

TOWN BOARD
SEPTEMBER 14, 2005

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 5:30 p.m.

PRESENT: Theresa Egan, Supervisor
Daniel Plummer, Councilman
George Lenhardt, Councilman
Thomas Marcelle, Councilman
Tim Gordon, Councilman
Kathleen A. Newkirk, Town Clerk
James T. Potter, Esq., Town Attorney

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Supervisor Egan welcomed everyone to a meeting of the Bethlehem Town Board and invited them to join in the pledge of allegiance. She mentioned that Mr. Leveille, Director of Economic and Planning, had his surgery and she was happy to report that he was home. She said she expects he will be back sooner than expected. She said Mr. Leveille wished to thank everyone for their well wishes.

The Supervisor asked if there was any public comment on any item on the agenda. She noted any other comments would be taken at the end of the meeting.

Mr. Robert Jasinski, Bender Lane, commented that the agenda again is at 5:30 p.m. and as mentioned previously, he thinks the meeting should be held later so more people can attend.

Mr. Jasinski, asked the Town Board to reject and not award the contract for the water park type that is on the agenda. He said this is due to the sickness that has taken place and the lawsuits that are being filed in Seneca Lake Park near the Rochester area. He said the children are the most precious assets we have and he does not want any of them to get sick. He mentioned 4,000 people became sick and other states have closed. He presented an article from the Times Union to the Board Members.

Mr. Jasinski asked about the cost of the water park. Supervisor Egan said they will get to that on the agenda, noting this was just for public comment. He said he thought that was part of it.

Mr. Jasinski next inquired about the service for the Feura Bush Road Composting facility. He said the New York State (NYS) Department of Environmental Conservation (DEC) is going to give funds or transfer funds to buy a new front-end loader from a State contract. He said water service is going to be provided to Feura Bush Road. He asked if this was coming out of the budget. Supervisor Egan said they would explain it when they get to the item but it has to do with a grant that was previously provided to the Town and the expenditure of the grant and the matching funds that go with it.

Mr. Jasinski referred back to the play area at the Town Park asking if this goes through and it is approved, how it was going to be monitored and whether there is a chemist who will monitor the water. He asked how often it will be monitored and what the safety features are in this. He said again that children are our precious assets. He thanked the Board. Supervisor Egan thanked Mr. Jasinski.

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The Supervisor asked if there were any other comments. Ms. Linda Jasinski said she does not understand why the Board cannot have all the information regarding an item including the anticipated costs on the agenda. She said it appears to be a big secret, noting they cannot comment if they do not know. She said she would think the Board would want the public to know such things.

Ms. Jasinski said the water park disease is cryptosporidiosis and is a gastro

intestinal disease caused by ingesting water borne cysts. She said the interesting thing about this is although it may clear upon its own in one (1) or two (2) weeks, it can be life threatening to those little kids and older people. She said the cysts are shed for weeks after you get over this so there is no way to know who is infected with this. She said it is resistant to chlorine and takes seven (7) days to kill it in a properly chlorinated pool. She said the only real way to kill it by boiling it. She said she thinks a child's spray pool just exasperates the problem because it is like a big water fountain to them. She said they want to go and drink and have some and it is washing over their bodies and then being recycled. She said she hears the Town Board all the time talk about the health, safety and welfare of its citizens and that is why the Board is doing things. She thinks this is an issue about the health, safety and welfare. Supervisor Egan thanked Ms. Jasinski.

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Mrs. Marie Capone said if the Board knew of all these things are happening, why on earth would the Board want to have this park. She said they are voting on it as if it's a done deal but they are proving to you the paper and government is saying it. Supervisor Egan thanked Mrs. Capone.

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Supervisor Egan next noted there was an addition. She asked Stacy Whitely to come forward noting she was the Director of the Bethlehem Youth Court. She said she asked her to talk about the program. Ms. Whitely said Youth Court program is an alternative sentencing program that has been in place for the past 10 years. She said they started training the students in 1995 and the first cases were heard in 1996. She said it will be 10 years in January. She said the Youth Court gives at risk kids who get in trouble a second chance at rectifying their wrongs and paying back the community and clearing their records. She said they do community service throughout the Town and each participant does about 18 hours of community service on average and they do the service in Town. She said they provide education classes for the young offenders and allow them to come and sit on a peer jury and listen to another case. She said they complete the cycle.

Ms. Whitely said they have a membership and it has an education component for high school age students who wish to participate in the Youth Court Program. She said they also have a volunteer jury pool of about 120 members that listen to youth court cases and have made themselves available. She said they work with a lot of students, indicating over the last 10 years the number is well over 1,000 students and have had some impact in the community. She said on a yearly basis they probably do a minimum of 250 hours of community service that is donated to the Town and the non-profit agencies in Bethlehem. She said it is a good program and she thanked the Board.

Supervisor Egan noted September is Youth Court month and on behalf of the Town of Bethlehem, she issued a commendation to the Bethlehem Youth Court. She thanked Ms. Whitely for all the work she does on behalf of the Town.

Mrs. Marie Capone noted the Bethlehem Youth Court brings vegetables to the senior citizens on Thursday. Supervisor Egan noted this was correct, indicating they have a garden as a part of their community service.

The next item was to approve the Town Board minutes of August 24, 2005.

The motion was made by Mr. Plummer and seconded by Mr. Lenhardt to approve the Town Board minutes of August 24, 2005 as submitted. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, Mr. Gordon.

Noes: None.

Absent: None.

Supervisor Egan said the next item was to acknowledge receipt of a gift to Bethlehem Senior Projects, Inc. The Supervisor asked Karen Pellettier, Director of Senior Services to come forward. Pastor Dave from Delmar Full Gospel Church, Pastor Frank Wrey from Bethlehem Community Church was not present, Pastor Phil Taylor from King's Chapel and Pastor Derk User from Delmar Reformed Church were introduced. Pastor Dave said they were at the meeting because a year ago they had an idea of shutting down the churches and coming together for the sole purpose of getting the churches together and taking an offering for the Town of Bethlehem. He said they live here and love the Town and wanted to bless the Town in some tangible way and so they asked Supervisor Egan if she could give some ideas and suggestions were given. Pastor Dave said last year \$5,500 was raised and given to the emergency medical services. He said this year they approached the Supervisor and she noted there was a need for a new car. He said they were impressed with her faith. He said they were blessed and presented a check for \$8,826.33 for a car.

