

TOWN BOARD
APRIL 11, 2007

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
Samuel Messina, Councilman
Kyle Kotary, Councilman
Joann V. Dawson, Councilman
Kathleen A. Newkirk, Town Clerk
James T. Potter, Esq., Town Attorney

- - -

Supervisor Egan welcomed everyone to a regular meeting of the Bethlehem Town Board and invited them to join in the pledge of allegiance.

Supervisor Egan asked for comments on agenda items. Mrs. Capone remarked on the collection box for outside and stated that it was brought up many years and voted down. She said this has been in the newspapers and on the news about how there was an outside box that was cut out of the building and the money was stolen. Mrs. Capone also said with regards to the Vista the Town has no water now and wanted to know where the water was going to come from.

Supervisor Egan asked for any other comments on agenda items. There were none. The motion was made by Mr. Messina and seconded by Mr. Kotary to close the public comment period. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.
Noes: None.
Absent: None.

- - -

The next item was to approve the Town Board minutes of March 14, 2007.

The minutes of March 14, 2007 Town Board meeting were approved as submitted on a motion by Mr. Plummer, seconded by Mr. Kotary and passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.
Noes: None.
Abstain: None.

Supervisor Egan stated that she was pleased to join with the B.A.S.S. Bassmaster Castingkids in honoring Kevin Ritz as the first 3-time New York State Champion. The Town of Bethlehem is proud to congratulate him for his commitment to sports, especially fishing and applaud him for his accomplishments.

The next item on the agenda was a request from Stacey Whitely to address the Board on behalf of Youth Court. Rick Cartuddico, Co-Chairman of the Bethlehem Youth Court spoke regarding Supervisor Egan and her 10 plus years of service. He stated with her help they achieved many accomplishments by which she assisted with decision making, formulating an approach to Youth Court, supportive to the students involved, and also helped financially. On behalf of the Youth Court they presented Supervisor Egan with a Proclamation. The Proclamation stated they wanted to acknowledge and thank Supervisor Egan for the support she has given to the program for the past 3 ½ years as the Town of Bethlehem Supervisor, the unwavering commitment to the Bethlehem Youth Court and to the youth which it served, not to mention all her years of service.

The next item was a request from Assessor, M. David Leafer, to accept his Notice of Retirement. Supervisor Egan stated this was to consider and accept so that he may go forward with recruitment.

The motion was made by Mr. Plummer, seconded by Mr. Messina to accept the Notice of Retirement by M. David Leafer as Assessor for the Town of Bethlehem, in the Memorandum dated March 29, 2007. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

Noes: None.

Abstain: None.

The next item was a request from Nan Lanahan, Administrator, Parks and Recreation Department, for approval of display of Viet Nam Memorial Replica Wall at Elm Avenue Town Park in August of 2007 as outlined in the Memorandum dated April 11, 2007.

The proposal is to bring a model replica of the Vietnam Wall to the area in August. It would be set up in the Elm Avenue Park in the large grass area in front of the Parks and Recreation Department office building. This would take place over a 4 day period, people would be able to visit the wall as they would in Washington only it is a smaller version. They will be responsible for all the set up, take down, security, recruitment, and volunteers.

Councilman Messina stated that he has seen the Viet Nam wall in Washington and asked for more details about the placement. Mr. Calordino stated the trailer was a 55 foot second trailer that pops open. Over the 25 years that the wall in Washington has been in existence, people have left behind over 100,000 pieces of memorabilia such as combat boots, purple hearts, letters, teddy bears, all kinds of incredible items. These items have been place in the second trailer that carries the second portable museum. The tent will cover the wall and under the tent there would be a computer so that if someone is looking for a particular person they would locate the item and where it would be found on the wall. Councilman Messina commended them for the coordination of all this. Mr. Calordino stated that the opening ceremonies would include 21 confederate re-enactors, the firing of 3 civil war cannons and a 21-gun salute. The last day there would be 21 union re-enactors with 58 caliber muskets being fired. Supervisor Egan stated the neighbors should be notified. Mr. Calordino stated that a vintage Huey Helicopter would also be landing at the Town Park.

Councilman Kotary stated he also supports the Viet Nam Wall and feels it is great that we can bring a piece of history here and wanted to know what other sorts of activities will take place. Mr. Calordino stated there would be activities taking place every day. Councilman Kotary questioned what other surrounding areas would have this. Mr. Calordino stated later this year it would be in Freehold. There are 2 traveling walls, last year one of the walls was in Ballston Spa. There would be no vending, there would be water and soda offered for free and there would be a bucket for the Viet Nam Memorial Fund if anyone was interested in donating.

The motion was made by Mr. Messina and seconded by Mr. Kotary to approve the display of the Viet Nam Memorial Replica Wall in the Town of Bethlehem as requested by Nan Lanahan, Administrator, Parks and Recreation Department.

Ayes: Ms. Egan, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

Noes: None.

Abstain: None.

