

TOWN BOARD
OCTOBER 9, 1991

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

PRESENT: Kenneth J. Ringler, Supervisor
 Frederick C. Webster, Councilman
 Charles Gunner, Councilman
 Bernard Kaplowitz, Esq., Town Attorney
 Jeffrey Lipnicky, Town Planner
 Philip Maher, Comptroller
 Gregg Sagendorph, Foreman, Highway Dept.
 Bruce H. Secor, Commissioner of Public Works
 John Flanigan, Building Inspector
 David Austin, Administrator, Parks & Recreation Dept.
 Norma June
 Robert and Fanny Weddell
 Mark J. Hauser, Hauser Trucking Corp.
 Anne Hillman, Fort Edward Express Co., Inc.
 Paul A. Hauser, Hauser Trucking Corp.
 Bob Burke, M & G Convoy, Inc.
 J. Cerone, Allied Systems
 Andy Stokes, Callanan Industries
 Louise and David Frick, D.E. Frick Trucking
 John Scarcella
 Marilyn Picarazzi
 Rolin J. Reed
 Harold J. Williams
 Louis J. Picarazzi
 Dorothy Alliger
 Don Malint
 Michele Marte
 Ross Englisbe
 Jim Landa, Allied Systems
 Claudette and Kerry Schubert
 Bruce P. Bolen
 Vincent R. Lyons
 Pat and Bill McMullen, McMullen Trucking Co.
 William R. McMullen, II.
 Pat Hamilton
 James K. Sterrett, Kit Transportation
 Howard Engel, Jr.
 Eileen Brown
 Charles Manning, Roger Creighton Associates
 Nancy Newkirk
 Charles L. Fuller
 Joseph Disonell
 Dennis Schaffa
 Linda R. Vollen
 Thomas H. Meyer, Texas Eastern Pipeline
 Peter Christoph
 James Cole
 Sheila Cole
 Robert Bolen
 Elma Disonell
 Carole Williams
 Dick Wolf, Trans Gas
 Jim Lucchesi
 Gerald A. Thorpe
 Deltie Shubert
 Carrie Shubert
 Suzanne Capone
 Agnes Good
 Kathy Keenan, The News Herald Representative
 Susan Graves, The Spotlight Representative
 Kathleen A. Newkirk, Deputy Town Clerk

ABSENT: M. Sheila Galvin, Esq., Councilwoman
 Sheila Fuller, Councilwoman

Posting Notice be indented on the minutes of the public hearing. The motion was passed by the following vote:

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

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Supervisor Ringler said the hearing is as a result of a recommendation from the Traffic Safety Committee and read the following Memorandum.

MEMORANDUM

DATE: AUGUST 23, 1991
 TO: HONORABLE KENNETH J. RINGLER, TOWN SUPERVISOR
 FROM: FREDERICK J. HOLLIGAN, CHAIRMAN, TRAFFIC SAFETY COMMITTEE
 SUBJECT: PETITION-GROVE STREET AREA RESIDENTS-TSC-91-016

The Traffic Safety Committee has reviewed a petition (copy attached) from some residents of the Grove Street area, requesting traffic control in their neighborhood. We have been in contact with some of these residents and have conducted an on site inspection including measurements of the road surface on Grove Street.

At present, section 119-37 of the Town Code provides for prohibited parking on the west side of Grove Street "north a distance of 550 feet from the center line of Delaware Avenue to a point opposite the fire hydrant located near the Curtis Lumber Company building."

It is the recommendation of this committee that the section 119-37 of the Town Code be amended to prohibit parking on both sides of Grove Street from the center line of Delaware for a distance of 700 feet north along that roadway. The committee believes that if enacted, this parking prohibition will eliminate congestion on this street and improve the flow of traffic through the area. Further, we feel that it will improve conditions for emergency response vehicles that may have to travel through the neighborhood.

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The Supervisor said the format for the hearing is that first anyone with questions regarding what this is about will be asked to come forward, then anyone who wishes to speak in favor may speak and anyone who wishes to speak in opposition may speak. He asked anyone wishing to speak to please come to the microphone and state their name. He asked if anyone had any questions. There were none.

The Supervisor next asked if anyone wished to speak in favor of the proposal. Building Inspector John Flanigan said he would like to speak in favor of this proposal. He said it is a very congested area as people know. He said he has been down there many times with the Traffic Safety Committee and there are problems with fire access and different other reasons. Mr. Flanigan further said as it states the one side of the road is restricted at this time but it is very hard to police this situation. He said they have found up at the fire hydrant by the post office, it is blocked probably 50 percent of the time. He said there are four or five cars that park there along the post office side and they are parked there all day long. They have been observed, according to Mr. Flanigan, from early morning and stay there all day long. He said it creates a lot of problems and the problems exist also during the lunch period at the Luncheonette. He said the patrons park along both sides of the street. Mr. Flanigan indicated there are other areas around to park and he feels it should be enacted for safety purposes.

Supervisor Ringler thanked Mr. Flanigan, asking if anyone else wished to speak in favor. There were none. Next the Supervisor asked if anyone wished to speak in opposition. There were none.

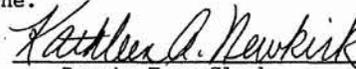
The motion was made by Mr. Webster and seconded by Mr. Gunner to close the public hearing at 7:37 p.m. The motion was passed by the following vote:

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

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Councilman Gunner asked how far down the 700 feet will go on Grove Street. Mr. Flanigan said it goes beyond the Curtis Lumber turn in. He said it goes beyond the first lumberyard turn in.

The Supervisor thanked everyone.


Deputy Town Clerk

The regular meeting was convened by Supervisor Ringler immediately following the public hearing.

Supervisor Ringler asked the Board members if they wished to take action on the previous public hearing, due to the fact there were no comments in favor or opposition to the proposal. Councilman Webster indicated every resident household on the street has signed the petition. He further said there seems to be no opposition to it and moved that it be adopted this evening.

Councilman Gunner asked if the people on the other side of the street have signed the petition, in particular the Four Corners Luncheonette. Councilman Webster said that side is already a no parking zone. Councilman Gunner said he realized this but he indicated this does affect his business. He further said if he is aware of it and he did not come that is one thing and he would agree with Councilman Webster if this was the case. Supervisor Ringler asked Gregg Sagendorph, Member of the Traffic Safety Committee, if they received any feedback from the restaurant on that particular proposal. Mr. Sagendorph said they did not. The Supervisor asked if they were contacted. Mr. Sagendorph said he did not know. Supervisor Ringler said other than what was in the newspaper, Mr. Sagendorph did not know. Mr. Ringler asked Mr. Gunner if he would like to second the motion. Councilman Gunner said he would like to give them an opportunity to comment on this. He said if the Board acts tonight and they were not contacted -- if they were contacted, he would say yes but since they have not been contacted... Supervisor Ringler said they have been contacted the same as anyone would be by the announcement in the newspaper basically and he did not think there was any direct contact.

Mr. Flanigan, Building Inspector, said they knew that the Traffic Safety Committee has been down there. Councilman Gunner asked if they have received an announcement. Supervisor Ringler said only what was the official announcement in the newspaper. Mr. Gunner asked if they received a letter. Mr. Ringler said they did not. Mr. Flanigan said this also got a lot of publicity during the Curtis Lumber hearing at the Board of Appeals. He said Curtis Lumber came in because of some changes they were making. He said there was a lot of back and forth in regard to the Traffic Safety Committee. Councilman Gunner asked about any other residents of the street, on the same side. Mr. Flanigan indicated Mr. Webster had the petition. Councilman Webster said they all signed it, the numbers going down the street -- Councilman Gunner asked if they were odd and even numbers. Councilman Webster said they are. Mr. Gunner said this answers his question.

The previous motion made by Mr. Webster, was seconded by Mr. Gunner and the following resolution was adopted:

At a regular meeting of the Town Board of the Town of Bethlehem, Albany County, NY held on the 9th day of October, 1991 at the Town Hall, 445 Delaware Ave., Delmar, NY

Adopt Res.
Amend. to
Traffic
Ordinance -
No Parking
Grove St.

PRESENT: Mr. Ringler, Mr. Webster, Mr. Gunner.
ABSENT: Ms. Galvin, Mrs. Fuller.

The Town Board of the Town of Bethlehem, Albany County, NY does hereby amend the Traffic Ordinance adopted on the 17th day of July, 1968 and last amended on the 11th day of September, 1991 as follows:

I. Amend ARTICLE IV, PARKING, by adding a new Section 18 to read as follows:

Section 18. No Parking on both sides of Grove Street from the center line of Delaware Avenue for a distance of 700 feet north along that roadway.

The foregoing amendment to the Traffic Ordinance will take effect ten days after publication.

The foregoing amendment to the Traffic Ordinance was presented for adoption by Mr. Webster, was seconded by Mr. Gunner and was duly adopted by the following vote:

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

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WHEREAS, the Town Board had adopted an amendment to the Traffic Ordinance of the Town of Bethlehem, and it is necessary that the said amendment be published, according to law.

NOW, THEREFORE, BE IT RESOLVED, that the said amendment be published in THE SPOTLIGHT, a newspaper published in the County of Albany and having a circulation in the Town of Bethlehem on the 9th day of October, 1991.

The foregoing resolution was presented for adoption by Mr. Webster, was seconded by Mr. Gunner and was duly adopted by the following vote:

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

Supervisor Ringler said he would like to apologize to the audience for the fact of being short staffed -- indicating one of the members was sent to bed by her doctor with a bad back and the other one has been held at her office. He said in this case, there are only three of the members here.

Supervisor Ringler indicated for the information of all in attendance that a public hearing cannot be started until the appointed time. He stated the next public hearing was scheduled for 7:45 p.m. He said, therefore, he will continue with the agenda items. He said the one item which he thought most were in attendance for was Route 396. He said this item will take the greatest amount of discussion and he would like to wait until after the public hearings to do this item. He said he preferred not to start it and have to interrupt to go to the public hearings. He stated the other items on the agenda are basically housekeeping chores and they can be handled very quickly.

Supervisor Ringler said the next item is a request and recommendation from the Comptroller, Philip Maher, regarding Jeffrey Vunck for service pay while he was in Operation Desert Storm. The Supervisor said he asked the Comptroller to look into the military to see what the cost would be to pay the difference in pay that our police officer received from the military and what he would have received from the Town during this period of time. Based upon this, Supervisor Ringler made a recommendation to the Board that we do pay the difference of this amount of money which would be \$3,792.55.

Councilman Gunner asked if this included taxes for that money too. He asked if that is a total or a net. Supervisor Ringler said this is a difference in the gross, indicating there would be taxes withheld from that as they would be in anything.