Supervisor Egan said the churches have been wonderful and noted anyone who comes and says they want to give the Town money, is a dream time. She noted the Pastors are wonderful to work with and the support given to the Town and the administration at many different turns thanking them and tangibly, Mrs. Pellettier would be thanking them on behalf of all of the Town. She thanked the Pastors.

Mrs. Pellettier, Director of Senior Services Department, said it is through the support and generosity of the community as a whole that Bethlehem Senior Services, the Town Department and Bethlehem Senior Projects are partner which is a not-for-profit 5013C are able to provide such a wide variety of programs and services for the older residents of the community. She said this is one example as a community helping to provide these services. She noted the three churches also provide services in other ways – supporting the congregate meal program, provide volunteers for the services, many parishioners probably use the services.

Mrs. Pellettier noted there are eight (8) vehicles and four (4) in the partnership have to be funded through Bethlehem Senior Projects and replaced. She said this is a ¾ of a replacement of an old sedan that has about 110,000 miles. She said one driver said thank goodness, asking if they knew they were getting the check and can get rid of that car. She said on behalf of all the seniors in the community and all the volunteers who work within the services, she wanted to thank everyone for helping to keep the seniors safe.

The next item was a request from Nan Lanahan, Administrator, Parks and Recreation Department, for approval of award of bid for aquatic playground at Elm Avenue Town Park. Supervisor Egan said there has been previous action on this in regard to allowing the money to come from the reserve account for this. She asked Mrs. Lanahan to address some of the issues that were raised earlier.

Mrs. Lanahan said the reports are true about an outbreak of the cryptosporidium in Rochester at one of the State Parks. She said that particular infection comes from fecal matter, how it got there or the circumstances of how it got into the system are not clear. She noted she has spoke with the Health Department at the County and State level. She said she also spoke with the NYS Office of Parks and Recreation. She said that kind of an infection can come from a swimming pool or a variety of places. She said when this occurs, the system is shut down. She noted there is a procedure outlined by the Health Department as to what is done.

Mrs. Lanahan said the unique part of this system is if there is an incident the fountains can be shut off immediately. She said the water can be tested. She said this system will be under a similar chlorination system to what is in the regular swimming pools. She said it is monitored by controls that are checked all day long. She said the water will be hand tested 3 times a day similarly as it is in the swimming pools. So, she said they feel all the precautions that can be taken in a situation like this are being done. She said this is an isolated incident and can

happen in any kind of a swimming pool or fountain situation. She said, in fact, the water treatment is going to be under a separate filtration system so it will be totally separate from the other pools. She said the existing spray system that is there now for the toddlers is not connected into the main pools. She said having it be separate can actually isolate the problem, should one occur, and not have it affect the large swimming pool.

Supervisor Egan added that the Times Union earlier reported several weeks ago Assembly Joe Morelli from that area had instituted a statewide inquiry into this. She said they have spoken to his office in regard to this and talked to the State and County Health Departments. She said they are looking at this trying to find out how it happened and make a determination whether there will be any new rules and regulations promulgated at this point. She said there has not been but certainly they will stay abreast of all of that situation and as need be, if they need to change something in the engineering or the filtration pursuant to those guidelines, they would obviously do that.

Supervisor Egan noted we are actually about a year off before the actual filtration system gets put in so it gives more than ample time to see what the State is going to do with this in regard to possible new regulations so that we can stay very much ahead of this. Mrs. Lanahan said they will be on top of this constantly, noting the filtration system and the piping work and some of that will be done this fall but the actual installation of the pumps and all that will probably not happen until the spring. She said it is going to be weather dependent and how much work can be done this fall. She said they do plan on having supervision. She said these kinds of spray pads where there is no standing water do not require life guard supervision but they will have other supervision there to monitor behavior and make sure that mother's are not rinsing diapers in the fountains or that kids do not have leaky diapers or people running and every other rule she comes up with. She said there will be signs posted. She said the Health Department has issued some guidelines, they are not rules yet, but they are guidelines as to what should be posted and factors to take into consideration in building on of these and as always, she said they follow Health Department regulations and guidelines.

Councilman Plummer asked if the State or County Department of Health have issued any advisories as to not to do this. Mrs. Lanahan said they have not. Mr. Plummer said it is more this is what to do to ensure the safety. Mrs. Lanahan said these are cropping up all over the country. She said she has been on the websites of a lot of other municipalities around and they are tied in with swimming pools, they're stand alone, their outdoors, their indoors and every or any water park that you see have them. She said they are becoming very commonplace. She said they are fairly new in New York State and she feels confident with the technology. She said there are a lot of manufacturers that are producing the fountain equipment and the play equipment. She said it is pretty big business now.

Councilman Lenhardt said it has been a long while since he has had little children at the pool and there were one or two spray facilities there now. Mrs. Lanahan said there are two. Mr. Lenhardt asked if they are being replaced by this. Mrs. Lanahan said they are. Mr. Lenhardt said he assumed this was being done for maintenance reasons for one reason. Mrs. Lanahan said that and what there is there now, has very little play value. She said it is 34 or 35 years old now. She said mechanically it is time and they need to separate the system from the pools. Mr. Lenhardt said this type of facility is desirable for the community. He asked from a financial perspective noting \$400,000 was coming from the reserve fund, where is the \$60,000 coming from. Mrs. Lanahan said it could also come from the reserve fund. Mr. Lenhardt asked if there was still money in there. Mrs. Lanahan said there was money. Mr. Lenhardt said there are other ways to get it done but as long as the money is there it is okay. Mrs. Lanahan said she was going to look into some community donations and there are the builders fees indicating once the moratorium is lifted, the coffer should be built up and this would be a qualifying event for that. Mr. Lenhardt thanked Mrs. Lanahan.

Councilman Marcelle said it has been as long as Mr. Lenhardt since he had little children and remembers going to the spray pool. He said currently there are

the spray fountains and the kids run around in those currently so whatever risk there is is there currently. Mrs. Lanahan said that was correct. Mr. Marcelle said in his recollection, he remembers a small pool off to the left that all the little tikes go to who cannot swim or mastered use of the public facilities and is supervised by the Town. Mrs. Lanahan said they are supervised and noted there are incidents there. Mr. Marcelle said the last thing on the health thing that occurred to him is the current spray goes through all the pools, asking if this was correct. Mrs. Lanahan said that was right, noting it is run on the same filter system as the other pools. Mr. Marcelle said in some senses this is a separate filtration and somehow it is limiting the risk by keeping it away from the other pools by developing this system. Mrs. Lanahan said that was correct. Mr. Marcelle said this presents less of a health risk than what is currently there. Mrs. Lanahan said that was correct, noting they can isolate it better. Supervisor Egan said the exposure is being minimized certainly as opposed to circulating it through the diving pool, Olympic size pool and the L-shaped pool. Mr. Marcelle asked if she has given thought to having the kids in the spray ground wear the appropriate suits. Mrs. Lanahan said they must wear the swim diapers. Mr. Marcelle said they work reasonably well. Mrs. Lanahan said that is something the Health Department has already put in their suggested guidelines.

