

TOWN BOARD
SEPTEMBER 23, 1998

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

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

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SUPERVISOR FULLER: Good evening and welcome to a meeting of the Bethlehem Town Board. Would ask you to join us in the Pledge of Allegiance.

A very warm welcome to all of our high school students. Is this the Participation in Government class?

AUDIENCE: Yes.

SUPERVISOR FULLER: Welcome.

COUNCILMAN DAVIS: I don't know why but you seem to be getting younger every year.

COUNCILMAN LENHARDT: And if you videotape the meeting, you can pick up all the fine points too.

SUPERVISOR FULLER: No, they are about my age, Doris. We always know when summer is in session and there is empty chairs here.

Okay, our first item on tonight's agenda is a public hearing which will interest all of you drivers in the high school, to limit parking on Grantwood Road and Wakefield Court. I would ask our Clerk to read the call of the hearing.

TOWN CLERK NEWKIRK:

NOTICE OF PUBLIC HEARING
TOWN OF BETHLEHEM

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Bethlehem, Albany County, New York on the 23rd day of September, 1998 at 7:30 p.m. to consider Local Law No. 10 of 1998, Amending the Code of the Town of Bethlehem as follows:

Public Hearing
Local Law 10
Limited Parking
on Grantwood Road
and Wakefield
Court motion
passed

AMEND VEHICLE AND TRAFFIC ARTICLE VI, Section 119-40, Schedule XVI, Time Limit Parking, as follows:
ADD: the parking of vehicles is hereby prohibited in any of the following locations between 7:30 a.m. and 2:30 p.m. on school days for a period longer than one hour:

Grantwood Road - north side between the west side of Brockley Drive and the westerly end of Grantwood Drive, a distance of approximately 1200 feet;

Grantwood Road - on the south side between the westerly end of Grantwood Drive and the west side of Wakefield Court, a distance of approximately 325 feet;

Wakefield Court - on the west side between the west side of Longmeadow Drive and the southerly end of Wakefield Court, a distance of approximately 1500 feet; and

Wakefield Court - on the east (south) side between the southerly end of Wakefield Court and the south side of Dorset Street, a distance of approximately 360 feet.

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

The Town of Bethlehem provides reasonable accommodations for the disabled. Disabled individuals who need assistance in order to participate should contact David Austin at 439-4131. Advanced notice is requested.

BY ORDER OF THE TOWN BOARD
TOWN OF BETHLEHEM
Kathleen A. Newkirk, CMC
TOWN CLERK

State of New York)
County of Albany)

JAIMIE WILLIAMS of the Town of Bethlehem, being duly sworn, says that she is the Office Assistant of THE SPOTLIGHT, a weekly newspaper published in the Town of Bethlehem, County of Albany, and that the notice of which the annexed is a true copy, has been regularly published in said THE SPOTLIGHT ONCE A WEEK FOR 1 WEEK consecutively, commencing on the 9 day of September 1998.

/s/ Mary A. Ahlstrom

Sworn to before me this 9th day of September 1998.

/s/ Kathryn Olsen
Notary Public, Albany County

STATE OF NEW YORK)
COUNTY OF ALBANY) ss.:

KATHLEEN A. NEWKIRK, being duly sworn, deposes and says that she is the Town Clerk of the Town of Bethlehem, Albany County, New York and that I posted on Sept. 9, 1998, a Notice of Public Hearing, a copy of which is hereto attached, on the sign board of the Town maintained pursuant to subdivision six of Section thirty of the Town Law.

/s/ Kathleen A. Newkirk
Town Clerk

Sworn to before me this
16th day of September 1998.

/s/ Catherine T. Picarazzi
Notary Public

The motion was made by Mrs. Davis and seconded by Ms. Burns to indent the Notice of Public Hearing, Affidavit of Publication and Affidavit of Posting on the minutes of the meeting. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

SUPERVISOR FULLER: We have a recommendation from the Town Traffic Safety Committee, Mr. Eck is in the back of the room. If you would just like to come forward and give our residents a preview of what Traffic Safety Committee has done with the recommendations here for us tonight.

MR. ECK: Basically, I have map here for the benefit of everyone who is not familiar with the area showing what the existing signage is and what the proposed signage would be for both Wakefield and Grantwood. On this map, if you would like to come up and see it, existing is green and what we are proposing is purple.

