

TOWN BOARD
OCTOBER 9, 1996

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

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

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Adopt
resolution
to set
Public Hearing
regarding
Bethlehem
Budget

Supervisor Fuller called the meeting to order and welcomed everyone in attendance. The first item on the agenda was to adopt a resolution setting the public hearing regarding the 1997 Town of Bethlehem Budget for October 23, 1996 at 7:30 p.m.

The following resolution was presented for adoption by Mrs. Davis and seconded by Mr. Johnson:

WHEREAS, the Preliminary Budget for 1997 has been presented to the Town Clerk of the Town of Bethlehem; and

WHEREAS, the Town Board is desirous of holding a public hearing thereon;

IT IS RESOLVED, that the public hearing regarding the Preliminary Budget for 1997 of the Town of Bethlehem be held October 23, 1996 at 7:30 p.m. at the Town Hall, 445 Delaware Avenue, Delmar, NY; and

BE IT FURTHER RESOLVED, that the Town Clerk advertise said public hearing.

The foregoing resolution was adopted by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson.
Noes: None.
Absent: Mr. Putney.

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Supervisor Fuller announced the budget work sessions will be held Tuesday, October 15, 1996 at 7:00 p.m. and Thursday, October 17, 1996 at 7:00 p.m. The public is welcome to attend.

Chief of
Police accept
donations to
Dare Program

The next item was a request from Chief of Police, Richard LaChappelle, for acceptance of donations to the DARE program in memory of R.J. Thayer, III in the amount of \$230.00.

The motion was made by Mr. Lenhardt and seconded by Mr. Johnson to approve the acceptance of donations from the following persons in the amount indicated, totaling \$230.00:

Joyce Divoll	\$20.00
Helen, Katherine & Thomas Isenbergh	25.00
Sanford & Marcia Way	50.00
Richard & Margaret Thayer	100.00
Carol & John McAulifle	15.00
Herbert & Edna Strumpf	10.00
Polly N. Rutnick, Attorney	10.00.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson.
Noes: None.
Absent: Mr. Putney.

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Supervisor Fuller noted she would send a letter of thanks to the individuals listed.

The next item was a request from Bruce Secor, Commissioner of Public Works, for adoption of a resolution setting the public hearing for Grievance Day for the 1997 Sewer Tax Rolls on November 13, 1996.

Public Works
resolution
to set public
hearing for
Grievance Day
1997 Sewer Tax

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to adopt the following resolution:

WHEREAS, 1997 Assessment Rolls have been prepared for the Bethlehem Sewer District and it is necessary to hold a public hearing with reference thereto,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hold a public hearing with reference thereto, at 7:30 p.m., on Wednesday, the 13th day of November 1996, at the Bethlehem Town Hall, and,

BE IT FURTHER RESOLVED, that the Town Clerk be, and she hereby is authorized and directed to publish a notice of such hearing in THE SPOTLIGHT, a newspaper published in Albany County and having a circulation within the Town of Bethlehem, on the 16th day of October 1996.

The foregoing resolution was presented for adoption by Mrs. Davis, was seconded by Mr. Lenhardt and was duly adopted by the following votes:

AYES: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson.
NOES: None.
ABSENT: Mr. Putney.

The next item was a recommendation from Department of Public Works, Engineering Division, Terrence Ritz, for approval of street name change from Alpine Avenue to Irons Lane. Supervisor Fuller explained this is one person, one home on the street. She has requested the change, according to Supervisor Fuller, because of another Alpine Avenue in the City of Albany.

Terrence Ritz
street name
change Alpine
Avenue to Irons
Lane

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to approve the change in name of Alpine Avenue, North Bethlehem to Irons Lane. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson.
Noes: None.
Absent: Mr. Putney.

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

Parks and
Recreation
Approve seasonal
personnel

The motion was made by Mr. Lenhardt and seconded by Mr. Johnson to approve the following appointments of seasonal personnel for the Parks and Recreation Department as requested by Administrator, David Austin, at the titles and rates indicated:

Recreation Supervisor I at a rate of \$5.50 per hour.	
Heather Dorsey	Julie Morrison
39 Peel Street	303 Astor Court
Selkirk, NY 12158	Delmar, NY 12054

Kirsten Casey
64 Halter Road
Glenmont, NY 12077.

Recreation Program Director at a rate of \$9.50 per hour.
Cathy Pankow
121 Cherry Avenue
Delmar, NY 12054

Senior Lifeguard at a rate of \$7.50 per hour.
Linda McMahon
544 Cluster Road
Delmar, NY 12054.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson.
Noes: None.
Absent: Mr. Putney.