Supervisor Egan said one more thing about where the monies are coming from and the fact that they are coming from the reserve account. Mrs. Lanahan said that was correct. Ms. Egan said they have a certain amount in the reserve account. She said money noted in a reserve account basically becomes solidified and it cannot be taken out to go and fix a sewer pipe with it. Mrs. Lanahan said with her recreation reserve account, it is allocated for capital recreation projects that she deems appropriate. She said it has to go to public referendum. Supervisor Egan said it stays in the recreation budget and cannot be moved around for other budgetary items in other departments. Mrs. Lanahan said that was correct.

Councilman Gordon said the first he noticed this in the newspaper he could understand peoples' concern. He said he was first made aware of the situation in Rochester by Mrs. Lanahan and she has addressed the issues and was aware of it early on and dealing with it. He said he has every confidence in Mrs. Lanahan. Mrs. Lanahan thanked Mr. Gordon.

The motion was made by Mr. Marcelle and seconded by Mr. Lenhardt to approve the award of bid for the aquatic playground at Elm Avenue Town Park, Delmar, Town of Bethlehem to Surface Systems Inc., Guilderland, New York as requested by Parks and Recreation Department Administrator, Nan Lanahan. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, Mr. Gordon.

Noes: None.

Absent: None.

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Supervisor Egan thanked Mrs. Lanahan for doing the extra work.

The following item was a request from Administrator, Nan Lanahan, Parks and Recreation Department, for approval of appointment of seasonal personnel.

The motion was made by Mr. Plummer and seconded by Mr. Marcelle to approve the appointment of seasonal personnel as listed on the Memorandum from Nan Lanahan, Administrator, Parks and Recreation Department, at the titles and salaries listed dated September 14, 2005. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, Mr. Gordon.

Noes: None.

Absent: None.

Request from Commissioner of Public Works, Oliver Holmes, for approval to go to bid for Sanitary Sewer Grouting Services. Could advertise September 21, 2005 and open bids on October 4, 2005 at 3:30 p.m.

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

WHEREAS, the Town desires to advertise for bids for Sanitary Sewer Grouting Services, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 21st day of September, 2005 and that bids be received up to 3:30 p.m. on the 4th day of October, 2005 at which time the bids will be publicly opened and read.

The resolution was adopted by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, Mr. Gordon.

Noes: None.

Absent: None.

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Councilman Lenhardt asked Commissioner of Public Works Holmes if certain vendors are targeted with a letter notifying them of this or is it just a general notification in the newspaper. Mr. Holmes said he believed this one was a general notification to many vendors.

The following item was a request from Highway Superintendent, Gregg Sagendorph, for adoption of resolution authorizing Supervisor to sign NYS DEC contract regarding grant monies and transfer of funds to Sanitation account to provide for new front-end loader from State Contract and provide water service to Feura Bush Road composting facility. Supervisor Egan noted background information on this item was in the Town Board packets.

The following resolution was presented for adoption:

RESOLUTION No. 29

RESOLUTION

Resolution Authorizing the Filing of an Application for a State Grant-In-Aid for a Municipal Waste Reduction and/or Recycling Project and Signing of the associated State Contract, Under the Appropriate Laws of New York State.

WHEREAS, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects; and

WHEREAS, The Town of Bethlehem

Herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

NOW, THEREFORE, BE IT RESOLVED BY the Town Board of the Town of Bethlehem

1. That the filing of an application in the form required by the State of New York in conformity with the applicable law as of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That Theresa Egan, Supervisor is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE:

3. That the MUNICIPALITY agrees that it will fund its portion of the cost of said Municipal Waste Reduction and Recycling Project.
4. That five (5) Certified Copies of this Resolution be prepared and sent to the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, ALBANY, NEW YORK 12232-7253, together with ONE complete application.
5. That this resolution shall take effect immediately.

The motion was made by Mr. Plummer and seconded by Mr. Lenhardt to adopt the foregoing resolution as presented. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, Mr. Gordon.
 Noes: None.
 Absent: None.

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The motion was made by Mr. Plummer and seconded by Mr. Lenhardt to approve the transfer of funds for the purchase of one (1) front end loader from State Contract for replacement of 1973 Cat loader and begin installation of water service to the composting facility for fire protection and maintenance procedures as follows:

FROM:	110-9090-599-90-11	\$100,000
TO:	110-5060-578-22-03 Site Improvements	59,000
	110-4060-578-23-02 Equipment	41,000

as requested by Highway Superintendent, Gregg Sagendorph. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, Mr. Gordon.
 Noes: None.
 Absent: None.

The next item was a request from Commissioner of Public Works, Oliver Holmes, for approval of award of bid for Portable Standby Generator. Supervisor Egan noted this item will be withdrawn from the agenda. She noted the Public Works Department is not ready to award the bid.

The motion was made by Mr. Gordon and seconded by Mr. Lenhardt to withdraw the request to award the bid for one Portable Standby Generator. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, Mr. Gordon.
 Noes: None.
 Absent: None.

The following item was a request from Oliver Holmes, Commissioner of Public Works for approval of award of bid for Four Inch Portable Pump. Supervisor Egan said one bid was received.

The motion was made by Mr. Plummer and seconded by Mr. Lenhardt to approve the award of bid for one (1) Four Inch Portable Pump to Walter L. Pratt & Sons, Inc., Rensselaer, NY at the bid price of \$39,850 as requested by Commissioner of Public Works, Oliver Holmes. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, Mr. Gordon.
 Noes: None.
 Absent: None.

The next item was a request from Chief of Police, Louis Corsi, for acceptance of donation to the DARE program from Nancy Farr in the amount of \$50.

The motion was made by Mr. Plummer and seconded by Mr. Lenhardt to approve the acceptance of a donation to the DARE program in the amount of \$50 from Nancy Farr as requested by Chief of Police, Louis Corsi. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, Mr. Gordon.

Noes: None.

Absent: None.