Reimbursement
 Officer Vunck-
 Desert Storm
 Pay

The motion was made by Mr. Gunner and seconded by Mr. Webster that the amount of \$3,792.55 be paid to Officer Vunck and it was passed by the following vote:

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

Following, according to Supervisor Ringler, was a recommendation for an amendment to permit storage sheds and amend the Building Project Approval for the Eastmount Planned Residential District. He said the

Board had received a request from residents in this particular Planned Residential District to allow a change in the Building Project Approval which would allow storage sheds. Supervisor Ringler explained for anyone who was new to this that this is different than building a storage shed in your own backyard on a normal subdivided lot. In a development that is a Planned Residential District, he said, they have to submit a very specific plan to the Town. He used as an example the Chadwick Square development, indicating this is probably the one that everyone is familiar with, and they have certain restrictions that apply to one of these. He said this one, originally, did not allow any storage sheds to be built and the residents, due to the fact that there are no basements, petitioned the Town to change it. Mr. Ringler said it was referred to the Planning Board who makes recommendations and they have come back with a recommendation as follows.

- a. That the storage closets shall be permitted ONLY as an attachment directly to a building wall or indirectly via an architectural feature (fence) to the primary structure;
- b. The storage closet must be located within the approved "building envelope";
- c. The location of the storage closet shall be limited to the rear wall of the structure;
EXCEPTION: Where the rear line of the "building envelope" is less than 8 ft. from the rear wall of the structure, the storage closet may be permitted along the side wall of the structure.
- d. The storage closet shall not contain more than fifty (50) square feet of floor area or be greater than eight (8) feet in height, exclusive of roof height;
- e. The storage closet shall have the same exterior siding, trim and roof materials and color as the primary structure to which it is attached;
- f. The design and location of the storage closet shall be in keeping with the design of the primary structure and shall not present an attachment to the structure which is dissimilar in character and style;
- g. No more than one (1) outdoor storage closet shall be approved for each lot/dwelling unit meeting the criteria outlined herein;
- h. Application for construction of a storage closet shall be made to the Building Inspector and shall include a location plan, as well as exterior elevations of the proposed storage closet and wall to which it is to be attached.

- - -

Adopt
Res. -
SEQR
Eastmount
re storage
closets

Supervisor Ringler asked if there were any questions from the Board. There were none. The Supervisor said the first action by the Board would be to pass the following resolution:

WHEREAS, the Town Board of the Town of Bethlehem has received a request for amendment to the approved Building Project Approval (No. 16); and

WHEREAS, the proposed amendment may affect every lot/dwelling unit in the existing Eastmount development, a total of 114; and

WHEREAS, the Town Board referred said request to the Planning Board of the Town of Bethlehem for review and recommendation; and

WHEREAS, the Planning Board of the Town of Bethlehem has recommended to the Town Board that Building Project Approval No. 16 be AMENDED as requested; and

WHEREAS, 6NYCRR - Part 617 - State Environmental Quality Review states that "No agency involved in an action shall carry out, fund or approve the action until it has complied with SEQR."; and

WHEREAS, the Planning Board held a public informational meeting on 19 February to which all owners of lots within Eastmount (PRD No.9) were invited; and

WHEREAS, the Planning Board at such informational meeting considered comments, of which none raised any substantive environmental issues; and

WHEREAS, the Town Board has received a recommendation from its professional Planning Consultant that the proposed project will not have a significant effect on the environment; and

WHEREAS, the Town previously considered the potential environmental impact of the entire Eastmount project at the time of establishment of PRD No. 9, determining that no significant effect on the environment would occur, and issued a Negative Declaration (January 24, 1983); and

WHEREAS, the Town Board has presently considered the potential environmental impact of the proposed Amendment to B/P/A No. 16 with respect to the criteria outlined in Part 617.11;

NOW, THEREFORE BE IT RESOLVED, that based upon its review of the proposed Amendment, public comment concerning the Amendment, the Board's Consultant recommendation, and a review of the project with respect to the criteria outlined in NYCRR Part 617.11, the Town Board of the Town of Bethlehem hereby finds that the Amendment of Building Project Approval No. 16 and construction of Outdoor Storage Closets as may be approved, is an action which will not have a significant impact on the environment and will not require the preparation of a Draft Environmental Impact Statement; and

BE IF FURTHER RESOLVED that this determination of significance shall be considered a Negative Declaration and that a copy shall be filed in the Office of the Town Clerk.

On a motion made by Mr. Gunner, seconded by Mr. Webster, and by a vote of 3 for and 2 absent, this RESOLUTION was adopted on October 9, 1991.

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The motion was made by Mr. Webster and seconded by Mr. Gunner to adopt the modification to the Building Project Approval for PRD No. 16, Eastmount, as presented. The motion was passed by the following vote:

<p>Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner. Noes: None. Absent: Ms. Galvin, Mrs. Fuller.</p>	<p>Adopt Mod. Building Project Approval, PRD 16, East- mount</p>
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Supervisor Ringler said one thing that he wished to point out to Mr. Flanigan is that when these people come in, the Counsel has reviewed this and he might wish to notify them that they better check their deeds -- indicating there may be some deed restrictions which would not allow them to do this. He said this is not between the Town and the residents, it is between the residents and the developer, as the Counsel pointed out. Mr. Flanigan said with the other restrictions that are in there, there are probably only about 20 units that can put them up any way. He indicated this was 20 out of 57. Attorney Kaplowitz asked why the others could not construct these closets. Mr. Flanigan indicated because of the restrictions on there. Mr. Kaplowitz asked where the restrictions are. Mr. Flanigan said there are restrictions on the height and the way it has to be done. Mr. Kaplowitz asked if this referred to these new restrictions and Mr. Flanigan agreed this was the reason. Mr. Flanigan said there are different side yard configurations, as discussed previously, some are short and others long, some of them have a problem in the corner in the back. Supervisor Ringler indicated there have been some exceptions put in for those particular situations. Mr. Flanigan said this was correct, if it can be worked. Supervisor Ringler said this should allow them. Mr. Flanigan said when you attach something to the house, you then have to put a full footing under it. He said it might become economically unfeasible.

Supervisor Ringler said the next item is a recommendation from the Republican Committee regarding changes for Election Inspector and Poll Clerk for District 4 and District 27.

Appoint
Republican
Elec. Insp.
and Poll
Clerk

The motion was made by Mr. Webster and seconded by Mr. Gunner that Evelyn Freudenreich, 7 Morningside Drive, Delmar, New York be and she hereby is appointed Election Inspector for District 4 and Alice P. Boutelle, 1 Furman Place, Delmar, New York be and she is hereby appointed Poll Clerk for District 27 for the year ending July 14, 1992. The motion was passed by the following vote:

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

Supervisor Ringler noted the next item is a request from John Flanigan, Building Inspector, for nine construction trailers at the General Electric Plastics Plant in Selkirk. He read the following memorandum.

MEMORANDUM

Approval
9 construction
trailers -
General
Electric,
Selkirk

TO: Kenneth Ringler, Supervisor
Town Board Members
FROM: John H. Flanigan, Building Inspector
DATED: October 1, 1991
SUBJECT: Approval of trailer permits for G.E., Selkirk

During the construction of the new G.E. Co-generation facility, there are several sub-contractors who are working on the project. There is a need for office trailers for these subs as well as changing facilities for workers.

Having received these applications, I would recommend your approval of the nine (9) construction trailers for a period of one year.

Thank you for your consideration.

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Supervisor Ringler asked if there were any questions. There were none. The motion was made by Mr. Gunner and seconded by Mr. Webster to approve nine trailer permits for one year with conditions stated for General Electric, Selkirk. The motion was carried by the following vote:

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

Acknowledge
Speed
Limit
Glenmont
Rd. - 45 MPH

Supervisor Ringler next acknowledged receipt of a Notice of Order from the Department of Transportation regarding a 45 mile per hour speed limit on Glenmont Road between Route 144 and Route 9W. He said currently Glenmont Road is unposted and, therefore, would be a 55 mile per hour road, indicating they have reduced it to 45 miles per hour. The Supervisor indicated no action is required by the Board, this was for information purposes.

Supervisor Ringler convened the second public hearing at 7:45 p.m. explaining this is a public hearing to amend the Traffic Ordinance in regard to No Parking on the easterly side of Van Dyke Road, Delmar. He asked the Deputy Town Clerk to read the call of the hearing.

NOTICE OF PUBLIC HEARING
ON PROPOSED AMENDMENT
TO THE TRAFFIC ORDINANCE
OF THE TOWN OF BETHLEHEM

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Bethlehem on the 9th day of October, 1991 at 7:45 p.m. to consider amending the Traffic Ordinance of the Town of Bethlehem in the following respect:

I. Amend ARTICLE IV, PARKING, by adding a new Section 19 to read as follows:

Section 19. No Parking on the easterly side of Van Dyke Road from Delaware Avenue to the first school parking area on that road.

All interested persons and citizens will have an opportunity to be heard at the said hearing.

Public Hearing
Proposed Amend.
Traffic Ord. -
No Parking -
VanDyke Road

BY ORDER OF THE TOWN BOARD
TOWN OF BETHLEHEM
CAROLYN M. LYONS, TOWN CLERK

STATE OF NEW YORK)
COUNTY OF ALBANY)

KATHRYN OLSEN of the Town of Bethlehem, being duly sworn, says that she is the bookkeeper of THE SPOTLIGHT, a weekly newspaper published in the Town of Bethlehem, County of Albany, and that the notice of which the annexed is a true copy, has been regularly published in said THE SPOTLIGHT ONCE A WEEK FOR 1 week consecutively, commencing on the 25th day of September 1991.

/s/ Kathryn Olsen

Sworn to before me this
27th day of September 1991.
/s/ Bruce A. Neyerlin
Notary Public, Albany County

STATE OF NEW YORK)
COUNTY OF ALBANY)

CAROLYN M. LYONS, being duly sworn, deposes and says that she is the Town Clerk of the Town of Bethlehem, Albany County, New York and that I posted on September 25, 1991, a Notice of Public Hearing, a copy of which is hereto attached, on the sign board of the Town maintained pursuant to subdivision six of Section thirty of the Town Law.