MRS. CAPONE: Walter, it goes on the blackboard over there.

MR. ECK: The purple areas here are Wakefield Court, including the cul-de-sac and Grantwood the cul-de-sac all the way back and over here for Brockley Drive is what we are proposing as 1 hour parking,

7:30 to 2:30 school days. The other ones, as I said, the green is already existing. The red is existing stop signs that are in that location.

The Traffic Safety Committee has worked long and hard with this and with the patience of the citizens that live in the area, the residents. And, we also realize the plight of the high school students and their parking needs. The main issue here is we cannot get emergency apparatus through to these locations, day time, due to the traffic that is in this area. We have Police Officers patrolling the area, they can't keep up with it. And, we also realize that this is not a fix. By posting the signage, we are going to be moving cars farther out. They are going to continue moving back further up Brockley because they have no where else to park. The School Board is working... the Town Board has sent a letter, Traffic Safety Committee is working with the School Board's representative to try and come up with a more permanent fix and parking arrangements for the students. But, for the welfare of the residents in the community that live in this area and the students themselves, and the public at large, we really have to put up some kind of signage to control the traffic on both sides of this road. The post office has turned in numerous complaints that they can't deliver mail and things of that nature so... I will post this on the board and anybody that wants to come up and take a look at it or if they have any questions, we would be willing to field those.

SUPERVISOR FULLER: Thank you. Especially for the high school students that are here, the parking of vehicles is prohibited in any of the following locations between 7:30 a.m. and 2:30 p.m. on school days for a period longer than 1 hour. And, that will be on the north side of Grantwood Road between the west side of Brockley and westerly end of Grantwood; on the south side of Grantwood between the westerly end of Grantwood Drive and the west side of Wakefield Court; on the west side of Wakefield Court between the west side of Longmeadow Drive and the southerly end of Wakefield Court; and on the east side of Wakefield Court between the southerly end of Wakefield and the south side of Dorset Street.

Is there anyone wishing to speak in favor?

STUDENT: I just want to know if this is in effect now?

SUPERVISOR FULLER: It will be shortly.

COUNCILMAN DAVIS: Is it is approved.

STUDENT: Can I just say something. As...

SUPERVISOR FULLER: Excuse me, Linda, if you don't mind would you just come up to the mike and I need your name. It is a public hearing.

MRS. GRAY: Okay. My name is Rebecca Gray. I live at 54 Wakefield Court and I was one of the members of the committee that initially wrote a letter of complaint regarding the parking. And, for years high school students have parked in our development without problems. And, in the last 6 months, the students have been parking on both sides of the street, on the cul-de-sacs and it's unfortunate that there isn't enough parking in the high school, however, it is also unfortunate that they didn't take responsibility to park properly in our neighborhood. That's all I wanted to say. I support the resolution.

SUPERVISOR FULLER: Thank you. Yes.

MR. FUDEN: My name is Jeffrey Fuden and I also live in the neighborhood on 34 Wakefield Court. And, I support the resolution with some comments. And, that is that I feel that this is the proper move to make 1. for emergency vehicles and 2. because I am very concerned about the young children that are waiting for buses in the morning, particularly middle school children who are taking early buses. What's interesting to me is when I... I've heard arguments both ways from the parents and also the students and I can understand both sides of the arguments. One of the things I have heard from

students is that it is necessary for them to park close to the school because they have jobs after work. I can tell you from observing this that early in the morning there is 6 to 8 cars in front of my house and by 12 noon those cars are gone. They are back about 1 or 1:30 and then they are gone again around 2:30. So, that tells me that part of the issue is that the kids at the high school are allowed to leave the premises, which I personally couldn't care less about. I think that that's fine if they are responsible enough but if they are driving to school so that they can drive someplace for lunch, it's not worth the safety to my children, so that they can eat lunch outside school.