The next item was a request from the Supervisor to execute the Memorandum Of Understanding with the Capital District Transportation Committee (CDTC) for Route 9W Corridor Study. Supervisor Egan said a grant had been applied and received with an approved cost for the study of \$75,000. She said the Memorandum of Understanding needs to be executed so that CDTC can move forward with retaining the consultant.

The motion was made by Mr. Plummer and seconded by Mr. Gordon to approve the Supervisor executing the Memorandum of Understanding with CDTC for the Route 9W Corridor Study as requested by the Supervisor. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, Mr. Gordon.

Noes: None.

Absent: None.

The next item was to acknowledge receipt of the Accreditation of Bethlehem Police Department. Supervisor Egan said they were participating in a fundraiser today. She said she wanted the Board to see the Certificate of Accreditation from the New York State Accreditation Council. She said it was presented for the third re-accreditation period to the Bethlehem Police Department. She said this was started in 1990 and it is done every 5 years. She said we are one of the few that started out and have continued.

Supervisor Egan noted Lieutenant Heffernan was provided a plaque and recommendation in regard to his work spearheading this re-accreditation. She said Lt. Heffernan has asked that every member of the department be thanked for their work and time to put this together.

Supervisor Egan said last on the agenda she would like to consider engagement of a consultant for the storm water management program. She said this is an issue that has come up over and over within the last several months. She said it is a looming issue that the Town will be the prime responsible party by the year 2008. She noted there are various alternatives to consider in moving forward on the storm water management issues, including going to a district or on a parcel-to-parcel basis. She said there have been several internal meetings on these regulations. She said Mr. Deyoe, Town Engineer, did a very comprehensive presentation a couple of months ago in regard to where we are and where we need to be going over the next several years.

The Supervisor said they have talked to the Town Attorney and asked Mr. Potter to summarize. Town Attorney Potter said one of the problems is that this is a new DEC mandate, which actually comes down from EPA. He said effectively what will be done is establishing a new utility infrastructure within the Town. He said there are certain obligations the Town will have to maintain and oversee the infrastructure. He said as new developments come on, the Planning Board can require and will require developments to have their own internal infrastructure and

that in turn ties into the overall storm water management and then over time the facilities will have to be maintained and replaced. He said they are exploring various options for how this can be done in a most equitable manner. He said the State is also groping a bit with this as well because they do not have a clear-cut template to follow.

Mr. Potter said Bob Feller is at Bond, Scheoeneck and King and was formerly with DEC and has a great deal of experience in the special benefit district area. He said in effect, he is a little ahead of other and he thought it would be prudent for the Town to retain his services on a limited basis to consult with the Town to make sure that as this infrastructure is established and the utility that it is being done in the optimum way possible.

Supervisor Egan added that Mr. Feller is a resident and said he teaches at the Association of Towns on the storm water area. She said that was when she had a conversation with him about this matter.

Councilman Lenhardt said as he understands this, the Town will be under full effect of this law in 2008. Mr. Potter said it gets phased in different stages but that was correct. He said the Town wants to get a jump on this now because as new projects come on line they want to make sure that the systems are in place so that the burden of maintaining the systems can be appropriately apportioned over time when that burden comes fully in.

Supervisor Egan said one of the issues are as new subdivisions and new commercial establishments are all being approved, now a very significant part of that approval process is how are they managing their storm water. She said in many cases by 2008, it's going to become the Town's job to either maintain or deal with this. She said with the moratorium coming off and new subdivisions moving forward, they want to try and get a very good handle on this now so they are not trying to backtrack and play catch-up in the next year and a half.

Supervisor Egan said Mr. Feller outlined a couple of different alternatives on this. She said Commissioner Holmes recommended item 6 in the information to be considered. Mr. Holmes said it should be considered because it deals with all the issues about managing the districts now and how the Town would go about it. He said it would explain fully the ramifications of the choices. Councilman Plummer asked if that was all factored into the quote. Mr. Holmes said it is optional. Councilman Plummer said it would be over and above the estimate. Supervisor Egan said it is something different.

Supervisor Egan asked if there were any questions on this. Councilman Plummer said he thinks the alternative approaches is definitely something the Board would want to know. He said the only point is that there is no cost to it however. Supervisor Egan said she feels they would have to talk to Mr. Feller and have him put a dollar figure on it. She said in light of the projects moving forward, she wanted to get the Board's feeling on whether she should move forward with having more definitive discussion with Mr. Feller to get a more detailed proposal by the end of the month. The Board agreed and Town Attorney Potter said there was no question about it.

Councilman Plummer said he would be supported of what was outlined in the information. He said he thinks the cost of number 6 should be requested.

Supervisor Egan asked if there was anything else anyone would like to see in this or if there is a need for a further explanation. Councilman Plummer next asked about the timing of this. Town Attorney Potter said certainly he felt Mr. Feller should give an initial evaluation of the options and maybe it can be taken incrementally. He said how to manage it once it is up and in place can be done down the road.

Councilman Lenhardt said this is ultimately going to be another district like the sewer or water district. Town Attorney Potter indicated there is no question about it. Councilman Plummer asked if any other communities have adopted plans

or was it too early. Town Attorney Potter said what some are doing is making each development a district unto itself. He said he thought ultimately that is going to be very cumbersome because as a Town we will be required to manage an infinite number of districts as new subdivisions come on line and new projects come on line. He said one of the things to be explored is does it make sense to create one district with sub-districts with different fee structures within it depending on the demands of the infrastructure of the particular storm water management system within each subdivision.

Supervisor Egan said it is very hard. She said she thought Niskayuna has something in place but she was not sure how it is set up. She said DEC is grappling with this and there is no best practice with this at this point. She said it is trying to make it as fair and equitable as possible. She said there are some areas that are putting more burdens on the storm water system than others and it is not just the new locations. She said in the older areas of Town the system will have to be maintained and trying to allocate the cost between those demands is the challenge. She said she is hoping Mr. Feller can help sort through that.

Supervisor Egan said as long as the Board is okay with this, she will go ahead and ask Mr. Feller to go ahead and move forward and present a detailed proposal and outline what the additional alternative expenses are. The Board agreed.

Supervisor Egan before public comment, she announced that Mr. James Reagan brought forth an idea for the Louisiana, Alabama and southern United States situation. She said they put together an internal group together and she announced that on October 16, 2005 from 12 p.m. to 6 p.m. at the Town Park on Elm Avenue, there will be a town-wide benefit put together to benefit all of the victims of the Katrina disaster. She said they are putting together the details but some of the highlights are to be 5 to 6 to 7 bands volunteering their service, bake sale, shirt sale, car wash, snow cones, face painting. She said there is a bouncy-bounce that has volunteered his services for all day. She said they are looking at other options like rock climbing walls and various other things. She said there will be a letter going out to all of the community groups. She said there will also be an outreach to all of the businesses.