The next item was a recommendation from Michael Cirillo, Engineering Services Administrator, for acceptance of deeds for Elm Avenue Right-of-way for the Bike Path.

Accept
deeds for
Elm Ave
right-of-way
Bike Path

The motion was made by Mrs. Davis and seconded by Mr. Johnson to approve the acceptance of deeds from Mr. and Mrs. Richard F. Seegal, Delmar, NY and Bethlehem Central School District, Delmar, NY for right-of-way for the Bike Path. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson.
Noes: None.
Absent: Mr. Putney.

The next item was a request from Michael Cirillo, Engineering Services Administrator, for adoption of resolution to acquire by eminent domain parcels of land regarding the Wildwood Lane Reconstruction.

Resolution
acquire eminent
domain parcel
of land
Wildwood Lane
construction

Councilman Johnson presented the following Resolution and moved its adoption:

WHEREAS, the Town Board of the Town of Bethlehem has heretofore determined that it is necessary to improve a portion of Wildwood Lane, a Town road in the Town of Bethlehem, including construction of a new highway pavement, and construction of drainage improvements and safety and sight distance considerations to meet the present and future needs of the citizens of the Town, and that such improvement is in the public interest and will promote the general welfare of the community; and

WHEREAS, the proposed improvement as prepared by the Town's Department of Public Works, has been submitted to, and approved by, the Town Board as to design and location; and

WHEREAS, the improvement of Wildwood Lane and opening it to a width of fifty (50) feet requires the acquisition of additional interests in real property, among other things; and

WHEREAS, it is the policy of the Town of Bethlehem to negotiate the conveyance of the required interests in real property whenever and wherever possible, recognizing that in some instances it may be necessary to have to resort to the Town's right to exercise its powers of eminent domain to acquire the necessary interest in real property; and

WHEREAS, all necessary interests in real property have been acquired except for interests in real property owned by Colonel E. Dickens and Lou Ann Dickens, his wife, which interests in real property the respective owners have heretofore refused to convey to the Town of Bethlehem;

NOW, THEREFORE, BE IT RESOLVED:

(1) that the Town Board does hereby determine that it is necessary to acquire, pursuant to the provisions of the Eminent Domain Procedure Law, those interests in real property which are required to improve a portion of Wildwood Lane but which have not been conveyed to the Town of Bethlehem;

(2) that the acquisition of these interests in real property is for the public use, benefit and purpose and project of improving a portion of Wildwood Lane in the Town of Bethlehem;

(3) that the design and location selected by the Town's Department of Public Works is the most economical and efficient to accomplish the aforesaid purpose;

(4) that the Town of Bethlehem is exempt from compliance with the provisions of Article 2, Eminent Domain Procedure Law, because it is the opinion of the Town Board of the Town of Bethlehem, and is hereby so found and determined by said Board, that the acquisition of the necessary interests in real property from Colonel E. Dickens and Lou Ann Dickens, his wife, is de minimis in nature so that the public interest will not be prejudiced by the construction of the project; and be it further

RESOLVED, that, for the purpose of carrying out these determinations, the Supervisor be, and she hereby is, authorized and directed to proceed in accordance with the applicable provisions of the Eminent Domain Procedure Law to acquire said interests in real property as is necessary for the improvement of a portion of Wildwood Lane as has not already been acquired by negotiation and to enter into and execute such documents as may be necessary to carry out the purpose of this Resolution; and be it further

RESOLVED, that the Supervisor be, and she hereby is, empowered to employ the services of Special Counsel and a consultant fee appraiser for these purposes.

The Resolution having been duly seconded by Councilman Davis, it was adopted by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson.

Noes: None.

Absent: Mr. Putney.

Supervisor Fuller next acknowledged receipt of the annual Highway Equipment Inventory from the Superintendent of Highways, Gregg Sagendorph. Supervisor Fuller thanked Highway Superintendent, Gregg Sagendorph.

Highway
Superintende
Equipment
Inventory

Following was a request from Building Inspector, John Flanigan, for approval of a dumping permit for Couse Lane, Slingerlands.

Building
Inspector
approval of
dump permit
for Couse Lan

The motion was made by Mr. Johnson and seconded by Mr. Lenhardt to approve a dumping permit for William Moak, 58 Couse Lane, Slingerlands, NY as recommended by Building Inspector, John Flanigan. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson.

Noes: None.

Absent: Mr. Putney.

