked if the Town would be posting special notices that the speed limit has been changed. Mr. Sagendorph said there aren't any signs with the speed limit. The highway department would post the new signs and they could add flags to those signs to make them more prominent. He thought there was a number of days before they would take effect.

The aforementioned motion was approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary  
NAYES: none  
ABSENT: none

Mr. Sargent continued his presentation about Orchard Street and Brockley Drive. This section of the presentation was about a request from neighbors in the Orchard Street/ Brockley Drive area to place stop signs at the corners of this intersection. Mr. Sargent said the request was for an all way stop at Brockley Dr. and Orchard St. Orchard Street runs east-west and Brockley Dr. intersects from the south with a T intersection. They visited the site, measured the site distances, compared those to standards, placed automatic traffic recorders on site and documented the average speed of the traffic. The average speed on both approaches is about 28mph and 32mph. They conducted traffic counts and during the morning peak and there were two

hundred (200) cars per hour evenly spaced between the different approaches. The afternoon is about one hundred thirty (130) cars per hour. They looked at the manual for criteria for an all way stop. He said there is a limited visibility issue on the corner of Brockley Dr. looking down Orchard St. It is one hundred (100) feet shy of where it should be. Because of the limited site distance and the balanced traffic volume, they are recommending an all way stop. Stop signs at each intersection point with an additional panel on those signs stating all way stop.

Councilwoman Dawson asked if the site problem was with the cars on Brockley Drive approaching Orchard St. having a problem seeing to the left and making a left hand turn. Mr. Sargenet confirmed. She asked if there was a site distance problem with cars on Orchard St. taking a left hand turn onto Brockley Dr. Mr. Sargent said there was sufficient visibility down Orchard St. to make that turn. He said the all way stop would help get people out of Brockley Dr. more safely. Councilwoman Dawson asked if the majority of the traffic took a right hand turn from Brockley Dr. to Orchard St. Mr. Sargent confirmed. He said they were not concerned with the visibility of seeing the stop sign. He said stopping site distance was sufficient at the intersection. The idea of the all way stop was to slow traffic down. Councilwoman Dawson was not sure that the gain from the placement of the signs was greater than the inconvenience to people traveling Orchard St. Mr. Sargent said the site distance was an unusual circumstance and warranted the all way stop. Supervisor Messina said once there is a recommendation from a traffic engineer and the Town doesn't act, it opens the Town to possible litigation concerns if something happened. Councilwoman Dawson asked if the request came from neighbors because she had not heard anything about this until now. Supervisor Messina said it happened awhile ago with petitions.

A motion to schedule a public hearing on August 25, 2010 at 6:00pm concerning the intersection control at Brockley Drive and Orchard Street was offered by Councilman Jordan, seconded by Councilman Hennessey and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary  
NAYES: none  
ABSENT: none

Mr. Sargent continued the presentation about Southwood Dr./ Thorndale Rd. and Northwood Ct. There is a boulevard area off of New Scotland Rd. on Southwood Dr. and one block in is a four way intersection. This was another request for an all way stop from the neighborhood or some other measure. There is an offset of the roads at the four way intersection because of the boulevard style at the beginning of Southwood Dr. They had installed machines to document speeds in the area. Cars entering are doing about 25mph, ones leaving are traveling at about 30mph and one on Thorndale average 20mph. There are about forty (40) cars per hour which is very low. The recommendation is for a two (2) way stop on Thorndale Rd. and Northwood Ct. and allow Southwood Dr. to flow freely. They also suggested object markers along the corner of one of the properties at the intersection to show that Southwood Dr. has a jog in it and doesn't continue straight.

Councilman Jordan asked if there was any accident data. Mr. Sargent said no. Councilman Jordan was surprised that there were as many as forty (40) cars per hour. He was very familiar with the area. Mr. Sargent said there were about forty (40) homes in there and in the pm peak hour it is common for each home to produce one trip.

A motion to schedule a public hearing on August 25, 2010 at 6:00pm concerning the intersection control at Southwood Drive, Northwood Court and Thorndale Road was offered by Councilwoman Dawson, seconded by Councilman Kotary and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary  
NAYES: none  
ABSENT: none

**NEW BUSINESS**

None

**PUBLIC COMMENT ON NON-AGENDA ITEMS-----**

Marie Capone – Barber Farms is open. Highway Department does a good job fixing the roads, why hire Callanan Industries.

**PUBLIC ANNOUNCEMENTS -----**

A motion to move into executive session was offered by Councilwoman Dawson, seconded by Councilman Jordan and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary  
NOES: none  
ABSENT: none

A motion to adjourn was offered by Councilman Kotary, seconded by Councilman Hennessey and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary  
NOES: none  
ABSENT: none

The meeting closed at 7:00 PM.

Nanci Moquin  
Town Clerk

Executive Session - July 28, 2010

A motion was made by Councilman Mark Jordan to approve the tax assessment settlement described in Joshua Effron's June 23 letter, lowering the assessment of subject property on Tax Map No. 85.10-2-55 from \$180,000 to \$145,000. The motion was seconded by Councilwoman Joann Dawson and voted on as follows:

Ayes: Councilwoman Dawson  
Councilman Jordan  
Councilman Kotary  
Supervisor Messina

Nays: Councilman Hennessey

A motion was made by Councilman Mark Jordan and seconded by Councilwoman Joann Dawson to adjourn the executive session at 8:00 P.M., and voted on as follows:

Ayes: Councilwoman Dawson  
Councilman Hennessey  
Councilman Jordan  
Councilman Kotary  
Supervisor Messina

Nays: none