The other issue is that although this is a temporary fix, I feel it may cause even more problems because what is going to happen next is the people in back of this neighborhood are going to be in here or writing a letter saying that their parking... the students are now parking cars in the back of the neighborhood. That's going to create more traffic on Longmeadow and the children... the younger children are going to be at a safety risk. So, what I would like to propose is that although this is good, I think that we need to look at... take a closer look at this all the way back to the end of that neighborhood because this neighborhood is loaded with young children. And, I think that safety issue of the children is probably more important than the convenience of parking although I do respect the argument from the high school kids. I can understand, you know, they have their freedom, obviously, to drive and to park wherever they want. But, it is a safety issue.

Also, driving to work in the morning, I don't have the exact statistics but it seems like there is at least 1 accident a week in front of that high school and usually, if I can see who is involved in the accident, it is a high school student. Again, I have nothing against high school students, statistics show that younger the age, the higher the rate of accidents... that concerns me a lot. And, I am sure that somebody could pull the statistics from the Police Department or wherever they are kept but there are a lot of accidents in front of that high school. And, that's it. Thank you.

SUPERVISOR FULLER: Thank you. Is there any other comments? Those wishing to speak in favor.

MRS. SMITH: Hi, I am Joan Smith and I am the one who kind of started this. I live at 36 Grantwood and with 4 children from 1st grade below. You know, the safety is the big thing. I remember being a 16 year old driver and can't... I couldn't wait to start driving. The problem is last week in hoping to avoid this signage which kind of puts our neighborhood under arrest. You know, if we've got people coming in, we are sunk. We've got to move them within an hour whether it's contractors. We've got people coming over, whatever. It is not fair to us. The problem is I spoke with Dr. Loomis and Dr. Loomis, as the history goes, far, far back, could have cared less. I worked at Albany Med in the ER for years and years. Bethlehem students have a terrible problem with drinking. I know the police from working with them... fairly regularly, they wanted to set up some kind of a program. Dr. Loomis said we don't have a problem. And, that's when his attitude... I think as a Town, we need to get him to start to realize that yes something needs to be done because it is not fair to put us under arrest. It is not fair to the students. We need to do something. The signs will fix it temporarily, at least save our kids. But, we need to do something and hopefully Dr. Loomis will start.

SUPERVISOR FULLER: I invite everyone to attend the School Board meeting. I don't know if they are meeting this evening, George I have lost schedule.

COUNCILMAN LENHARDT: No. I think it is probably next week.

SUPERVISOR FULLER: Next weekend but we have discussed this need for additional parking for high school students for couple years now and last year Dr. Hunter was going to meet with some students and take a look at some permanent parking arrangements. I have contacted Dr. Loomis and Dr. Loomis again this year and encouraged them to deal with the problem because basically, the Town shouldn't have the

students coming to the Town Board meeting asking for additional parking. As far as being held hostage in your home, I would ask that you perhaps contact the Police Department and if there is something going on where you need the parking longer than the hour, to let them know because as residents you shouldn't be held hostage by parking situations for high school students.

Is there anyone else wishing to speak in favor? Anyone wishing to speak in opposition? Are there any high school students that would like to comment on this? How many of you drive to school?

COUNCILMAN DAVIS: Where do you park?

SUPERVISOR FULLER: I'm not sure there is enough time this evening to have each of you comment. Where do you park?

AUDIENCE: In front.

SUPERVISOR FULLER: Are you seniors?

AUDIENCE: Yes.

SUPERVISOR FULLER: Okay. You are not the violators then of the parking. How many are on Brockley Drive or Longmeadow or Grantwoods? Are any of you parking there?

COUNCILMAN DAVIS: They have parking.

SUPERVISOR FULLER: This year.

COUNCILMAN DAVIS: They have parking privileges.

STUDENT:

MR. FUDEN: I don't understand aren't there buses? Don't we have any buses any more?

SUPERVISOR FULLER: Yes, there is buses. And, what happened...

STUDENTS:

SUPERVISOR FULLER: Excuse me, our Clerk has just reminded me she can't tape this for the record since we are all talking at once.

TOWN CLERK NEWKIRK: Thank you.

SUPERVISOR FULLER: The VanDyke Road parking was known as the bike path. The cars were parking on and that's why it was posted. And, at that time, we asked Dr. Loomis to address the parking problem at the high school. Is there still a lot out there that's vacant?

AUDIENCE: No...

STUDENT: Didn't the school purchase land on the other side of the road?

