

TOWN BOARD  
SEPTEMBER 13, 1995

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  
Frederick C. Webster, Councilman  
George Lenhardt, Councilman  
Doris M. Davis, Councilman  
Freeman T. Putney, Councilman  
Bernard Kaplowitz, Esq., Town Attorney  
Kathleen A. Newkirk, Town Clerk

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Supervisor Fuller welcomed everyone to the regular Town Board meeting. The first item on the agenda was a discussion of the previously held public hearing regarding Local Law No. 9 of 1995 amending the Code of the Town of Bethlehem. This involves Stop intersections on Yorkshire Lane, Wembly Court and/or Wedgewood Road in Elsmere.

Discussion by  
Town Board  
to approve  
local Law No. 9  
Stop at inter-  
section on York-  
shire lane, Wembly  
Court and Wedgewood

The motion was made by Mr. Putney and seconded by Mr. Lenhardt to approve the installation of stop signs on Yorkshire Lane at the intersections of Wembly Court and Wedgewood Road. The motion was adopted by the following vote:

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

The Supervisor thanked the Traffic Safety Committee for their recommendations. The Town Board has most of the time accepted their recommendations, but there are times when the Board has to put residents requests ahead of the Vehicle and Traffic Manual. The Supervisor also stressed, the Board respects what the Traffic Safety Committee does and all the time they have put in. The Board hopes they will continue to work with them.

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The following item was a discussion and expression of interest to join in Albany County ALS program, subject to entering into a contract with Albany County.

Discussion on  
Albany County  
ALS program

The Supervisor informed, the Town of New Scotland has some concerns. Supervisor Reilly is not sure if the town will join the program. The Supervisor has asked Mr. Fargione about extending the ambulance lines into the Town of New Scotland to match the fire districts lines. Mr. Fargione told Supervisor Fuller he did not anticipate this to be a problem.

Mr. Eck wanted to make sure this information will be written into the contract. The Supervisor assured him it will. Mr. Webster informed, the motion is only an expression of intent. The details still have to be worked out.

Mr. Putney had a concern, that if the contract is cancelled, he would like the equipment to stay with the Town instead of Albany County. Mr. Farigone answered, he doesn't see a problem. It would probably have to be pro-rated. He assured the Board that something could be worked out.

Motion by Mr. Putney and seconded by Mr. Lenhardt to go forward with the contract negotiations with Albany County to join in the ALS program.

The motion was adopted by the following vote:

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

The Supervisor thanked all the volunteers who helped with this project.

Approval  
to go to  
Bid for  
Fleet Fuel  
Management  
System  
Highway  
Super

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The next item was a request from Highway Superintendent, Gregg Sagendorph, for approval to go to bid for the purchase and installation of a fleet fuel management system for the fuel tank at Town Hall with advertising on September 20, 1995 and bid opening on October 2, 1995 at 2:00 pm.

Motion was made by Mr. Webster and seconded by Mr. Putney to go to bid for the purchase and installation of a fleet fuel management system for the fuel tank at Town Hall. Motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Putney, Mr. Lenhardt, Mrs. Davis and Mr. Webster.

Noes: None.

Authorization  
for funding  
from NYS  
Department  
of Youth to  
Parks and  
Recreation

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The following item was a request from David Austin, Administrator, Parks & Recreation Department, for authorization to apply for funding of \$17,436 from the NYS Department of Division of Youth.

Motion was made by Mrs. Davis and seconded by Mr. Lenhardt to authorize the Administrator, Parks & Recreation Department, to apply for funding of \$17,436 from the NYS Department of Division of Youth and approve the Supervisor signing the application.

Motion was carried by the following vote:

Ayes: Mrs. Fuller, Mr. Putney, Mr. Lenhardt, Mrs. Davis and Mr. Webster.

Noes: None.

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

Appointment  
of  
seasonal  
personnel  
for Parks  
and  
Recreation

Motion was made by Mr. Webster and seconded by Mr. Lenhardt to approve the following Parks & Recreation Department Seasonal Personnel as requested by David Austin, Administrator, Parks & Recreation Department:

Lifeguard at a rate of \$6.40 per hour.

Daniel P. Cohen  
65 Oldox Road  
Delmar, NY 12054

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Recreation Supervisor I at a rate of \$5.40 per hour.

Tara Holligan  
12 Ridge Road  
Delmar, NY 12054

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Recreation Supervisor I at a rate of \$6.00 per hour.

Colleen Economides  
103 Berwick Road  
Delmar, NY 12054

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Senior Lifeguard at a rate of \$7.50 per hour.

Craig Gravina  
18 Venture Terrace  
Glenmont, NY 12077

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The motion was adopted by the following vote:

Ayes: Mrs. Fuller, Mr. Putney, Mr. Lenhardt, Mrs. Davis and Mr. Webster.

Noes: None.

The next item was to approve the Town Board minutes of June 28, July 12, July 26 and August 9, 1995.

Approval of Minutes for June 28, July 12, July 26 and August 9 1995

Motion to approve the June 28, July 12, July 26 and August 9, 1995 Town Board minutes was made by Mr. Putney and seconded by Mrs. Davis.

The motion was carried by the following votes:

Ayes: Mrs. Fuller, Mr. Putney, Mr. Lenhardt, Mrs. Davis and Mr. Webster.

Noes: None.