The Supervisor said this will be put together with pre-ticket sales and the ticket price is the donation to the Katrina fund. She said as they get to the day, all monies raised will be donated at the end of the day to the fund. She said the collection will go to the Bush/Clinton Katrina Fund. She said there was a lot of research done in regard to various benefits but this fund provides 100 percent of the money to the victims.

Supervisor Egan asked that everyone come out and support this effort on October 16 and if anyone has any questions, wishes to help, ideas, they are taking them all and contact her at any point in time.

Supervisor Egan asked if there were any public comments. Mrs. Marie Capone said she finds it astonishing to hear that because it is an isolated incident. She said for the last 27 years that she has been here, every time a car was purchased by the Town for whatever department it is, it was on the agenda. She said here one morning she woke up and all these new cars were there. She asked how much that cost. Supervisor Egan said she was not aware of what she was speaking about. Mrs. Capone said look out the window.

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Mr. Robert Jasinski said something was added to the agenda, the item about Bob Feller. Supervisor Egan said she did not add it, it was there. Mr. Jasinski asked if this was going to go out for bid for this or was he going to be employed by the Town. He asked if his services were going to be charged to the developers. He asked what the thought was behind this item. Town Attorney Potter said it was a professional service contract and it would not go out to bid. He said the problem is

that there are very few people who have the expertise in this particular area so they have identified Mr. Feller as somebody who is the most appropriate person to guide the Town in this area in a cost effective manner. He said his sense was that it would be penny wise and pound foolish to put it out to public bid because we think he is the most qualified bidder and the hourly rate that he charges is very reasonable.

Mr. Jasinski said there are 6 or 7 items, unfortunately he does not know the items to follow or look at so he thought his comments are done on this.

Mr. Jasinski said he asked what the cost of the bucket loader plus to put water into the Town facilities on Route 32 and noted the prices were not mentioned. He said the bucket loader was going to be purchased off State contract, noting he would like to know the price. He said there was going to be a water service installed and he said there must be an estimate because it has already been approved. Mr. Sagendorph, Highway Superintendent, said in the letter to the Board, the equipment was \$41,000 and that is the cost of the front-end loader. He said \$59,000 is the cost of the water line installation. Supervisor Egan thanked Mr. Sagendorph.

Mr. Jasinski thanked the Board for the information. He then said in the past, the Town Board, himself and everybody who sits here, heard about the South Albany Water District. He said it was down on Curry Road. Supervisor Egan said it was. Mr. Jasinski mentioned that Mr. Curry was a Medal of Honor soldier in World War II and he hoped everyone knew that and the road was named after him. He said there was a water and sewer line that is there and it must be replaced. He said the Town has already been fined by DEC because the Town did not meet the requirements to have it in by a certain date. He said there is another date that it must be in by and said he did not see any work in that area. He asked what was being done or was the Town going to pass that date and pay another fine.

Commissioner of Public Works, Oliver Holmes, said the date that was passed is one that was established for several years and that was June 30, 2005. What happened was the design was attempted to be done by in-house engineering staff and it had to be submitted to County Health Department. In order to do that, it had to be stamped by a professional and there was no professional engineer on staff prior to Erik Deyoe and myself getting here. Mr. Jasinski commented that there was a year and a half and no engineer was on board. Mr. Holmes said he has been with the Town 6 months. Mr. Jasinski said the statement was that the Town had a year to have an engineer there or to replace an engineer, asking if he was correct or wrong. Supervisor Egan said part of this went to Vollmer also. Mr. Holmes said yes, noting he could give the short or the long version. Mr. Jasinski said whichever way he felt.

Mr. Holmes said there was some previous work done by an outside engineering firm to evaluate options of what to do for the South Albany Water/Sewer District. Those options were looked at and then put on hold. He said the in-house engineering staff last year started the design and attempted to finish it but it still needed to be reviewed and approved by a professional engineer. He said that could not have happened until Mr. Deyoe and he arrived at the Town. He said they looked at the drawings and determined they were almost complete. He said there was an additional problem of the Town not having insurance for professional engineers. He said if he put his stamp on the drawing, he would be personally liable because the Town did not have any insurance. He said they elected to take it to an outside firm and have it reviewed by a firm who would stamp and approve the drawings. He said this was a requirement for the County Health Department. He said this is currently being done and expects the drawings will be approved, reviewed and stamped shortly. He said in concert with that, all materials have been ordered. This project will begin after all the materials are received and the drawings should be approved by that time.

Supervisor Egan added that part of the issue was that the work that was done prior to the current engineers arrival addressed one issue but once this was looked at, it became clear that the fix proposed may or may not have satisfied DEC's order

but there was a bigger problem to be addressed. Mr. Holmes said the problem that is being fixed is the issue of the infiltration of the sewer lines and part of that was caused by the water lines leaking. Mr. Jasinski asked if they are being separated. Mr. Holmes said they will have a separation that is required and neither the water nor the sewer will leak. He said that should solve part of the other problem which is the leach field or filter bed that exists. He said that was partially plugged because there was so much water and sand and silt coming into the sewer line and filtration. Mr. Holmes said they have made a repair to that so it could be kept on line and evaluate it for next year.

Supervisor Egan said that is something being addressed based on what was done long before they arrived in regard to what was out there. She said one of the major concerns is that it is a sewer district in and of itself down there and they were trying to manage this to the extent that there is a minimal cost to the sewer district/water district residents. She said that was why they applied for the Small Cities Grant to try and defuse that expense and they continue to look at ways to try and do this in the most cost-efficient way to avoid the burden on the taxpayers in that area.

Mr. Jasinski thanked Mr. Holmes. Councilman Lenhardt asked if there is now insurance for the professional engineers. Mr. Jasinski said he was going to ask that because when he worked for the State, he carried 2 million dollars in insurance because he did not trust the State to pay if he was fined. He said he paid for his own 2 million dollars worth of insurance and said he still carries 1 million in the event there is a mistake on something. He said he does suggest that insurance be obtained to protect the employees. Supervisor Egan agreed. Mr. Holmes said in response to that, they have extensively looked into that but it turns out that municipalities turn out to be a very unique case because the way that insurance companies look at that type of business is based upon the dollar value of the design work or construction work. He said there is not a lot of history so the insurance companies answered that they were not sure what to charge.