SUPERVISOR FULLER: Land across the street, yes, they did.

STUDENT: Other side of VanDyke I mean. Can't they use that some way?

SUPERVISOR FULLER: That's a question for the school. They did purchase land across from the school on VanDyke.

MR. GRAY: I can tell you that I asked John Hunter and Dr. Loomis that specific question and was told that school funds have to be used for more valuable things than parking lots.

STUDENT:

SUPERVISOR FULLER: The high school... the sidewalk in front of the high school is... the Town of Bethlehem did that, Mr. Sagendorph and our highway.

STUDENT:

COUNCILMAN DAVIS: And, that did have to be done.

SUPERVISOR FULLER: That's the Town property and yes, it did have to be done. That's a safety.

STUDENT: Okay.

SUPERVISOR FULLER: Okay, may I have a motion to close the public hearing.

The motion was made by Ms. Burns and seconded by Mr. Lenhardt to close the public hearing at 7:47 p.m. The motion was passed by the following vote:

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

Noes: None.


Town Clerk

Supervisor Fuller convened the regular Town Board meeting following the close of the public hearing.

The Supervisor noted the fact that this is a temporary measure only and asked if the Board wished to adopt Local Law No. 10 of 1998.

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to adopt Local Law No. 10 of 1998 amending the Code of the Town of Bethlehem, Vehicle and Traffic, Article VI, Section 119-40, Schedule XIV, Time Limit Parking for Grantwood Road and Wakefield Court, Delmar. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

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Traffic Safety Committee Chairman Eck said this was not a knee-jerk action, the Committee went through quite a bit of work with this. He said they realize this is going to create a problem on Summit Road and further back on Longmeadow but he reiterated what Supervisor Fuller said to the students, nobody is after the students, the problem is emergency vehicles cannot access the street and see the children. He said they have to take this issue to the Bethlehem School Board. He said the permanent fix must come from the school. Mr. Eck also noted that what the seniors do this year will help the juniors and sophomores.

Proposed
Public Hear-
ing and Local
Law for new
chapter in
the code of
bethlehem on
the use of
pesticides

The next item was to consider a proposed Local Law regarding Pesticide Use and to set public hearing for October 14, 1998 at 8:00 p.m. Supervisor Fuller explained that this is to set a public hearing to add a new Chapter to the Code of the Town of Bethlehem providing for increased protection for public health, safety and environment from exposure to dangerous pesticides. She explained the background regarding this proposal and thanked the Committee that has worked hard on the drafting of this information.

The Supervisor noted the Town of Bethlehem does not spray for mosquitos as was done in the past. She said this provides for a phasing out in 1999 and banning the use in the year 2000. She recognized Committee members David Austin, David Blumkin, Doris Davis, Judith Enck, Cay McEneny, Carole Nemore, Gregg Sagendorph, Nancy Scholes and herself. She said hats off goes to these members who came in and met one morning a month at 7:30 a.m.

Councilman Davis noted a special thank you to everyone and acknowledged the cooperation of all who worked diligently on this item. Kay McEneny was in attendance and thanked the Board Members and the supervisors that worked with Bethlehem Pesticide Watch and commended them for recognizing and taking the responsibility to work on this proposal.

The motion was made by Mrs. Davis and seconded by Mr. Johnson to set a public hearing to consider Local Law No. 12 of 1998 concerning adding a new Chapter to the Code of the Town of Bethlehem providing for increased protection for public health, safety and the environment from exposure to dangerous pesticides. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

The next item was the presentation of 1999 Budget to the Town Clerk and set public hearing for October 28, 1998 at 8:00 p.m.

The motion was made by Mr. Lenhardt and seconded by Ms. Burns to set a public hearing for October 28, 1998 at 8:00 p.m. regarding the 1999 Budget. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Public
Hearing
to be held
on 1999
Town Budget

Supervisor Fuller read the budget message (see following minutes). She thanked everyone for their patience and encouraged everyone to participate in the budget process. She said the work sessions will be held October 6 and 7, 1998. She invited the community to attend. The Supervisor noted the comment period for the budget will be taken at the public hearing and the final budget is expected to be adopted at the meeting of November 12, 1998.

Comptroller Kehoe did a brief overview of the budget items.