/s/ Carolyn M. Lyons

Sworn to before me this
7th day of October, 1991.
/s/ Kathleen A. Newkirk
Notary Public, Albany County

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The Supervisor thanked the Deputy Town Clerk. The motion was made by Mr. Gunner and seconded by Mr. Webster that the Notice of Hearing, Affidavit of Publication and Affidavit of Posting Notice be indented on the minutes of the public hearing. The motion was passed by the following vote:

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

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Supervisor Ringler said this again is a recommendation from the Traffic Safety Committee based upon new work that was done by the Town in redesigning and rebuilding Van Dyke Road. He read the following memorandum:

M E M O R A N D U M

DATE: August 23, 1991
TO: HONORABLE KENNETH RINGLER, TOWN SUPERVISOR
FROM: FREDERICK J. HOLLIGAN, CHAIRMAN, TRAFFIC SAFETY COMMITTEE
SUBJECT: REQUEST-NO PARKING-VAN DYKE ROAD, TSC-91-015

The Traffic Safety Committee has reviewed a memorandum from Bruce Secor, Commissioner of Public Works, concerning parking on Van Dyke Road. The committee concurs with Mr. Secor's recommendation, previously submitted to the Town Board, to prohibit parking on the easterly side of Van Dyke Road from Delaware Avenue to the first school parking area on that road. We recommend that the traffic ordinance be amended to provide for this parking restriction.

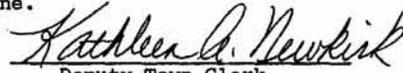
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Supervisor Ringler asked if anyone had any questions. He asked if anyone wished to speak in favor of this proposal. No one spoke. He then asked if anyone wished to speak in opposition. Again, no one spoke.

The motion was made by Mr. Gunner and seconded by Mr. Webster to close the public hearing at 7:49 p.m. The motion was passed by the following vote:

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

The Supervisor thanked everyone.


Deputy Town Clerk

Councilman Gunner asked where exactly does... it is on the opposite side... opposite the athletic field, correct. Supervisor Ringler said no, it is in the front of the school on the same side. Mr. Flanigan said it is on the same side as the shop. Councilman Gunner said okay, it is the same side as the athletic field. Mr. Flanigan said it is right by the first section. Mr. Gunner said they can start parking... this will be for athletic events and everything. He said you pass the first parking lot. Mr. Flanigan said he believed that is the way it reads. Supervisor Ringler indicated this was correct. Mr. Gunner said this is okay. He said thank you that he just wanted to refresh this and said he realizes this is very narrow. Mr. Flanigan said trucks have problems getting out of there. Mr. Gunner asked if this was during the day. Mr. Flanigan indicated yes.

The motion was made by Mr. Gunner, seconded by Mr. Webster that this be adopted and the following resolution was offered:

At a regular meeting of the
Town Board of the Town of
Bethlehem, Albany County, NY
held on the 9th day of Oct., 1991
at the Town Hall, 445 Delaware
Ave., Delmar, NY

PRESENT: Mr. Ringler, Mr. Webster, Mr. Gunner.
ABSENT: Ms. Galvin, Mrs. Fuller.

The Town Board of the Town of Bethlehem, Albany County, NY does hereby amend the Traffic Ordinance adopted on the 17th day of July, 1968 and last amended on the 11th day of September, 1991 as follows:

Adopt
Amendment
To Traffic
Ordinance
No Parking -
Van Dyke -
Road

I. Amend ARTICLE IV, PARKING, be adding a new Section 19 to read as follows:

Section 19. No Parking on the easterly side of Van Dyke Road from Delaware Avenue to the first school parking area on that road.

The foregoing amendment to the Traffic Ordinance will take effect ten days after publication.

The foregoing amendment to the Traffic Ordinance was presented for adoption by Mr. Gunner, was seconded by Mr. Webster and was duly adopted by the following vote:

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

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WHEREAS, the Town Board has adopted an amendment to the Traffic Ordinance of the Town of Bethlehem and it is necessary that the said amendment be published, according to law,

NOW, THEREFORE, BE IT RESOLVED, that the said amendment be published in THE SPOTLIGHT, a newspaper published in the County of Albany and having a circulation in the Town of Bethlehem on the 16th day of October, 1991.

The foregoing resolution was presented for adoption by Mr. Webster, was seconded by Mr. Gunner and was duly adopted by the following vote:

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

The Supervisor said he would now move back down into the agenda. The next item is a request from David Austin, Administrator of Parks & Recreation Department, for appointment of seasonal personnel.

Appoint
Seasonal
Personnel
Parks &
Recreation

The motion was made by Mr. Webster and seconded by Mr. Gunner that the following personnel be and they hereby are appointed to serve at the pleasure of the Town Board at the recommended rates of pay. The motion was passed by the following vote:

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

Recreation Instructor I at a rate of \$4.50 per hour.

Rory Fay
42 Herrick Avenue
Delmar, NY 12054

Lifeguard at a rate of \$5.75

Michael Kohler
27 Placid Lane
Glenmont, NY 12077

Senior Lifeguard at a rate of \$7.10 per hour.

Donald W. Guertze
40 Elsmere Avenue
Delmar, NY 12054

Supervisor Ringler said the next item is a request from David Austin, Administrator, Parks & Recreation Department, for adoption of a resolution authorizing the Town to apply for \$14,382.00 from the New York State Department of Division of Youth. He read the following memorandum:

DATE: October 3, 1991
TO: Kenneth J. Ringler, Jr., Members of the Town Board
FROM: David Austin, Administrator
RE: DFY 1992 Funding Application

I would like to request your approval of the enclosed resolution authorizing the Town to apply for \$14,382.00 from the New York State Department of Division of Youth. These funds will offset some of the expenditures for the Summer recreation programs, Youth Employment Service and the Project Hope program.

Thank you for your consideration.

The following resolution was adopted:

Adopt
Resolution
To Apply
For NYS
Div. of
Youth
Funding
For
Park Programs

WHEREAS, on the 9th day of October, 1991, the Town of Bethlehem adopted a resolution authorizing the Supervisor of the Town of Bethlehem to submit an application to New York State Division for Youth for funding of youth recreational programs and youth services in the amount of \$14,382. and,

WHEREAS, the Town of Bethlehem will abide by the decision of DFY as to the propriety of all expenditures upon which State aid is requested, and

WHEREAS, the youth programs will be operated in compliance with all laws, rules, regulations, resolutions and codes of the State of New York and pertinent political subdivisions, and

WHEREAS, no youth will be denied the services or facilities of this project because of race, creed, color or sex, and

WHEREAS, no fees will be charged for programs which are supported by State Funds, and be it further

RESOLVED, that the Supervisor of the Town of Bethlehem and the Town Clerk of the Town of Bethlehem be, and are hereby authorized to sign the application and submit it to New York State Division for Youth on or prior to November 1, 1991.

The foregoing resolution was presented for adoption by Mr. Gunner and was seconded by Mr. Webster and was duly adopted by the following vote:

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

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Councilman Gunner asked if this will help any in the appeal that was heard the other night at the budget hearing. Supervisor Ringler said not really because these are taken into consideration, indicating we will be getting this. He asked Mr. Austin if by applying for these does not really mean we will get them because the State could take them out of their budget. Mr. Austin said we applied for \$21,000. this year and it was cut to about \$13,500. He said there is no way to know.

Supervisor Ringler said the next item is a request from the Comptroller's office to go to bid for office products.

Authorize
Going To
Bid For
Office
Products

The motion was made by Mr. Webster and seconded by Mr. Gunner that in accordance with Town Law, the Town Clerk advertise for bids for Office Products - Type I Non-Stock and Central Stockroom Office Products in THE SPOTLIGHT issue of October 16, 1991 and that the bids be received on October 28, 1991 at 2:00 p.m. and 2:15 p.m. respectively for each item. The motion was passed by the following vote:

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

The Supervisor said the final item on the agenda is a request from Martin J. Cross, Superintendent of Highways for Transfer of Funds.

TO: Town Board Members
FROM: Martin J. Cross, Supt. of Highways
DATE: October 4, 1991
REASON: Transfer of Funds

FROM:	D5140.1 Personal Services	\$65,000.00
TO:	D9040.8 Workmen's Compensation	\$65,000.00

Approve
Transfer
of Funds -
Highway
Dept.

This transfer is necessary to cover the substantial increase in workmen's compensation premiums which took place during 1991. Funds are available in the personal services account since Highway Department has been operating below full staff strength since the beginning of the year.

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The motion was made by Mr. Webster and seconded by Mr. Gunner that at the request of Martin J. Cross, Highway Superintendent, \$65,000.00 be and it hereby is transferred from Account D5140.1 Personal Services to Account D9040.8 Workmen's Compensation to cover the substantial increase in workmen's compensation premiums. The motion was passed by the following vote:

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

- - -

Councilman Gunner asked if this happens throughout the Town. Supervisor Ringler noted it will be as time goes on. He indicated towards the end of the year there are transfers made, as you know. Mr. Gunner said no, he means where he says there... that substantial increase will be reflected throughout all the different divisions of the... Supervisor Ringler said absolutely. Councilman Webster said there has just been an 8 percent increase in the volunteer firemen's workmen's compensation. Supervisor Ringler asked Comptroller Maher if he wanted to comment on what the increases were the past year. Mr. Maher said they will be substantial. Mr. Ringler said he knew that, further asking if there were any specific percentages he could tell the Board. Mr. Maher said no.

Councilman Gunner said the reason he asked that was that we have a good crowd here and he thinks they should understand a lot of things in the budget are way beyond our control. Supervisor Ringler noted this happened when the State Legislature increased benefits and so forth and then went back and increased rates half way through the year. Councilman Webster said he thought the VFBL came out at about 8 percent though.

Executive
Session

The motion was made by Mr. Gunner and seconded by Mr. Webster to adjourn to Executive Session to discuss a personnel matter at the end of the regular Town Board meeting. The motion was passed by the following vote:

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

Supervisor Ringler indicated there are 10 minutes before the next hearing and he wondered if there was anything of a general nature regarding any issue that anyone would like to bring to the attention of the Board. There were none and, therefore, there was a brief recess until the next public hearing.

Supervisor Ringler convened the next public hearing at 8:00 p.m. indicating it is a public hearing to consider amending the Traffic Ordinance, Stop Signs on both sides of Church Road where it intersects with Clapper Road, Selkirk. He asked the Deputy Town Clerk to read the call of the hearing.

NOTICE OF PUBLIC HEARING
ON PROPOSED AMENDMENT
TO THE TRAFFIC ORDINANCE
OF THE TOWN OF BETHLEHEM

Public
Hearing
Amend
Traffic
Ordinance
Stop Signs
Church Rd.
and
Clapper Rd.