Mr. Holmes and Supervisor Egan confirmed there is no insurance at this time. Mr. Jasinski thanked everyone.

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Mr. Jarod King commented that he did see the Bethlehem Highlights and he wanted to say that both Tom and George are running for reelection too. He said she might want to let them get a picture in there also.

With respect to the public comments about this evening's information, Mr. King said he did have a concern with respect to the hiring of a consultant for the 9W corridor study and then the consultant for the storm water management. He said it is over a year ago the Town Board hired Saratoga Associates to do the comprehensive plan and he felt they were incompetent, noting in particular the main criticism of the comp plan itself was the fact that there was no quantitative measures of matters. He said it is not just a question of is this a good or a bad thing, noting he used the example of sidewalks a lot, but how do the sidewalks go in and how much were they going to cost and Saratoga Associates did not have that knowledge set. He said he is concerned also about the approach from what he has observed that the Town Board is taking because it seemed to him the first thing he would agree with Mr. Plummer and that the Town start looking at options. He said all the options mean that you look at all the consultants out there. He said this would be very difficult with the storm water management because this is something completely new. He said identifying those people should not be just the person that you find first.

Mr. King said when you talk about putting stuff out to bid it is not always about the cost, but about the quality also. He said one area that does this very well is New York City where they actually qualify individuals and then let bids. He said this is particularly important with a consultant. He said he thinks there are reasons that municipalities put things out to bid and that is why he is very concerned about the no bid type contracts which are very reminiscent of the Bush administration where they did not learn what they were doing in Iraq and now they are doing it

again in hurricane Katrina. He said he thinks it is a big mistake.

Mr. King said he is not nearly as sanguine as the Town Board is about the passage of the comprehensive plan and the zoning regulations. He said he would take Councilman Lenhardt's words and commentary that things not necessarily must or things like that but should, may and things can be changed. He said with that in mind, he thought it important to focus on one point to illustrate some things that he thinks are overly burdensome and unnecessary.

Mr. King said the first is section 128-22 and these are the definitions. He said it defines garage, private residential as a building or structure used for the storage of not more than 3 privately owned passenger vehicles owned and used by the occupants of the lot upon which it is erected. He said the second sentence says no business, occupation or service connected with passenger vehicles shall be permitted in a private garage. He said this is something more appropriate for Mr. Leveille when he returns but he has twice looked at the zoning regulations and he cannot make heads or tails of what is actually allowed in a core residential zone. He said it refers you to 128-99 for allowable uses and talks about businesses even dwelling density and things like that but not exactly where a garage private residential is going to be located or not located. He said he is not sure why the Town Board is concerned about whether people are storing more than 3 vehicles in their garages and why the vehicles must be used by the occupants of the lot. He could think of numerous examples including in his own family where there are people who are not resident of the lot in which vehicles are being stored.

Mr. King said the second definition was garage private non-residential, a building or structure used for the storage of non-passenger motorized vehicles and equipment where such vehicles are owned by and maintained for the personal non-commercial, non-agricultural use of the occupants of the lot upon which it is erected. He said this is obviously not automobiles but ATVs, tractors, things like that. He said what he does not understand because again, he does not know where this is applying which zones, but it seems that this means that a farmer is zoned commercial because he thought they were zoned agricultural and now the vehicles have to be non-commercial or non-agricultural and it has to be occupants of the lot again.

Mr. King said here are two matters which again he thinks the regulations are overly burdensome and unnecessarily so and practices which are not necessarily commonplace but are relatively common are now being made illegal and yet the behavior itself is completely inoffensive. He said this is just one example, noting he is sure he can find more.

Mr. King said he thought it best if he talks to Mr. Leveille when he gets back because he may have an answer specifically as to what zones this regulates. He said if he does not know it, he is not sure the Board would know.

Supervisor Egan suggested that before Mr. King get up and make the presentations to the Town Board, he might want to talk to the Planning Department because they may be able to have answers that the Board does not have right at their finger tips. She said even in Mr. Leveille's absence, she noted Mr. Morelli, as well as, the rest of the Planning Department to help through any of these inquiries. She also added to correct a statement that you mentioned -- the quote was now being made illegal by the current zone -- she pointed out that the use of your garage by non-occupant was not permitted under the old zone. She said it is not all new stuff. She suggested again the Board is committed to making the fixes that need to be done and the best way to do that is if it is worked through the Planning and Economic and Development Department because they have this stuff at their finger tips and whatever cannot be resolved, have it come to the Town Board. She said it is probably the most efficient use of time.

Mr. King said the point is well taken and he would certainly -- since he took a look at the old zoning code -- would recognize that he did not think there was anything for the Town of Bethlehem to be clinging to in the old zoning code. He said he is also concerned about the fact that the Town Board was passing

legislation that it maybe did not fully understand. He said this is something he would attribute more towards the State Legislature when rank and file Assemblymen are given whole packages of information and expected to vote on it within an hour or 2 hours. He said he thinks the Town Board should have a good feel for this and he would never had passed legislation with the kind of questions that he has and he has looked at the zoning code a lot. He thanked the Board.

Supervisor Egan thanked Mr. King.

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The Supervisor asked if there were any other comments. Ms. Linda Jasinski said speaking of the comprehensive plan, she asked what date it was sent to Albany County. Supervisor Egan said it was hand delivered to the Secretary of State's office last Thursday, September 22, 2005 or Friday, September 23, 2005. She said it was sent to the Albany County Planning Board quite a while ago. Ms. Jasinski asked if the last one was last Thursday. The Supervisor reiterated it went to the Secretary of State's office.

Ms. Jasinski said she understands there were some changes made to the plan since the Town Board approved it. Town Attorney Potter said there were typos corrected and numerical changes for example. He said the definition of family as an example, there was a numbering in that definition that made no sense. Ms. Jasinski said she knew that. Mr. Potter said there were proof reading changes, no substantive changes. Ms. Jasinski asked if there was a copy that lists the changes so they can be checked. Supervisor Egan said she would guess not. She said if it was just a numerical changing order, they do not have anything specific that would list that. Ms. Jasinski said nothing is highlighted so they do not have to read the whole thing again. Supervisor Egan said no, if it was a numbering or grammatical error, there is probably not a highlighted indication of that.