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The following item was to adopt a resolution approving retroactive payment of Election Inspectors for Voting Machine Display held September 8, 1995 from 9 am to 2 pm for the Primary Election held September 12, 1995.

Approval for retroactive payment of Election Inspectors

The following resolution was offered by Mr. Lenhardt and seconded by Mr. Webster:

RESOLVED, that in accordance with Election Law Article 7, Section 7-130, the date of September 8, 1995 between the hours of 9:00 a.m. and 2:00 p.m. is set whereby a voting machine showing the candidates to be voted on at the Primary Election, September 12, 1995 will be exhibited at the Town Hall, Room 106, 445 Delaware Avenue, Delmar, NY, and

BE IT FURTHER RESOLVED, that the following persons will serve as Election Inspectors during the hours the voting machine will be on display September 8, 1995 and that they be compensated at the rate of \$6.25 per hour:

Fran Clouse Republican  
Whitehead Street  
Selkirk, NY 12158

AND

Maurie Flanigan Democratic  
23 Kilmer Court  
Delmar, NY 12054

The foregoing resolution was duly adopted by the following vote:

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney, Mrs. Davis.

Noes: None.

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The next item was to acknowledge receipt of Conditional Approval of Final Plat for the Nunziato 2 lot subdivision on Wemple Road, Glenmont, NY from the Planning Board for information purposes.

Conditional approval of Final Plat for Nunziato 2 subdivision

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The following item was to acknowledge Preliminary Plat Approval for Fieldstone Creek, 16 lot Subdivision, Murray Avenue, Delmar, NY from the Planning Board for information purposes.

Preliminary Plat approval for Fieldstone Creek

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Supervisor Fuller asked if anyone wished to address the Board.

Mrs. Marie Capone noted in regard to the Expansion of the Water Supply facilities it has been a chance to meet Mr. Kelleher. She indicated the City of Poughkeepsie gets their water directly from the Hudson River and Governor Pataki does not look any worse for this water source, indicating this source has been used for the last 40 years. Mrs. Capone further congratulated Supervisor Fuller on her victory on Primary Day.

Capone and Kelleher on Expansion of Water Supply

Next Mr. William Kelleher addressed the Board regarding the hiring of independent consultants to investigate the Expansion of the Water Supply Facilities. He feels they should reclaim the money lost by this project. He requested his letters be made a part of the record of this meeting (see information following conclusion of this meeting).

Mr. Robert Samsel next spoke, a resident from Beaver Dam Road in Selkirk. Mr. Samsel said it is nothing but propaganda that is being passed out by the Clearwater group. He mentioned the fact that the Alcove Reservoir is not a pure water supply. He noted he had no problem with this new water source and suggested anyone who wished join him in a drink at the new water plant.

Mr. Samsel further commented at the State Fair a small town on Long Island was voted the best tasting water in the State of New York -- guess where it comes from -- the largest aquifer in the State of New York that has been drawn on for 350 years. He said it is replenished by the Atlantic Ocean indicating their beaches have been shut down constantly due to pollution and none of that pollution gets through the aquifer into the water.

Sherwood  
Davies  
appeal  
with Super-  
visor Fuller  
in regards  
to freedom  
of informa-  
tion

Supervisor Fuller asked if anyone else wished to address the Board. Mr. Sherwood Davies next addressed the Board regarding a Freedom of Information request filed with the Town Clerk. He noted he did get information from the Town Clerk which was forwarded from Mr. Secor. He commended Town Clerk Newkirk for follow-up in regard to this request. Mr. Davies noted he has filed an appeal with Supervisor Fuller with regard to this matter. He continued and gave some background regarding the Water Supply Expansion Facilities. He further made comments regarding the Engineer's report dated November 1991. Mr. Davies again made a specific request regarding a copy of the report noting it is crucial with regard to the use of the new supply.

Supervisor Fuller made a statement regarding the Water Supply Expansion Facilities and the fact that the water will be separated. She indicated this is what was requested at the public hearing. She said a contract with the City of Albany has not been negotiated. She further noted Mayor Jennings is the one who did not resolve this issue. She said the Mayor told the Spotlight that he will agree to a contract, however, it should be held until after Election Day. Supervisor Fuller said she has watched all the tricks of the trade being played. She further noted this is not fair to the Town of Bethlehem, its employees, its engineers, the New York State Health Department and the Department of Environmental Conservation. The project is being separated and will remain separated, according to Supervisor Fuller. No one is trying to harm anyone in the community. She noted the citing of the Times Union, the Sunday editorial, and the fact the Times Union editorial board has never contacted the Supervisor or Mr. Secor in regard to the water issue. Supervisor Fuller feels the Times Union needs to get the facts on the Bethlehem water supply.

Supervisor  
Fuller motion  
to adjourn to  
Executive  
Session.

Supervisor Fuller entertained a motion to adjourn to Executive Session to discuss a personnel matter. The motion was made by Mr. Webster and seconded by Mr. Lenhardt to meet in Executive Session to discuss a personnel matter following the close of the regular Town Board meeting.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,  
Mrs. Davis.

Noes: None.

The motion was made by Mr. Lenhardt and seconded by Mr. Putney to close the regular Town Board meeting at 8:00 p.m. The motion was passed by the following vote:

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

*Kathleen D. Newkirk*  
Town Clerk

EXECUTIVE SESSION

There was no formal action taken at the Executive Session.