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Bethlehem on the 9th day of October, 1991 at 8:00 p.m. to consider amending the Traffic Ordinance of the Town of Bethlehem in the following respect:

I. Amend ARTICLE I, STOP INTERSECTION, by adding a new paragraph iiii to read as follows:

(iii) The intersection of Church Road where it intersects Clapper Road is hereby designated as a Stop Intersection with Stop Signs to be installed on both sides of Church Road.

All interested persons and citizens will have an opportunity to be heard at the said hearing.

BY ORDER OF THE TOWN BOARD
TOWN OF BETHLEHEM
CAROLYN M. LYONS, TOWN CLERK

- - -

STATE OF NEW YORK)
COUNTY OF ALBANY)

KATHRYN OLSEN of the Town of Bethlehem, being duly sworn, says that she is the bookkeeper of THE SPOTLIGHT, a weekly newspaper published in the Town of Bethlehem, County of Albany, and that the notice of which the annexed is a true copy, has been regularly published in said THE SPOTLIGHT, a weekly newspaper published in the Town of Bethlehem, County of Albany, and that the notice of which the annexed is a true copy, has been regularly published in said THE SPOTLIGHT ONCE A WEEK FOR [WEEK consecutively, commencing on the 25th day of September, 1991.

/s/ Kathryn Olsen

Sworn to before me this 27th
day of September, 1991
/s/ Bruce A. Neyerlin,
Notary Public, Albany County

- - -

STATE OF NEW YORK)
COUNTY OF ALBANY)

CAROLYN M. LYONS, being duly sworn, deposes and says that she is the Town Clerk of the Town of Bethlehem, Albany County, New York and that I posted on September 25, 1991, a Notice of Public Hearing, a copy of which is hereto attached, on the sign board of the Town maintained pursuant to subdivision six of Section thirty of the Town Law.

/s/ Carolyn M. Lyons

Sworn to before me this
7th day of October, 1991
/s/ Kathleen A. Newkirk,
Notary Public, Albany County

- - -

The motion was made by Mr. Webster and seconded by Mr. Gunner that the Notice of Hearing, Affidavit of Publication and Affidavit of

Posting Notice be indented on the minutes of the public hearing. The motion was passed by the following vote:

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

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Supervisor Ringler said this is another recommendation from the Traffic Safety Committee based upon a request from Mr. Secor, Department of Public Works.

M E M O R A N D U M

DATE: August 23, 1991
 TO: HONORABLE KENNETH RINGLER, TOWN SUPERVISOR
 FROM: FREDERICK J. HOLLIGAN, CHAIRMAN, TRAFFIC SAFETY COMMITTEE
 SUBJECT: STOP SIGN REQUEST-CHURCH ROAD-TSC-91-014

The Traffic Safety Committee has reviewed a request from Bruce Secor, Commissioner of Public Works, for the installation of a stop sign on southbound Church Road at the intersection of Clapper Road. He also suggests the need for intersection warning signs near this intersection.

After review, the committee recommends that stop signs be installed on both sides of Church Road, where it intersects Clapper Road.

Mr. Sagendorph, of the Highway Department, has agreed to investigate the need for intersection warning signs and will install them if the need exists.

Our recommendation for stop signs is based on poor sight distance at this intersection.

- - -

Supervisor Ringler asked if anyone had any questions regarding this. Mr. Sagendorph said the committee notes the intersection warrants stop signs not lights. Supervisor Ringler thanked Mr. Sagendorph. He asked if the signs have been put up. Mr. Sagendorph said they are existing already. Supervisor Ringler asked if there were any other questions. There were none.

The Supervisor then asked if there was anyone wishing to speak in favor. There were none. He then asked if anyone wished to speak in opposition to this proposal. Again, no one spoke.

The public hearing was closed at 8:07 p.m. on a motion made by Mr. Gunner, seconded by Mr. Webster and carried by the following vote:

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

Kathleen A. Newkirk
 Deputy Town Clerk

Supervisor Ringler reconvened the regular meeting asking if the Board wanted to take action on the previous public hearing.

The motion was made by Mr. Webster, seconded by Mr. Gunner and the following resolution was adopted.

At a regular meeting of the Town Board of the Town of Bethlehem, Albany County, NY held on the 9th day of October, 1991 at the Town Hall, 445 Delaware Avenue, Delmar, NY

PRESENT: Mr. Ringler, Mr. Webster, Mr. Gunner.
ABSENT: Ms. Galvin, Mrs. Fuller.

The Town Board of the Town of Bethlehem, Albany County, NY does hereby amend the Traffic Ordinance adopted on the 17th day of July, 1968 and last amended on the 11th day of September, 1991 as follows:

I. Amend ARTICLE I, STOP INTERSECTIONS, by adding a new paragraph iiii to read as follows:

(iiii) The intersection of Church Road where it intersects Clapper Road is hereby designated as a Stop Intersection with Stop Signs to be installed on both sides of Church Road.

Adopt
Amendment
To Traffic
Ordinance
Stop
Signs
Church Rd.
and
Clapper Rd.

The foregoing amendment to the Traffic Ordinance will take effect ten days after publication.

The foregoing amendment to the Traffic Ordinance was presented for adoption by Mr. Webster, was seconded by Mr. Gunner and was duly adopted by the following vote:

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

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WHEREAS, THE Town Board has adopted an amendment to the Traffic Ordinance of the Town of Bethlehem and it is necessary that the said amendment be published, according to law,

NOW, THEREFORE, BE IT RESOLVED, that the said amendment be published in THE SPOTLIGHT, a newspaper published in the County of Albany and having a circulation in the Town of Bethlehem on the 16th day of October, 1991.

The foregoing resolution was presented for adoption by Mr. Webster, was seconded by Mr. Gunner and was duly adopted by the following vote:

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

Supervisor Ringler said this will be the last brief recess until the final public hearing.

Absent: Mrs. Fuller, Ms. Galvin.

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Supervisor Ringler asked if anyone wished to comment on the Sewer Assessment Rolls. Hearing none, he asked if anyone had any questions.

The motion was made by Mr. Gunner to adjourn the public hearing at 8:17 p.m. and reopen the hearing after the discussion on the Route 396 truck traffic proposal of the Planning Department. The motion was seconded by Mr. Webster and was passed by the following vote:

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

Noes: None.

Absent: Ms. Galvin, Mrs. Fuller.

Kathleen A. Newkirk
Deputy Town Clerk

Discussion
Route 396
Proposal
From
Planning
Department

Supervisor Ringler reconvened the regular Town Board meeting following the public hearing and said the next item on the agenda is consideration of the Planning Department recommendations for Route 396 between Route 9W and Route 144. He asked Mr. Jeffrey Lipnicky, Town Planner, to give an overview of these recommendations.

Mr. Lipnicky said basically what this presentation is a little bit of an overview of the Route 396 study that was done by the Town Planning Department over the past, he would say, 6 months or so. He said unfortunately, the principal author of the report was unable to be here tonight, so he was filling in for her. He said if there are questions, he will try and do the best he can with them at this point in time when he gets to the end of going through this. For those questions that he is unable to answer, Mr. Lipnicky said they will certainly get back on all of them, as well as, to the Town Board. Basically, he said without going into a long history of the background for this study, there are a couple things the Town has looked into with regard to Route 396. When the Town conducted a study of the Route 9W corridor in 1989, Mr. Lipnicky said one of the recommendations that came out of this corridor and one of the things that was looked at in that study, was truck traffic on Route 396. He said they had heard a lot even at that point in time about Selkirk residents perceiving problems with truck traffic on 396 and the basis of that problem is really the conflict between heavy truck traffic on the roadway and the residential character of 396. He said really, to a large extent also, the problem consists of pedestrian movements on 396 and a lot of driveways along 396, residential structures, etc.

Mr. Lipnicky said when the 9W study was done, that was one thing that was brought out in the study. He said, without again getting into the whole history of it, one of the recommendations that came out of the 396 study, was that the Town in the long run to resolve the Route 396 problem -- what is really needed is construction of some type of a bypass road to get traffic from Route 9W to Route 144 and the Thruway interchange without having to go through the residential area of Selkirk. This study, he said, does not make a recommendation which is going to solve the Route 396 problem in the long run. He said in the long run, we see essentially the recommendation from the 9W study of a bypass road as really the only long term solution to the problem.

Mr. Lipnicky said when they looked at the 396 traffic in this particular study, what they focused on was really something that came out of SAFER, who asked the Town to look into inter-truck traffic and also into the potential of banning truck traffic along 396. He said this was really the basis for their taking a look at this in this study. It was to really see where trucks were coming from, where they were going, and essentially what would happen to that truck traffic, if in fact, it was banned from Route 396, Mr. Lipnicky stated. In this vane, he said this is primarily what was looked at.

Mr. Lipnicky said one of the studies that was done before they looked at this also, was done by NYS DOT in May of 1990. He said in 1990, DOT did classification counts along Route 396 essentially for a 24 hour period and what those classification counts did was break out the truck traffic on 396 by the type of vehicles. He said what DOT found in the classification count was that there were 2,756 odd vehicles along 396 in that 24 hour period and 19 percent of those vehicles were 526 trucks. He said 19 percent of the volume of traffic on that roadway was truck traffic. He said this is much higher than what is typical from our understanding from DOT of truck traffic on a state roadway which usually is about 7 percent or so. He said, again, the problem is compounded because of the residences and the driveways along the roadway. He further said when DOT did their count, by far, the largest volume of trucks, 422, were tractor-trailer type trucks or type E trucks as DOT refers to them. They constituted almost half of the total volume of truck traffic on the roadway, according to Mr. Lipnicky. He said it was some 244 of these types of vehicles.

Mr. Lipnicky said with this in mind, what they tried to do or did was to essentially conduct an origin -- or the first thing they did was conduct an origin/destination study. He said they did this during two periods of time -- one was in January and the other time period in June. He said the second in June was done because the January study that they did and looked at, did not capture the paving businesses,

such as Callanan and the other firms of that nature that really were not open during that period of time. He said they did it twice in order to capture the traffic during June.

Mr. Lipnicky explained what they did, was stationed engineering department personnel on 396 by the firehouse. He said they were there in the January study from 6:45 a.m. to 5:00 p.m. and in the June study from 7:20 a.m. to 4:00 p.m. He said in the January study 207 vehicles passed the check point. Of the 207 vehicles, 186 vehicles stopped and were interviewed, according to Mr. Lipnicky. He said essentially what was done was a survey of the drivers -- asked them where they were coming from, where they were going to, and what route they took between their origin and their destination. Out of the 186 vehicles that were stopped, 70 percent of these vehicles were the tractor-trailer type of vehicles in January, Mr. Lipnicky noted. He said there were 131 of those vehicles. Mr. Lipnicky stated 84 of the vehicles were east bound and 102 vehicles were west bound. What they found, he said, in terms of trip origin some 32 percent came from other states, mostly from east of here -- indicating states such as Massachusetts, Connecticut, Rhode Island and most of them arrived from the Berkshire spur of the Thruway, from the Mass. pike and so on. He said 28 percent of the trips originated in Bethlehem and 60 percent of these that originated in Bethlehem originated in the vicinity of the Selkirk yards, out off of Route 55 and in that general area. The trucks were headed -- 41 percent out of state and again mostly toward the Berkshire spur and some 43 percent of the trucks had their destinations in Bethlehem out of the total trucks.