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The Supervisor asked if there was anything else. Mr. Michael Waldenmaier brought to the attention of the Board that there is a problem in Town that needs to be addressed and it has to do with the ATVs because it is not going away. He said you can see them on Beacon Road and Wemple Road and Feura Bush Road and Old Quarry Road and 396 – and he could go on and on where you are seeing them on the roads now besides the power lines, the water lines, the gas lines. He said actually you can see them on the Town property – the old railroad bed is getting a lot of traffic that comes down to Rupert Road and they are going through the transfer station where there are signs.

Mr. Waldenmaier said his concern is where they are going on his property. He noted they are having crop damage and they are knocking down corn. He said last Saturday he was over by the recycling center and he saw all kinds of dust and there are 2 ATVs racing back and forth through the field. He said this is a field that they take hay off of and it is right down to the dirt now. He said he tried to stop the one guy about 6 inches away from him and when he tried to grab him and he took off. He said now they are on the other fields over on Rupert Road running right down through the middle of the alfalfa. He said this goes on and on. He said he thinks it needs to be addressed, noting he does not know what can be done. He said he saw in the paper a few weeks ago that Colonie police did acquire 2 ATVs for their police force. He asked if somebody has something to say. He said the liability factor is involved also. He said under the law if they get hurt there is protection for the landowners but I do know too that if they have a lawyer represent them, they are still going to sue and then he would have to hire a lawyer to protect himself. It is the damage they are doing to the fields, Mr. Waldenmaier said. He said there are ruts in the field now, 30 or 40 feet out from the hedgerows. He said he had an incident report and noted he could get one every single day because they are running on the property every single day. He said if he touches them he gets used.

Supervisor Egan said it certainly is something the Police Department is well aware of and it is not even just in the rural areas. She said there are some situations right off of lower Elm Avenue where they are running up and down Ni Mo lines in

people's backyards. Mr. Waldenmaier said they are coming from Elm Estates because that is what they do. He also noted they are all posted. Supervisor Egan said it was an enforcement issue and she asked someone to call Colonie and ask how they are doing the training and what they are doing. She said the reason they picked 2 is they have to have 2 officers out there. She said in this case, there would be 2 officers off the road and got liability for them if they get hurt also. She said it is the weighing of things. She said is everyone ready to hire more officers so that ATVs can be manned.

Supervisor Egan said there is also a perspective issue with the CP rail becoming some sort of trail at some point. She said she thinks the Town will be hearing some kind of enforcement request from the County also, noting the Town is not prepared to do that. She said there were issues with snowmobiles on there last year. Mr. Waldenmaier said that was another story. He asked if there was anything to be done. He said they are running all the infrastructures. Supervisor Egan said if it was the Town's then we have issues. She said Ni Mo has their own security system and has been made aware of it and she has had some luck over off the lower Elm Avenue area catching one or two people.

Supervisor Egan said they are looking into it and it is a very tough issue. Mr. Waldenmaier said the traffic has doubled in the last 6 or 7 months to their fields. The Supervisor asked Mr. Waldenmaier if he knew if they have to be licensed. Mr. Waldenmaier said they do have to be licensed. Supervisor Egan asked if there was a way to pull license numbers off of the vehicles. Mr. Waldenmaier asked how you catch them at 60 miles an hour and the license is under the seat. Supervisor Egan said if he were close enough to grab one, as opposed to grabbing one, get the license number. Mr. Waldenmaier said they are supposed to be licensed but they do not have to be. He said he called some place and now the dealers are required to register them the first year but after the first year it is not required. He said it is impossible to see who they are. They wear helmets and it is the damage they are doing, Mr. Waldenmaier commented. Supervisor Egan said she knows it is an issue but she does not have an answer right now. She encouraged Mr. Waldenmaier to get in touch with the Chief of Police and see if there may be a brainstorming that could be done.

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Mr. Jarod King had a question regarding clarification. He said his understanding of municipal law is sketchy but that even a minor change would have to be approved by the Town Board. He said it doesn't necessarily have to go to a public hearing because it is an insubstantial change when you are talking about typos and grammatical errors. Supervisor Egan said that was not correct. Mr. King asked for an explanation. Supervisor Egan said minor changes do not have to come back to the Town Board so if it is a numerical, grammar type correction.

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Supervisor Egan asked if there were any other comments. Mr. Robert Jasinski asked if we supply to the Spotlight the different reports from the Police Department, noting the blotter. He said it seems like a lot of people read the Spotlight and there was a fire in one of the developments off Bender Lane yet there is nothing in the paper that there was a fire. He said the firemen were very good and they were able to make it through which he said he always wondered if they could and put the fire out. He said he thought something like that should have been covered in the Spotlight. Supervisor Egan said that is something to be discussed with the Spotlight. Mr. Jasinski thanked the Supervisor.

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Mrs. Val Newell, 25 Wemple Road, next addressed the Board regarding a situation that has been ongoing and getting worse. She said she is very concerned about this situation. She said since June their farm has evidently become the party spot for a lot of the youth in the Town. She said the police have been contacted and she tried to get the reports but there are names of minors on them so they are not released until the names are blacked out. She said there have been about 6 reports and the Police Department has done what they can do. She said this is similar to Mr. Waldenmaier's situation. She said 2 policemen came and there was a party

going on, 75 to 100 kids reported by the officers. She said you cannot expect the police officers to enforce the laws about trespass, about under age drinking, about property damage, about assault and send 2 guys to a hundred kids.

Mrs. Newell said it is getting to the point where the kids in this Town are getting out of hand and the Town government needs to do something about it. She brought pictures of the damage that has happened over the summer. She indicated the bucket on the tractor has been filled twice with beer cans and other trash from the hay field. She said they lost hay because of the glass that was broken in there along with the mowing of the hay that the kids did for their party. She said this goes on and on and the police say there is not that much they can do. She said the police officers have told her they are sorry this cannot be controlled.

Mrs. Newell said there has been a lot of problems with windshields being smashed, mailbox baseball bats going on in the Town and it is not noted in the Spotlight. She said she thought if it was reported, some parents might realize what their kids were up to when they are walking past houses at 2:30 or 3 in the morning that they just are not hanging out and having a nice time in somebody's living room. She asked if there is a need for a curfew or was there something that can be done. She said she would like to set up a meeting with Mr. Corsi to discuss what the Police Department's plan is but what they are saying is that there is no plan and there cannot be a plan. She said this partying that is going on is not like it used to be with 4 or 5 kids getting together having a couple beers and throwing a couple bottles or cans along the roadway. She said this is buckets.

Mrs. Newell noted these beer cans are all in the 20 acres of corn and how can they take a piece of equipment worth \$40,000 in there and harvest that. She said the whole field was like this. She said she had to throw hay away because of glass where the bottles were smashed all over the field. She said they stole things from the Swift development and lined their fire pit with bricks that had to be picked up.