The next item was a presentation of an update on the Records Management Program and request from Town Clerk, Kathleen A. Newkirk, for approval of expenditure to accomplish renovation of the additional inactive records storage center.

Town Clerk
approval of
expenditure
to accomplish
renovation on
records stora

Town Clerk Newkirk explained the Records Management Program has been operating very well. There is a schedule for transfer of records from the active records area into the inactive storage. Deputy Town Clerk Picarazzi works as Records Supervisor and this has been successful.

Town Clerk Newkirk further explained that although many grants have been received, the present grant cycle has produced a reduction in the grant amount. The current grant was submitted for over \$29,000 and this was to expand the existing inactive records storage area. When the first inactive storage grant was obtained, a centralized storage area was developed and provided a growth span of 5 years. At that time, some departments were not involved in the records program and since have wanted to transfer records. The space has been filled in less time than was anticipated.

When the current grant was awarded they cut the \$29,000 to \$6,000. Town Clerk Newkirk indicated in the grant, \$3,000 was left for the remodeling. The request is for the use of the Bicentennial Book, T-85, account monies, as requested by Floyd Brewer, to obtain

an outside contractor to come in and do the renovation of the area. The grant allows for shelving and boxes to be purchased. This will accomplish the expansion and a new room and holding shelves for the records will be created. Town Clerk Newkirk explained this is the main request made of the Town Board.

Second, Town Clerk Newkirk said was to execute a contract with Jettner Associates, Canajoharie, NY as consultant and have the work done. This work will thus be accomplished quicker.

Third, Town Clerk Newkirk said the only other item was the storage of the silver microfilm off site. The State Archives and Records Administration recommends that when you have microfilm that the original be stored off site, out of the area if possible. A price has been obtained from the Ulster County Hall of Records of \$.061 per roll of film and we have approximately 66 rolls of film. This would allow storage of the silver film in the Ulster County Hall of Records and pay the annual fee which is about \$4.00 per year.

Town Clerk Newkirk offered to answer any questions. Councilman Johnson said he understands there is Bicentennial money available but this would just about wipe out the T-85 account. Town Clerk Newkirk said there is over \$7,000 in the account at the present time. She further explained there are still books to be sold and those monies would reimburse the account.

Supervisor Fuller asked if this would empty that account completely. Town Clerk Newkirk said not if the \$7,000 is used. There will be over \$30 plus dollars remaining and whatever else comes in additionally. Town Clerk Newkirk said a promotional for Christmas time will be done with the hope people may give these books as gifts.

The motion was made by Mr. Johnson and seconded by Mr. Lenhardt to approve the expenditure of monies from the T-85, Bicentennial Book account, for the renovation of the basement area of Town Hall for the Records Management Program. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson.
Noes: None.
Absent: Mr. Putney.

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Town Clerk Newkirk thanked the Town Board.

Supervisor Fuller said the last two items are basically announcements on the agenda.

Barbara Hodom
Nominated for
Court Clerk of
the year

Barbara Hodom, Court Clerk, has been nominated for Court Clerk of the Year by the New York Association of Magistrates Court Clerks, Inc. Supervisor Fuller said she is one of three nominees and it is an honor for the Town of Bethlehem that our Court Clerk is one of the nominees.

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Acknowledge
election of
Building
Inspector
Kevin Shea
President of the
New York State
Building Officials

Supervisor Fuller said the next item was to acknowledge election of Building Inspector, Kevin Shea, to the position of President of the New York State Building Officials at their Annual Conference. She extended congratulations to Kevin Shea who has done a superb job for the Town of Bethlehem and is recognized by his peers state-wide for the great job he has done for the Town and the taxpayers.

Supervisor Fuller asked if anyone wished to come before the Board. There were none. She asked if any of the students in attendance had any questions. There were none.

Supervisor Fuller thanked everyone in attendance for coming and asked for a motion to meet in Executive Session to discuss personnel matters.

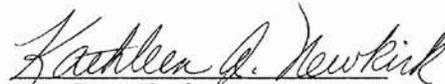
The motion was made by Mr. Lenhardt and seconded by Mr. Johnson to meet in Executive Session following the close of the regular Town Board meeting to discuss personnel matters. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson.
Noes: None.
Absent: Mr. Putney.

Meeting was
adjourned to
executive session

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to close the regular Town Board meeting at 7:45. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson.
Noes: None.
Absent: Mr. Putney.


Town Clerk

EXECUTIVE SESSION

There was no formal action taken at the Executive Session.