Mr. Lipnicky noted, essentially he had two maps exhibited. He said the first map shows that most of the traffic originating in Bethlehem and headed east bound along 396 and then to points either north or south on the Thruway, or east on the Berkshire spur of the Mass. pike. He said if you take a look at this, essentially, the density of these lines shows where the major flows of traffic are. He said you can see the major flow came from Route 55 and again the area of the Selkirk yards and also the GE area up to Route 9W, Route 9W south to 396, then onto the interchange and then primarily out the Berkshire spur. In the other direction, according to Mr. Lipnicky, going west bound on Route 396, most of the traffic or most of the trucks, again, originated from the Berkshire spur, came up to the Thruway interchange, 144 south, 396 west and again most of the traffic headed out towards the Conrail yard area, GE area.

Mr. Lipnicky said they looked at this a second time in June, as was said and the reason for doing it again in June, was to capture the paving contractors traffic. He said the same type of methodology was used, this time what was found was that 451 trucks that passed the stopping point, 417 of those trucks were interviewed. He said what was found this time, instead of the tractor-trailers being the highest volume of trucks, the class C type trucks were the highest volume. Mr. Lipnicky explained these are the 4 axle single unit trucks. They constituted 57 percent of the traffic or 237 vehicles, according to Mr. Lipnicky. He said for all other vehicle types the numbers were similar, for the tractor-trailers instead of 131 vehicles for example, this time we got 141 vehicles. This time, Mr. Lipnicky said, it constituted about 34 percent of the traffic. He said the type C vehicles again, are primarily the paving contractor type of vehicles, went from some 9 percent to the total volume of traffic on the roadway to 57 percent of the total volume of traffic. He said that was again during the study period, the time period of the study. Some 49 percent of the traffic was east bound and 51 percent of the traffic was west bound. Again, this is the volume of east bound traffic -- this time, Mr. Lipnicky said, as you can see, 132 of these vehicles originated in the South Bethlehem area up 396 and again down 396 to the Thruway and again primarily out the Berkshire spur. The volume of traffic was still a significant amount, he said, and it came from Route 55 west, Conrail yards area, GE area, etc. and again, the primary movement being between South Bethlehem and the Berkshire spur.

Mr. Lipnicky noted in terms of west bound traffic, again, the same general pattern in the reverse direction. Most of the traffic coming from the Berkshire spur, 396 and again out 396 and still a substantial amount going out towards the GE area, he said. As with the other study, Mr. Lipnicky said they had similar proportions -- 31 percent of

the traffic originated in other states, again primarily east of here and some 45 percent originated in Bethlehem. Destinations, Mr. Lipnicky said, have already been discussed. Again, the primary movement between those two points, Mr. Lipnicky noted.

Mr. Lipnicky said what they also looked at after they looked at where the trucks were coming from and going to -- what they did was drive the roadways to time distances between points and to look at mileage to see what would happen if we close this roadway and what was the most logical route that the trucks would take. He further said this was looked at with respect to all trucks and looked at with respect to tractor-trailers. What they found essentially, Mr. Lipnicky said, was that, especially with regard to the smaller vehicles, the non-tractor-trailers that most of these vehicles were more of a local nature. In other words, he said they were not inter-state hauls, by and large, most of them were primarily Capital District type of trips versus the tractor-trailers -- what they found in looking at them was that they were primarily inter-state type of trips, again moving either between Bethlehem and points south towards New York and New Jersey or points east, Connecticut, Massachusetts primarily or points north such as Vermont. He said they constituted, the inter-state trips and the largest vehicles.

Mr. Lipnicky noted when there was a meeting in Selkirk at one point in time, it appeared to them that the residents of the South Bethlehem area, Selkirk area, were primarily concerned -- although they were concerned with all truck traffic -- and if he speaks wrongly he is sure he will hear about it -- but it seems to him that the primary complaint or primary concern was really the large tractor-trailers that utilize the roadway. He said considering both of these factors and the factor that we are not really going to get any money in the short run anyway to construct a bypass around the Selkirk area, and considering that for the local hauls that the time cost involved in taking alternate routes such as the Thruway up by Albany, or the Thruway exit down in Coxsackie -- that it would add a substantial amount of time to the local hauls to get from their origin points to their destination points, whereas, versus the long inter-state hauls although it certainly adds time and certainly adds money to the cost of hauling, the increase as a proportion of the total cost of the trip is no where near as great as it is for the local type of hauls. Essentially, Mr. Lipnicky said, they looked at that and presented it as really the best alternative that they could come up with at least in terms of a short run alternative is, if in fact, the State is agreeable -- again, the Town does not have jurisdiction over Route 396, it is a state -- our recommendation or he said the best alternative that they could find was to essentially, ban, except for local type deliveries within the Selkirk area, the large tractor-trailers from Route 396.

Mr. Lipnicky said what they did based on that recommendation is also take a look at what begins to happen if, in fact, those tractor-trailers are banned from Route 396 and what other areas of the Town would be affected. He apologized about the maps being so small and the audience not being able to see them. He noted one of the maps which concerns west bound traffic and the other east bound traffic and again, tractor-trailer type vehicles. He said what they did was look at every trip origin and every trip destination which concerned a tractor-trailer and began to come up with some type of range of estimate in terms of how many additional tractor-trailers would be diverted. He said essentially two roads would carry the brunt of any diverted traffic and they would be Route 32 up to Delmar Bypass, Delmar Bypass over to Route 9W and then Route 9W south. The second roadway, according to Mr. Lipnicky, would be Route 9W essentially between Coxsackie and again, up to the interchange in Albany, just north of the Town line. He said they have a broad range of estimates on this and a lot of this is dependent upon a number of factors. He said a lot of the trips, for example, originate in the center of Route 55, and there is not too much difference in terms of time to back track this way up to the interchange or eastward to Route 9W up to the interchange. He said the traffic, essentially, or trucks originating in that area have two different ways that they might access the interchange. Again, he said since the primary movement is between the area marked as area number 1, which is the GE area of Town, the industrial area of Town, between there and the Berkshire spur -- the primary means of access to the spur if Route 396 is closed to them is

most likely going to be up to the interchange here and then down the Thruway to the Berkshire spur. For south bound traffic, that is headed south, according to Mr. Lipnicky, to points such as New York City and the like, there are really two alternatives that are available, one is to either come north and get on the interchange, and then head south on the Thruway or alternatively to take Route 9W south to the Coxsackie exit and then south from there. For points north, Mr. Lipnicky noted, for all cases, the best access point is at Albany, so they are talking of adding tractor-trailer traffic on 9W and again on the Delmar Bypass to access the Thruway for points north of here.

Essentially, Mr. Lipnicky said, these are rough estimates at this time but what they would see is a range of additional truck traffic on the Delmar Bypass which would be in the range somewhere of 60 vehicles to 120 vehicles. On Route 9W, north of Route 55, he said what would be seen is somewhere in the range of 90 to 150 vehicles, tractor-trailers he noted. Between Route 396 and 55, Mr. Lipnicky said there would be somewhere in the range of about 90 to 110 vehicles and south of 396 on 9W somewhere in the range of about 35 to 55 additional trucks.

Mr. Lipnicky said this essentially concludes his presentation and said he would be happy to answer any questions.

Supervisor Ringler asked in regard to traffic going to Massachusetts, if they will get on at Thruway exit 23 and come back down the Thruway. He asked why would they not take 787 to I-90. Mr. Lipnicky said from a distance point of view, from what he has seen, this is shorter, but that certainly is an alternative. Supervisor Ringler asked if that was checked on the distance. Mr. Lipnicky said he did not. Supervisor Ringler indicated there would be an addition of a cost factor going across the Thruway. Mr. Lipnicky agreed this is a cost factor. He said he wanted to point out that what they looked at, is the diversions in places -- was really the diversions within Town and not beyond the Town. He said in either event, whether they are going to 90 or directly down the Thruway, this is the exit that they would get on.

Councilman Gunner said he may have misunderstood him but at one point he felt one of the major ways north would have been Route 32 but it appears that the majority of tractor-trailers would be going up Route 9W, asking if this was correct. Mr. Lipnicky said it is close. He said it depends where on 9W you are. Again, he said it is presented in different ranges. Councilman Gunner said he thought he gave a number like 160 on 9W and 90 or something like that if he remembered correctly. Mr. Lipnicky said yes, about 150 in the area, up to 150 in the area north of Route 55. Councilman Webster asked what the number on the bypass was. Mr. Lipnicky said it was up to about 125 or so. Supervisor Ringler asked if this was within a 24 period. Mr. Lipnicky said this would be in a 24 hour period but what they did essentially is for the counts that they had, took those numbers and projected them to the daily counts that DOT came up with. He said again, what they looked at was not a full 24 hour period.

Supervisor Ringler asked if there were any other questions. Councilman Webster asked if Mr. Lipnicky knew the time frames, the day time frames as to when the majority of the traffic is. Mr. Lipnicky said not off the top of his head but he could get that information. Councilman Webster asked if they were looking at a legitimate spread of 24 hours then, asking if it was a 12-15 hour period. Mr. Lipnicky said he did not know, he could not answer that now.

Supervisor Ringler asked if there were any further questions. The Supervisor said this is not a public hearing, but we are very flexible in this Town, indicating we try to be in hope of getting as much public input as we can get. He said before he opens it and lets anyone ask questions and make comments if anyone wishes to -- he wanted to point out a few things that the Board already has. Mr. Ringler said a letter has been received from a resident and one letter from the SAFER group -- the homeowner's association -- in support of this proposal as a compromise for what they originally asked for -- removing all truck traffic. He said there are letters from Callanan Industries, Conrail, Blue Circle Cement, M & G Convoy, and Allied Systems, all basically as carriers opposing this based upon the additional costs that is going to be placed on these carriers if this does go through.