Mrs. Newell said when the police are called the parents half of the time say their kids are asleep in the house. She said they are covering for their kids and the police cannot do anything.

Mrs. Newell said she was bringing this to the Board to let them know. She said they may lose their homeowners insurance. She said the Farm Family Insurance agent lives in Haswell Farms and has thrown kids out of his yard the other night and said this is too much of a liability. She said he noted the fact that there is no control here in Town with the kids and the Police Department's hands are tied is too much of a liability for Farm Family.

Mrs. Newell said she thinks something needs to be done about the youth. She said maybe as a Town, everyone has to start saying is there a need for a curfew for the young people who are doing some of these things. She said when she requests an incident report that has the names of people 16 and above in it so she can send a certified letter to their parents with the pictures and let them know what their child was involved in and she gets turned down, seems wrong. She said she knows that is not the Town Board area but the law. She said unless they were arrested as the Police Department mistake, they are a suspect and therefore she cannot have the names.

Mrs. Newell said this is deplorable. She said for 2 police officers to show up for 75 to 100 kids. She said one of the kids that they did catch went back and cleaned it up said 75 to 100 kids. The kid said it was known all over the middle school and the high school that this party was going to be taking place, Mrs. Newell said. She said they told her it was a football player party. She said she cannot have the names so she cannot tell the coaches and therefore her hands are tied.

Mrs. Newell said this is what happens when they give trails. She said she spoke about this at one of the meetings, noting when you give trails this is the kind of thing that happens. She said she has picked up hundreds of beer cans. She said everyone seemed to think hundreds of beer cans, she gave more pictures to the Board. She said these are not all one incident but this is 4 or 5 times she and her

husband have had to clean this up.

Mrs. Newell had a picture showing a new posted sign which was ripped down and torn in half. She said this sign was brand new and this is what the kids do time after time. She said this new sign was up 2 days before they ripped it down and tore it in half. She said one boy said well, I thought it was open property, I didn't know you owned it. Open space, she said it is a very bad term.

Supervisor Egan said she has spoken to the Chief of Police and he asked the Supervisor to convey to Mrs. Newell to give him a call and try and set up a meeting and deal with this. The Supervisor said the problem is 75 kids and there are at most 4 to 6 guys working a shift so it is a logistic issue on how to handle that and that is something that has to be worked through with the Police Department. She said unfortunately they do have to comply with the Freedom of Information requests. She said it is not a choice which ones they comply with. She said sometimes the parents are the ones that need to be dealt with, they cannot release some of the information. She said she thinks a meeting with the Chief, noting they are aware of the situation, to sit down and try and come up with a way to come up with a plan. The Supervisor asked Mrs. Newell to give the Chief a call and if there is a problem, please call her.

Mrs. Newell said she wanted to submit the information because this denotes some of the things that go on when you have people who are considerate enough to continue ignore the Town's dumping regulations. She thanked the Supervisor.

Councilman Marcelle said he knew Mrs. Newell mentioned curfew several times and said outside of everything else, when you talk about kids who trespass, destroy property and engage in underage drinking, he was not sure a curfew was any deterrent than all the other laws that they have broken at that point. Mrs. Newell said she did not know but maybe if the parents were held accountable for having their child in their house instead of wandering the streets. She said we all like to think that Bethlehem is so much different but we are not so much different from other places. She said she thinks to manage the population, noting these kids were coming in hoards from Haswell Farms, hoards from Somerset. She said it was like watching them pour into a school district and 12:30, 1:30, 2 o'clock in the morning. She said when the policemen see a young person walking down the street and it is past curfew, she thinks that gives a little of teeth.

Supervisor Egan asked if that was the time of the reports, after midnight. Mrs. Newell said no, the one night was about 9 or 9:30. She said one other time they called the police about 9:45 p.m. and it took them 40 minutes to get there and when they pulled in they had another call and left because it was a higher priority. She said then whenever Sgt. Hughes was able to get back from that call, he was only able to detain 2 trespassers on the property which unfortunately he did not come to them to press charges. She said they would have pressed charges and had them arrested. She said Sgt. Hughes was able to collar several others in Haswell Farm and Somerset with 1 officer. She said they admitted they were at the party and they did not know they were not supposed to be there. She said she thinks there is a need to teach the kids in high school how to read the trespassing signs.

Mrs. Newell said there is nothing they can do about it. She said they were told the names and the parents were called but they cannot get the names. She said none of the parents contacted them to apologize. Supervisor Egan said she thought the meeting needs to be set up and go from there.

Supervisor Egan said just as a point, the issue earlier in the summer was referenced regarding windshield smashing and everything and she said the police were able to secure several arrests in that matter and hopefully the same thing can be done here.

Mrs. Newell said she would be interested to know if some of those names were the same names they got wandering through. She said she thinks if there is a group of kids that are doing this kind of thing. She said there is no more being nice and saying okay you have to come back here Johnny and clean this up. She said

they are done with that. She said the problem starts somewhere and she said unfortunately it is her house and Mr. Waldenmaier's.

Supervisor Egan said sure and asked Mrs. Newell to let her know if she does not get a hold of the Chief of Police.

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Supervisor Egan asked if there were any further comments. There were none. Mr. Kyle Kotary, 58 Old Ox Road, Delmar and wanted to end on a good note but wanted to address the last speaker and the issue of public safety. He said that type of destruction of public property is absolutely unacceptable and he actually was one of the residents who suffered some personal property destruction in the last incident and he said the Town Police were responsive and he hopes that they do find the kids who caused damage to the property.

Mr. Kotary said on a positive note, he wanted to express his support for the aquatic playground and to actually do something that is not often heard but to thank the Board for doing a good job and say as a father of 3 under 4 and a Member of Bethlehem Families which is a community co-op with 50 some families in Town and a friend of many young families that there is a tremendous amount of support and they love the playground and the pool and despite some health concerns, he feels very comfortable and satisfied that the Town will address those concerns. He said he just wanted to thank the Town because he thinks it will be a very popular addition to our already popular pool. He thanked the Board.

Supervisor Egan thanked Mr. Kotary.

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Supervisor Egan asked if there was anything else. There were no more speakers.

The motion was made by Mr. Plummer and seconded by Mr. Lenhardt to adjourn the regular Town Board meeting at 7:00 p.m. The motion was carried by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, Mr. Gordon.

Noes: None.

Absent: None.

Town Clerk