

TOWN BOARD
OCTOBER 16, 2007

A special 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 4:00 p.m.

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

ABSENT: Daniel Plummer, Councilman

- - -

Supervisor Cunningham called the Special Meeting to order and stated the purpose was to approve a permit for a trailer on their premises, Thatcher Street, Selkirk. He explained that Mr. and Mrs. Fargione had a fire on their property and are asking for some relief to put a trailer temporarily until the home is repaired to accommodate their son who is autistic.

Mr. Fargione explained that his son is 20 years old, autistic and mute. He said he is a very large man, 300 pounds, but the experts estimate his functioning level at between 2 and 3 years of age in all aspects of life. He said the kicker with Ryan, noting he has a varied medical history, is that because of the autism his body is virtually on red alert from the time he gets up in the morning until he goes to bed at night. He is very sensitive to all input and has to reorient himself in changing situations.

Mr. Fargione said he has developed 3 peptic ulcers and this condition is very serious resulting in his almost bleeding to death once. He said he does not vocalize pain and this creates a very serious situation.

Mr. Fargione said the concern here is taking him out of his environment of comfort. He said the pressure of change may cause the ulcers to bleed and this can be dangerous to his health. He said they are trying to get Ryan recentered into his home area as quickly as possible.

Mr. Fargione said they are investigating renting houses because the estimated time of the repairs to his home are 3 to 6 months. He said they have not found anything that addresses Ryan's circumstances. He said they would like to attempt as a fall back the placement of a trailer on their property to help relieve some of the stress on his system by keeping him in an environment as familiar as possible.

Mr. Fargione said at this time they are in a motel and they are using medication to keep Ryan under control but it is a short term situation. He said they do not want to keep him on the medication long term because it has other side effects – such as it slows down his system.

Supervisor Cunningham asked if there were any questions. Councilman Messina said the only other question is water, septic, etc. Supervisor Cunningham said the resolution will address that. Councilman Kotary said time frame also. Town Attorney Potter said for the Board's information that there is a provision of the Bethlehem Town Code under Trailers and Trailer Camps, Section 115-12-b3 which allows the Town Board to approve a permit for a period not to exceed 4 weeks to place a trailer. He noted the Board can issue successive permits at their discretion. Supervisor Cunningham said the initial permit will be for 4 weeks, 10/17 to 11/17, at which time all the other requirements will be addressed and then talk about the next extension.

Supervisor Cunningham asked for a motion to issue a permit to Alfred and Elizabeth Fargione pursuant to Section 115-12-B3, of the Code of the Town of

Bethlehem for the placement of a trailer on the property located at 19 Hackett Street, Selkirk, NY. The permit is contingent upon the applicant complying with all setback and other requirements of the Town Code and upon demonstration to the Building Department of adequate water and sewer connections. The permit will run from October 17, 2007 to November 17, 2007.

The motion was made by Mrs. Dawson and seconded by Mr. Kotary to approve the issuance of a permit to Alfred and Elizabeth Fargione pursuant to Section 115-12-B3, of the Code of the Town of Bethlehem for the placement of a trailer on their property located at 19 Hackett Street, Selkirk, NY. The permit is contingent upon the applicant complying with all setback and other requirements of the Town Code and upon demonstration to the Building Department of adequate water and sewer connections. The permit will run from October 17, 2007 to November 17, 2007. The motion was passed by the following vote:

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

Noes: None.

Absent: Mr. Plummer.

Mr. Fargione said things are progressing but this is the most important issue. He said he will still look for a place to rent but if that does not turn up and they need to do something sooner, this trailer could be received in less than a week. He said the company has said they can make the necessary connections.

Councilman Kotary said he was very sorry to hear about the unfortunate circumstances of the fire and he is pleased that the Board can do something to help accommodate the family. He said he knows this is done for 4 weeks according to the law, they will certainly support extending the time.

Supervisor Cunningham reminded Mr. Fargione of the November 17, 2007 expiration date and to contact the Board if there is a need for a renewal in time for the November 14, 2007 Board meeting.

Councilman Kotary asked Town Attorney Potter if there is a maximum number of times that the permit could be renewed. Mr. Potter said not that he is reading in the law. It simply indicates a maximum of 30 days, the Town Attorney stated. He said at the end of the 4 weeks, there is a need to come back to the Town Board.

The motion was made by Mrs. Dawson and seconded by Mr. Kotary to adjourn the regular Town Board meeting at 4:28 p.m. The motion was carried by the following vote:

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

Noes: None.

Absent: None.

Town Clerk