He said it is strictly from dollar perspective, anywhere -- Conrail estimates the annual cost to be \$250,000. He said the question he has and maybe one of the carriers can answer this, is Conrail including your numbers in their's or do they have their own trucks. Gentlemen from the trucking firms noted that Conrail has their own truck fleet. Supervisor Ringler said the \$250,000. is just theirs. The gentlemen in the audience agreed. He said he will just cite some numbers here without reading all the letters -- having noted the Board does have them -- M & G is stating it will cost about \$90,000. a year; Allied Systems is estimating \$158,000. a year; Blue Circle did not give a number; and Callanan -- he does not see where they have estimated a dollar cost in theirs. He said all of these companies are in opposition.

Supervisor Ringler said he is going to put the microphones back in the center and if anyone wishes to speak, please be courteous, raise hands -- we do not want to get involved in shouting matches, there can be legitimate disagreements amongst the residents and still provide information to the Board. He said he would like anyone who wished to come up to the front and identify themselves for the record and ask any question or make any comment that you like. He asked that the hands be raised.

Mr. Vincent Lyons, residing at 141 Maple Avenue for the last 30 years, indicated the count is very erroneous because it has only been done for like 10 hours. He said after supper, 11 o'clock at night, 12 o'clock at night, continuous truck traffic both ways. He said, in fact, he could tell the Board that you have AIRCO coming back over to Feura Bush, the tractor-trailers for autos after delivery -- so, he said the count is way off. He said he has been out after supper, at 7 o'clock and 6 trucks go by right in 5 minutes. He said the survey does not even compare to the amount of trucks that go through there. Mr. Lipnicky explained that they do understand that and that this has been said. Mr. Lyons said he knows he said it but it is so far off that you could probably double the count you had in the day time. Supervisor Ringler asked if the DOT classification count was done by automatic counters. Mr. Lipnicky said this was correct and it is done for a 24 hour period by automatic counter. Mr. Ringler said that came up with a figure of around 500. Mr. Lipnicky said the purpose in doing the study was not to get the volume of trucks. He said the origin/destination study was done to get the distribution of truck traffic. He said then this distribution was projected based upon the 24 hour count. He said there is a 24 hour count, a mechanical count that was done by DOT. Again, Mr. Lipnicky said this count had wound up with some where on the order of 571 trucks that DOT had in their mechanical count.

Mr. Lyons said he only wanted to make one statement -- the truckers are caught in the middle, the residents of 396 are caught -- they have been for the last 20 years because as a retired railroader, that whole complex has been planned to be developed by the Town Board and by the railroad and by anybody with any land over there for an industrial site and no one did a dam thing -- if you will pardon the expression -- for building a connecting road to the interchange and now the truckers and the residents are caught in between the DOT and the County and the Town Board. Supervisor Ringler thanked Mr. Lyons.

Supervisor Ringler recognized Mrs. Picarazzi next. Marilyn Picarazzi stated she is a resident of Selkirk. She just wanted to remind the Supervisor that about 2 years ago, there were over 200 petition signatures against the truck traffic. She thought he was so busy he neglected to include this information. Supervisor Ringler thanked Mrs. Picarazzi, indicating she would not let him forget. She said he better believe it. She also wanted to mention that she realizes it is a big financial burden on the trucking companies but how can you measure that against the life of someone in Town. Supervisor Ringler thanked Mrs. Picarazzi.

The Supervisor asked if anyone else wished to make a comment. Mr. Louis Picarazzi of Selkirk next asked M&G what it costs for one of their trucks to go over the bridge in Selkirk -- from Selkirk to B1. Supervisor Ringler said he checked this himself by calling the Thruway Authority and it is \$2.15. Mr. Picarazzi said if they were to go over Route 32, the Delmar Bypass, 787, I-90 as you have mentioned, they

could eliminate \$2.15 cents. He said according to the survey, it is 5.3 more minutes and 7 miles -- asking Mr. Lipnicky if this was true. Mr. Lipnicky said this was pointed out to him today and it appears to him that this would be incorrect because if you look at that, it would be something like 76 miles per hour to do it. He said this has to be looked at. Mr. Picarazzi said for each truck if they could eliminate \$2.15 he does not see where they come up to \$250,000. Supervisor Ringler said the truckers -- indicating they have been very consistent in this -- state that it costs \$1.48 per mile on these trucks, asking if this was within the ball park, indicating one of the letters said that. Gentlemen in the audience indicated this was close. Supervisor Ringler said he checked this with another company that does not do business in Town -- just to see if he was getting the wool pulled over his eyes -- and they concurred with that and said that might be on the lower side. He said it probably costs at least that just for the record. Mr. Picarazzi said he can sympathize with the trucks but for years they have been putting up with it, living with it, we know we have to have industry but it comes a point in time -- the breaking point is here. He said we have to stop it now. He said GE is putting an addition on and other trucking firms are going to come in. He said some place there is a breaking point and it is now and it has got to stop now. If it does not, according to Mr. Picarazzi, we are buried.

Supervisor Ringler indicated the next person to speak would be the gentleman in the back. Mr. Lance Hillman of Fort Edward Express said he just wanted to find out -- this was his first hearing here -- what was the impetus to start this. He said he would like some background -- were there a lot of accidents on that road; were there trucks going across people's property; was there a noise problem. Supervisor Ringler said he thought he had summed it up. The Supervisor said those are basically the concerns of the residents. He said he does not know if he is familiar with the road. Mr. Hillman said he was. The Supervisor indicated it is a very windy road, in a very highly populated area and there is a conflict. The road and the traffic is in conflict with what is there, according to the Supervisor. He further indicated the Town has been trying to get the State of New York, who owns this road, to put a bypass around there to eliminate this problem and they were not coming forward. He said the Town asked them to do studies; asked them to make recommendations; asked them to come back and do something about this; and every time the Town goes to the State, they throw the football back to the Town and say it is our road but you make a recommendation. He said this is why the Town has put this time and effort into putting a study together, trying to find a way to alleviate the problem and try to do it as equitably as possible. He said it is not an easy thing. He said he thinks everyone has said that but it is a question of safety and safety is paramount. The Supervisor said in his personal view, it is an accident that is waiting to happen. He said we have a lot of tractor-trailers that cannot even stay on their own side of the road because of the windiness of that road and they are carrying, sometimes, volatile materials. Supervisor Ringler indicated, as he has said, it is a very potentially dangerous situation. He said he is a businessman, he feels for the businessman, as much as the people who are sitting out here. He said he can understand where they are coming from, times are very, very difficult but this is a situation of safety and we are trying to alleviate the problem because that road just cannot accommodate, in his view at least, and he thinks the residents and the Planning Department concurs what is happening down there -- it is getting worse.

Supervisor Ringler asked if there were any other comments. Mr. Gerald A. Thorpe of 34 Huntersfield Road next spoke indicating although he certainly understands the SAFER residents grievance, he is concerned about the impact of any changes on other neighborhoods that border the other commercial routes in Town. He said he does not know if any counts were done, for example on the Bypass to determine the level of truck traffic already. As a resident of a neighborhood near the Bypass, he can tell everyone that there are probably 200 or 300 trucks at least that go by there every day. He said so obviously, this is going to have some direct impact on the quality of life in their neighborhoods. He said it seems to him that this may be a temporary solution to bar trucks on 396 and certainly, provides some immediate relief for those residents but what about the rest of us. He said it seems to him that the Town has to grapple with that. Supervisor

Ringler said he would just like to make a comment. He said he hears the concerns but the Bypass was built as a truck route. It is a four lane highway, according to the Supervisor and it certainly does not have the problems of this winding little road through a hamlet. Supervisor Ringler said they are not suggesting that tractor-trailers be sent down Huntersfield but the Bypass is a designated truck route and was built as a four lane highway to accommodate this kind of traffic. Mr. Thorpe said he suggests to the Town Board that if you live within 50 yards of the Bypass the noise pollution alone is a consideration and he said he also thinks there are some safety considerations -- 1. the Town Park, it certainly reduces the safety of access to the Town Park, it is dangerous to ride bikes or even walk along there with all of the tractor-trailers. 2. You have a problem at each of the intersections with trucks barreling down the road at 60 miles an hour. He said he has seen trucks run lights. He said he begs to differ with the Supervisor but there are safety considerations here. They may be slightly different than those in Selkirk, according to Mr. Thorpe, but they are still important considerations. Supervisor Ringler thanked Mr. Thorpe.

The Supervisor next acknowledged Mrs. Good. Mr. Lipnicky said he would like to make a comment on the previous remarks. He said just to answer the question, they did not do any classification type counts at this point in time -- either on Route 9W or on the Delmar Bypass or on Route 32. He said they do not have a good handle right now in terms of what the volume of tractor-trailers are on those roadways. Mr. Thorpe said he would like to add one thing, it seems to him that there is one route that runs through primarily commercial area and that is Route 9W. It seems to him that some consideration should be given to making that a designated route at least in regard to trucks. Mr. Lipnicky said 9W is a real problem because Route 9W has a section of it also that is very windy. He said it is of concern right now and it was a concern when the Route 9W study was done. He said it was recognized as a potential problem and again, the recommendation that came out at that study was to do some work to straighten the roadway, provide shoulders in sections where it does not have shoulders; there is also problems with regard to driveway accesses to Route 9W along that stretch of road also. He said Route 9W is not a great alternative either.

Mrs. Agnes Good said she lives about a quarter of a mile from 9W on Route 396. She said right in front of her it is all straight away. She indicated at her daughter's on the corner of Beaver Dam Road and 396 there is an "L" turn and there is an old shed on the side that has been there for 40 years at least, explaining she came down in 1951. She said they farmed their land for years and she still has the farm. She said the trucks -- just last week the truck came by for the Thruway, it was a Thruway truck, he was coming up right down there at Beaver Dam Road and 396 and there was a car came down 396 -- and the man, he was 63 years old, did not stop or whatever, and he went -- the Thruway truck hit him and he is critical in the hospital. She said it took the wheels -- it was demolished and this happens all the time because it is an "L" turn, you cannot see with the old shed down there. She said then that the Thruway truck was pretty badly banged up. She said there have been a lot of accidents down there, none of them being fatal yet. She said her daughter's house -- you have to be scared because she is right on that corner and somebody is going to go right up there and there is a kindergarten boy who is just going this year.