The next item was a recommendation from Highway Superintendent, Gregg Sagendorph, for award of bid for biodegradable paper bags to the low bidder, Premier Industries, Covington, KY.

The motion was made by Mr. Johnson and seconded by Ms. Burns to award the bid for biodegradable paper bags to the low bidder, Premier Industries, Covington, KY at the bid price submitted. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Superintenden
of Highways
award bid for
biodegradable
paper bags

The following item was to accept the resignation for retirement purposes of Eleanor McIntyre, Senior Assessment Clerk. Supervisor Fuller noted Mrs. McIntyre has been an employee for over 20 years and will be leaving effective December 1, 1998.

The motion was made by Ms. Burns and seconded by Mrs. Davis to accept the resignation with regret of Eleanor McIntyre, Senior Assessment Clerk, Assessor's Office. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Retirement
of Senior
Assessment
Clerk

Councilman Davis noted all the employees in the Assessor's office have made life easier for many residents and Mrs. McIntyre will be missed. Councilman Lenhardt said in Mrs. McIntyre's letter of retirement she paid a nice compliment to her supervisor, Dave Leafer. Supervisor Fuller said Mrs. McIntyre wrote that it has been a pleasure working under the perfect boss and said she will be tough to replace.

The following item was a request from Chief of Police, Richard LaChappelle, for acceptance of resignation from per-diem Telecommunicator Hotaling.

The motion was made by Mrs. Davis and seconded by Mr. Johnson to accept the resignation of per-diem Telecommunicator Richard J. Hotaling effective immediately. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Chief of Police
accept resig-
nation of per-
diem
Telecommunica-
tor

The next item was a request from Supervisor Fuller regarding change in meeting schedule for Town Board meetings. Supervisor Fuller said the changes will be on the Town of Bethlehem web page for everyone's information.

Change in meeting schedule Town Board Meetings

The motion was made by Mr. Lenhardt and seconded by Mr. Johnson to approve the following changes in Town Board meeting dates:

Change: Wednesday, November 11, 1998 to November 12, 1998
Wednesday, November 25, 1998 to November 24, 1998

to allow only December 9, 1998 in December due to the Christmas holiday; and

for January, request that the Organizational Meeting be held with the first meeting in January which would be January 13, 1999.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson, Ms. Burns.
Noes: None.

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Supervisor Fuller said she would reserve a date in the event a second meeting is needed in December. She said the Board Members would be contacted immediately.

Parks and Recreation for Seasonal personnel

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

The motion was made by Ms. Burns and seconded by Mr. Johnson to approve the appointment of seasonal personnel as requested by David Austin, Administrator, Parks and Recreation Department as follows:

Recreation Instructor at \$4.90 per hour
Teresa M. Rosetti
23 Euclid Avenue
Delmar, NY 12054

Lifeguard at \$6.70 per hour
Suzanne Cardona
23 Hancock Drive
Glenmont, NY 12077

Recreation Program Director at \$10.60 per hour
Kara L. Kosoc
514 Kenwood Avenue
Delmar, NY 12054

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson, Ms. Burns.
Noes: None.

Approve Town Board minutes of August 12 and 26, 1998

The next item was to approve the Town Board minutes of August 12 and August 26, 1998 as submitted.

The motion was made by Mr. Johnson and seconded by Ms. Burns to approve the Town Board minutes of August 12 and August 26, 1998 as submitted. The motion was passed by the following vote:

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

Ms. Burns.
Noes: None.

The following item was a request from Commissioner of Public Works, Bruce Secor, for award of bid for Chemicals.

The motion was made by Mr. Johnson and seconded by Mrs. Davis to award the bid for Chemicals to Westwood Chemical at a price of \$.142 per pound for their coagulant and Holland Company at a price of \$.125 for coagulant. The motion was passed by the following vote:

Public Works
award of bid
of chemicals

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Supervisor Fuller asked if anyone wished to address the Board. There were none.

The Supervisor thanked the students for being in attendance.

The motion was made by Mr. Lenhardt and seconded by Ms. Burns to adjourn the regular Town Board meeting at 8:17 p.m. The motion was passed by the following vote:

Town Board
adjourn
meeting

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Kathleen A. Newkirk
Town Clerk