Mrs. Good said she lives 3 houses up, indicating just within the last 3 months she has had 2 tractor-trailers go right off, maybe she would say 40 feet down the other man's property, came up, hit her tree -- her tree is 25 feet high, they planted it -- knocked all the limbs and everything and she had to have it taken out, it was all dying -- he went right over her driveway and went up at least the whole thing of his, 100 feet. She said he never stopped, the least he could have done because there is room, it is all straight away -- he could have stopped -- he did not and they finally found out that he worked at the Atlantic Cement Company, he was trucking with one of the tankers and somebody had a CB on and she wished they could have heard the expressions -- there's the old lady out there shaking her hands. Mrs. Good said she is 76 and proud of it, but there is the old lady shaking her hands and they said you better go slow. She said all the trucks went down to 10

miles per hour there. Supervisor Ringler indicated maybe the Board should keep her outside all the time and there will not be a problem. Mrs. Good said anyway, they went slow. She said right on her front yard, they just changed it within the last 3 months, this 30 miles per hour. She said she wanted to tell them that whether it is cars, trucks or whatever, they do not conform. They really do not, she further stated, and then maybe about -- she would say about 5-6 weeks after, she came home one day and there was another track of another truck trailer and it was a double track and they had gone off, hit the limbs on the tree again. She said she does not know why they do not turn over because it goes on an angle, the road that is. She said it went right over the driveway and the first truck, went on the inside of the sign and never touched the sign and she thought he could run right into her house if he wanted to. She said on the other side, this one here went -- she still does not know to this day, who the second truck was, but they really think it is a big joke. She said there are a lot of truckers who are lovely. She said she has driven for years and years and they are all very nice but a few. She said they go down that way, there are 13 turns from her daughter's down as you go into Selkirk proper. She said there are 13 turns and at least 3 of them are like an "L" turn. She said the trucks when they come down around there, they have got to come over on your side, it is not wide enough and you have to run over on the shoulders of the road. Mrs. Good said her grandchildren have to walk across this road now and it takes her sometimes 10 minutes to go to the mailbox on the other side of the road. She said she has a small grandchild who has just gone to school this year, he is 4 years old and there is at least 4, 5 or 6 children right there. She said the Board would be amazed, it is really scary and something drastic -- which she hopes never happens -- is bound to. She said it is not every one, she is not accusing all, there are some really nice truck drivers but there are a lot of them that do not care. She thanked the Board.

Supervisor Ringler thanked Mrs. Good and asked if anyone else would like to speak. Mr. Lance Hillman said he works for Fort Edward Express, indicating they are truckers in the area and have been since 1917. He said he sympathizes with the plight of this situation, there is no easy way to get around it. He noted just a couple of observations and ideas. One thing going against the Town, of course, according to Mr. Hillman, is one of your major tax payers which is the Texas Eastern pipe line. He said they supply and they are a major player of liquefied petroleum gas in the northeast. He said when it gets cold, there are a lot of industries, a lot of homes that depend on the product coming through there and the ability of truckers to come in and get the product. Supervisor Ringler said this would not exclude that. Mr. Hillman asked if it would not. Supervisor Ringler said it would have to be a destination within the area, we are talking through traffic. Mr. Hillman said it was just through traffic and he stands corrected. He said he has seen -- they travel in many states and hamlets and he has seen this take place where the Town's folks have or may not have a legitimate gripe against the truckers. He said in a practical purpose if the Town tries to regulate the truck traffic through there by putting a ban, it would probably be thrown into litigation because he does not think the Town can regulate a State highway. Supervisor Ringler commented on this, indicating that what the Board is doing at this point in time is making a recommendation to the State of New York. He further pointed out that they asked the Town to make one. He said they realize they cannot do this, the Board does not have the jurisdiction to do that. He said, if the Town Board is so inclined to do so, this would go on to New York State Department of Transportation as a recommendation. He further said they are the final approving authority. Mr. Hillman said the Supervisor was correct on that. He said he does not think the State would make a recommendation to do that, personally from what he has seen in other areas. What he thinks has to be addressed here, for practical purposes, so it is not put into litigation and so the Town folks could maybe get some relief, would be to lower the speed limit, possibly lower than what it is -- he noted he does know it has been changed down to 30 miles per hour. He said he would also say there are -- people have said noise -- there are some federal noise limits that the State has adopted and you can take a noiseometer and check for the noise of the trucks going by, the same way with smoking trucks -- there are rules and regulations preventing those. So, Mr. Hillman said possibly that would do away with some of the noise and smoke problems.

Mr. Hillman suggested that possibly all the truckers and Town residents could be gotten together and -- he does not know how this could be done -- he guessed there probably are the good guys and the bad guys right now. Supervisor Ringler said he does not know which is which. Mr. Hillman said he does not either but he is not saying -- but he thinks for practical purposes of the Town, people are going to have to get together and work together, maybe better than what they are doing, because he does not think the State is going to give funds overnight to put a bypass in and he does not think the State is going to recommend to ban trucks overnight either. He said he thinks a committee, or some people should get together and find out what the real objections are -- his previous question was have there been any accidents. Maybe there have, according to Mr. Hillman, he does not know. He asked if the road is wide enough. He said he thinks it is wide enough, it looks to him that it is about 12 feet wide. The audience commented no way. Mr. Hillman asked how wide the road is. A gentleman in the audience commented it is not wide enough to negotiate the turns and stay between the white and yellow line. Supervisor Ringler asked that we not get into a debate. Mr. Hillman said he understood what was being said but how wide is the road. Supervisor Ringler asked Mr. Sagendorph of the Highway Department if he knew how wide the roadway is. Mr. Hillman asked if it is 10 feet wide, 12 foot wide, what is the State limits. He indicated the State does have specifications for their highways. Mr. Sagendorph said he does not want to go on record as to what the State limits are or exactly how wide it is. Supervisor Ringler asked Mr. Sagendorph if he knew how wide the roadway is. Mr. Sagendorph said he does not. Supervisor Ringler asked Mr. Secor if he knew the width. Mr. Secor did not know if it is a uniform width but it can be checked. Mr. Hillman said he just thinks people have got to work together. Supervisor Ringler said we have been trying to do that, we have met with the residents to get their ideas -- let's face it, the residents originally wanted all trucks removed from this. He said they sense they are willing to compromise. He further said he has had the truckers in, told them the problem. He said some of the truckers have issued memorandums to their staff, telling them to drive slower and things like that but that is all that is about able to be accomplished at this point in time. Supervisor Ringler said he does not know another answer. He said working together -- he thinks we have been trying to do that. He said he is always open to other options but we have been doing this now for almost a year -- trying to come up with some options -- and they do not seem to be coming forward. He said, as you know, we have been trying to get the State to build a road. This is the simple thing, according to Supervisor Ringler, and we get left holding the bag so to speak because they do not have the money. He further said the truckers are getting left too. He said the truckers are paying more and more money in user fees all the time, the State hit them again this year for some additional and he understands that. He said he understands the problems. He said the funds are not coming back to solve this problem. He said this is a serious problem and he is willing to listen to any suggestions anyone has.

Mr. Hillman said, just to go on record, Fort Edward Express did not know until he had received a call this afternoon that there was such a proposal or such -- he would not say such a hearing, but such a discussion like this. Supervisor Ringler said the Town tried to identify 6 or 7 months ago, through visual observation, telephone books and things like that, haulers who are in that area and we had contacted them all. He said he is sure there are some that got left out but the best faith effort was made to try to get hold of everyone who works in that area. He asked Mr. Lipnicky how many firms or individuals were contacted. Mr. Lipnicky said he was not sure what the total was. Supervisor Ringler said they were invited in, copies of the report were sent out for their comments and he apologized if he is there and he did not get one but they did not know about him. Mr. Hillman said they did not but they are here anyway and thanked the Supervisor.

Supervisor Ringler thanked Mr. Hillman, asking if anyone else wished to speak. Mrs. Nancy Newkirk a resident of Selkirk Route 396 next spoke and said she is not sure about the facts but perhaps Mr. Lipnicky might have them in his report. She said it is her understanding that Route 396 is one of the narrowest, if not the narrowest, truck road in the Town of Bethlehem. She said this information was presented previously at one of the Town resident

meetings. Mr. Lipnicky said, again, he does not have that information off the top of his head, indicating he was not the principal author of the study but he could find out. He said he is not sure if it is so much the width of the road that is the problem but there are other problems such as no shoulders, a lot of very tight turns in the roadway and what have you. He said the roadway width he does not know off the top of his head.

Mrs. Newkirk said there is one section of the road that due to the combination of the narrowness of the road and the curve, the telephone pole at that very corner has scuffs marks on it from the trucks because they cannot... they find it very difficult to negotiate the curve. Supervisor Ringler thanked Mrs. Newkirk.

A gentleman in the audience said this is the old 34 foot road. He said he measured it out front because the State is taking another right-of-way. He said in other words, people had to move their hedges some feet back so it is a 50 foot right-of-way. Supervisor Ringler said a 50 foot right-of-way but 24 foot pavement width.

Mrs. Pat McMullen said she lives on the west side of 396, west side of 9W. She said they have two tractor-trailers that travel through Selkirk, every day -- their name is on the door, the phone and name are in the phone book and stated they had no knowledge of what was going on. Supervisor Ringler commented she is here, so please say what you have to. Mrs. McMullen said, of course, it affects them. She said they have a garage on Route 144 in Cedar Hill -- it makes it very important to and from, they use this avenue. She said really, she cannot understand why this is a problem. She said she has lived on 396 most all of her life. Someone in the audience asked what about the children. Supervisor Ringler indicated this was not a debate and asked to let Mrs. McMullen have her say and if anyone wants to speak when she is done, they are more than entitled to. Mrs. McMullen said she has lived on 396, raised 3 children and they have lived there all their lives. She further said they have put up with Callanan's and been a part of it. She knows the larger trucks do promote a problem but this is the avenue for them to go to and from going through the hamlet of Selkirk. She said it is a problem.

Supervisor Ringler thanked Mrs. McMullen and asked if there is anyone else who wished to speak. Ms. Norma June next spoke, indicating she lives in Selkirk. She said she knows that to truckers, time is money and she also knows that for the most part, truck drivers are probably about the best drivers on the road. Truck drivers and school bus drivers, even though they hate each other according to Ms. June -- she has seen truck drivers just do some pretty amazing things. She said she was on fire police duty the other day and she saw one of the biggest tractor-trailers she has ever seen, take the detour around Cottage Lane where she told him to go and he made it. He made it through there just fine, she said, they can maneuver these curves and all. She said also she knows that a truck is a big thing and when you see it it looks like it is going a lot faster than it is. The fact remains, according to Ms. June, despite the fact that the signs have been changed -- the speed limit has been lowered -- that there is a tremendous temptation -- there is nobody around, to pick up that speed a little bit because she paced one the other day. She said she was not out there pacing trucks, it just happened that way. That is how she got over the speed limit, she commented. Supervisor Ringler asked if she got a ticket and she responded she did not, because no one was around. She said she paced him, indicating she knows some companies are particularly concerned about the speed that their drivers travel at. She said she sees Lance Hillman is here and she can see the signs in the Fort Edward Express office because she works as a guard at Fort Edward Express and she knows that the Fort Edward drivers -- this is a constant thing, to keep the speed down. Ms. June said, as Mrs. Good said, there are some who have no concern for the speed limits and she realizes that time is money but she wonders if there is any way to just get them to slow down. She said a lot of this problem is just they book there too fast. She said the fact that they can do it, because they are good drivers, does not alter the fact that something could happen -- all of a sudden a kid could run out -- it is a highly populated area, anything could happen. She said she is not suggesting that we put all the cops in the Town of Bethlehem down there because they do not want that either. Supervisor Ringler said he would tell

her that if the police are there, the trucks go the alternative routes. He said this is what happens when they do a DOT check or a radar trap, they are so good with their radios, all of a sudden we do a DOT check and there is no truck traffic on Route 396. He said if we could put a police officer there all of the time, true, there would not be a problem there. Ms. June said you got it.

Ms. June said this is her only suggestion. She said she does know that the speed is increasing again, the trucks are moving through there a little bit faster than they probably should be or that their employers would want them moving through there and it is happening. She said she personally has never been put off the road by a truck driver. She said she has gone over on the shoulder because she felt she owed him the courtesy of giving him a little bit more space because he has a bigger vehicle than she did. She said she has never been treated in a rude manner by a truck driver. She said she does not think most people have but she does think that the slowness makes all the difference in the world. She said a truck driver can stop, with the equipment he has got -- he can stop anything that he is carrying in a reasonable amount of distance if he moves slowly. She said it is not that far from 144 up through there. She said they would not lose all that much time. She said this is her only suggestion.

Supervisor Ringler thanked Ms. June and asked if anyone else wished to speak. Mr. Howard Engel of Route 396, said he has been there for 40 some years, almost his whole life. He said there were a couple of things he wanted to address. He said he thinks some of them have been addressed already and he thinks the main issue that he is concerned with is the safety issue. He said he thinks there are a number of things that can be done in the mean time, part of it being -- he knows the speed limit is only 30 at this point and as Ms. June has said, he followed a truck through there at 55 the other day. He further said it was going so fast that it bounced over the railroad tracks by Lehman's garage and Riccardo's studio up there. He said as far as the noise factor, and he does not know if the truckers here can come up with any answers to it -- he lives right where the straight of way starts, right after you turn from Thatcher Street and head up towards the firehouse and on up. Mr. Engel said you can hear the trucks coming from a long way. He said he knows Bob and Fannie Weddell are here and he can hear them probably by their house when they start hitting the jake brakes and the noise that comes from that. He further stated he has had his kids woke up from a dead sleep in the middle of the night, 2-3 o'clock in the morning, from the noise. He said you cannot keep your windows open at any time with the trucks that go through.

Mr. Engel said the safety issue, the sidewalks in Selkirk and again, he moved there in 1950, the sidewalks are the same right now, other than a little blacktop here and there that have been there for 40 or 50 years, maybe 60 years, he did not know. He said they have been there for a long time, indicating some are the original concrete. He said especially when you get up in where the turns are by Weddell's and beyond that, there are no sidewalks. He said you go beyond the railroad tracks and there are no sidewalks. He said it is very, very difficult for people who want to get out and move around other than in vehicles to do it on the main drag in Town. One thing, according to Mr. Engel, which he does not know if it has been addressed, maybe it has been, he has not been to all the meetings but he knows it is going to cost the truckers a lot of money. He said there are a lot of local truckers that are going to be affected by this. He said he knows Pat and Bill McMullen very well and certainly with their garage where it is and where they live, their residence and the trucking they do, it will affect them. Possibly, Mr. Engel said, with some of the larger outfits, they pay a tremendous amount of taxes and he thinks probably the trucking outfits in the area -- with Blue Circle, and AIRCO and GE and everybody else, Owens Corning and everyone else who is there -- throw a lot more weight around than we do, as residents of the Town, living on a truck route and possibly with some kind of a joint effort -- he thinks in the long run, it would save them money if we could get the State -- and he knows it is not going to happen in a year or two years or three years -- but if we could get the State to start, really seriously looking at some kind of a bypass and as he has said, he knows the Town is very interested in developing that area over there. He said he is sure the truck traffic is going to increase many times over

in the next 5 to 10 years and, hopefully, within that period of time, we would be able to have something -- not something in the works but something done 10 years from now that will alleviate that problem. He said there is no way of coming through Selkirk, without taking homes and taking of personal property, of ever changing that. Mr. Engel said it started out -- he has talked to the people who have lived there for longer than he has and it started out as a wagon road. The design, according to Mr. Engel, is still the same.

Mr. Engel said these are some of the things -- and he does not know if some of the companies in attendance representing the trucking outfits have even considered getting together with one another in getting after the State Transportation Department to say, hey, we have a problem here. He said they cannot, it is not safe and there have been accidents, some serious. He further said there has not been any deaths but it is going to happen. He said he has some good friends that drive trucks who cannot keep them within the lines on the road. He said he passed one just turning onto Thatcher Street -- it was a car carrier who was empty -- but he was over a good 4 feet on the side. He said he pulled right up to the curb by him. Mrs. Thatcher, who has lived there for many years and is in her 80s -- there are a lot of elderly people, according to Mr. Engel, stating within his neighborhood there are probably 8 or 9 people that are in their early 70s into their mid to late 80s. He said he is scared to death, that is one of these people who don't move quick are crossing on the road and a truck comes along, it will run right over the top of them. He said there are probably 4 or 5 within 3 or 4 doors of his home. He said these are some of the things he is concerned about. He said he thinks these are some of the things the Town can address more immediately maybe get done quicker, and he knows it is a budgetary item -- such things as improving the sidewalks and increasing the sidewalks the full length of 396, so people who want to get out there can get out there. He thanked the Board.

Supervisor Ringler thanked Mr. Engel and asked if anyone else wished to speak.

Mr. Peter Christoph stated he lives on Maple Avenue. He said he does not think that this can be talked about as the safety of the residents versus the economics of the trucking companies. The safety of the drivers is at stake, as much as, the safety of the citizens, according to Mr. Christoph. He said driving on that winding, twisting road -- as everyone has pointed out -- is not safe for the drivers. He said as far as the economics goes, they would loose money if they could not drive on the road but we are loosing money. He said he had his house appraised 3 years ago in connection with a home equity loan and the appraiser told him that the value of the house was reduced by the fact that there was such heavy truck traffic going passed the house. He said we are in a situation where it is not just one side with a financial stake here, it is both sides. Both sides have a safety stake in this, Mr. Christoph noted, and both sides have a financial stake. He thanked the Board.

Supervisor Ringler thanked Mr. Christoph and also thanked everyone for their comments at this meeting. He said he does not know how the rest of the Board feels, but there has been a lot said tonight and two of the members -- who had indicated to him that they felt we should push this to the State -- are not here and he would like to let them have an opportunity to see what was said before taking any action in regard to this. He asked if the Board is in concurrence with this and asked if they agree with this. Councilman Gunner said he definitely agreed because probably before he sat here tonight, before we got a few other pieces of information that were received yesterday and today, he was very concerned about the safety, health and welfare of the citizens. He said back in 1989 when he was chairman of the LUMAC committee and they went to a meeting down at Becker School, community meeting, there was, very evidently, something that should be addressed quickly. He said he was glad to hear it did appear in the 1989 study of the 9W, however, the studies have not brought any results and he said he has not had all the information he should have had yet. He said he just wants to wait until all those things come forth and he said he would agree with the Supervisor because he thinks the State has not accepted its responsibility -- all we are going to do is send them a recommendation -- they should have had somebody here. He agrees that

one of the things we can do immediately too, in addition if we do take action on the alternate route, is to have the truckers involved in the solution. He said it is sort of unbelievable that we are looking at it and we have not involved the truckers. Supervisor Ringler said we have. He said they have been into a meeting. He said he invited them into a meeting and told them what the problem was and asked for suggestions. Councilman Gunner said he guessed the way he got it, because some said they were not aware of any of it. Supervisor Ringler said some, obviously, were missed but we attempted -- had a meeting in Town Hall where all the trucking companies were involved, brought in, told them what the problem was and asked for suggestions. Councilman Gunner said he means to get the... we have the citizens, the truckers and the people and get them together so they understand each others problem. He said this meeting probably is a big help to all. He also feels that there has been some conflicting information that would at least hold him up until he has more chance to clear it out and lack of some hard data -- someone asked how many accidents and so forth.

Without a doubt, Councilman Gunner said, he stood down at 396 in 1989 and felt the road tremble as he watched the trucks go by. He said he does not disagree with the Supervisor at all. He said it is something that he would prefer to wait for the other two Board members, very definitely, another -- till the other members get back.

Supervisor Ringler said he would intend to put this on the next agenda for further discussion. Mr. Lipnicky said he would also ask that perhaps Mr. Gunner get in touch with him so he can find out what type of additional data he is looking for. Councilman Gunner said he would have thought that Mr. Lipnicky would have had accident rates -- we would have had more information on the traffic going on 9W, more hard information or other little pieces.

Supervisor Ringler asked Mr. Webster if he had any comments. He had none. The motion to table this item until the next meeting was made by Mr. Webster, seconded by Mr. Gunner and passed by the following vote:

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

Supervisor Ringler said the final item would be to reopen the public hearing in regard to the 1992 Sewer Assessment Rolls.

Reopen
Public
Hearing
1992
Sewer
Assessment
Rolls

The motion was made by Mr. Gunner to reopen the hearing at 9:15 p.m. on the 1992 Sewer Assessment Rolls, seconded by Mr. Webster and passed by the following vote:

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

Councilman Gunner asked that Supervisor Ringler inquire if there was anyone wishing to speak. Supervisor Ringler asked if there was anyone in attendance who would like to further comment on the 1992 Sewer Assessment Rolls who may have come in in the middle of the previous discussion or got here late for the hearing. Hearing none, the Supervisor asked if there were any further comments on the Sewer Assessments.

The motion was made by Mr. Gunner and seconded by Mr. Webster to close the public hearing at 9:18 p.m. The motion was passed by the following vote:

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

The motion was made by Mr. Gunner and seconded by Mr. Webster to adjourn the meeting of the Town Board at 9:20 p.m. The motion was passed by the following vote:

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

Noes: None.

Absent: Ms. Galvin, Mrs. Fuller.


Deputy Town Clerk

No Formal Action was taken at the Executive Session.