The next item on the agenda was a request from Administrator, Nan Lanahan, Parks and Recreation Department, for approval of seasonal personnel.

The motion was made by Mr. Plummer and seconded by Kotary to approve the appointment of Seasonal Personnel as requested by Nan Lanahan, Administrator, Parks and Recreation Department, in the Memorandum dated April 11, 2007. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

Noes: None.

Abstain: None.

The next item on the agenda was a request from Judith Kehoe, Comptroller, to approve the investment policy, acknowledge receipt of the 2006 Annual Investment Report and approve the report.

Mrs. Kehoe stated this was the standard Annual Investment Report which was submitted to the Town Board for review and approval. Councilman Messina questioned whether or not the auditor would take a look at this and give any recommendations. Mrs. Kehoe stated the auditor's focus is to see if the items are fairly reported with reference to the value of the investments. They look at the internal controls surrounding the investment transactions, what kind of approvals for the movement of the money back and forth. Supervisor Egan asked if there were any other questions on the policy and there were none.

The motion was made by Mr. Plummer and seconded by Mrs. Dawson to approve the Investment Policy as requested by Judith Kehoe, Comptroller. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

Noes: None.

Abstain: None.

The next item was to acknowledge receipt of the 2006 Annual Investment Report.

The motion was made by Mr. Plummer and seconded by Mr. Kotary to acknowledge receipt of the 2006 Annual Investment Report as requested by Comptroller, Judith Kehoe. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

Noes: None.

Abstain: None.

The next item was a request from Comptroller, Judith Kehoe, to acknowledge receipt of the report on Capital Reserve Funds for 2006.

Councilman Plummer had a question regarding the one fund where it makes reference to the water district improvements where it concludes that the remaining authorization as it relates to debt and does it work like a line of credit. Mrs. Kehoe said when the Board issues the authorization to proceed with the project and to issue debt, that line acknowledges the amount available. There are strict IRS regulation arbitrages, which states you cannot draw down on the funds before it is needed or it is subjected to penalties. If for some reason the project was cancelled the Town would have Bond Counsel do a Resolution for the Board that would officially rescind prior authorization. Supervisor Egan asked if there were any further questions, there were none so she acknowledged receipt of the report.

The next item on the agenda was a request from Supervisor Egan to authorization execution of the County of Albany ALS Contract. This was approved going through the budget process last year and the contract finally came in. Supervisor Egan said there was a reallocation of vehicles and there was a

placement of a third ALS vehicle that will be located right over the New Scotland border and it would be accessible for the Town of Bethlehem.

The motion was made by Mr. Messina and seconded by Mr. Plummer to authorize execution of the County of Albany ALS Contract as requested by the Supervisor Theresa Egan. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

Noes: None.

Abstain: None.

The next item on the agenda was to acknowledge receipt of the Notice of Extension for Planning Board to make recommendation to Town Board on VISTA's Master Plan application.

Supervisor Egan stated this went to the Planning Board a while ago and there is a certain time frame in which the Planning Board needs to report back to the Town Board. Both VISTA and the Planning Board have agreed to an extension. Mr. Morelli said this is contingent on the Town Board completing the SEQRA Review which would mean the acceptance of the Final Impact Statement. He also stated before the Planning Board makes a recommendation it would be appropriate for the Town Board to complete the SEQRA Review. Supervisor Egan stated water and sewer studies have been done for this project and with respect to water there is more than enough ample volume.

Next item was a request from Receiver of Taxes, Nancy Mendick, to consider extension of no more than five (5) business days to pay property tax for certain seniors.

The motion was made by Mr. Kotary and seconded by Mr. Plummer to pass the resolution for the extension of no more than five (5) business days to pay property tax for certain seniors as requested by Nancy Mendick, Receiver of Taxes. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

Noes: None.

Abstain: None.

Next item was a request from Receiver of Taxes, Nancy Mendick, to consider purchase and installation of an outside collection box. Supervisor Egan stated this came up in the IMAC Report as a suggestion. Councilman Messina stated he felt this was a good idea, with reference to the safety issues, it should be looked at and also that it is used for the proper intention. Nancy Mendick said she has contacted the Police and they have looked at the areas in the parking lot with regards to the safety issues.

The motion was made by Mr. Plummer and seconded by Mr. Kotary to approve the purchase and installation of an outside collection box as requested by Nancy Mendick, Receiver of Taxes. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

Noes: None.

Abstain: None.

The next item was a request from the Director of Emergency Management Services for the Supervisor to execute an agreement and all documents related to transferring an Emergency Services Trailer to Delmar Fire District. Supervisor Egan stated this trailer would stay as a Town asset, however, it would be maintained at the Delmar Fire District.

The motion was made by Mrs. Dawson and seconded by Mr. Plummer to execute an agreement and all documents related to the transferring of the Emergency Services Trailer to the Delmar Fire District as requested by Mr. Jack Brennan, Director of Emergency Management. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.
Noes: None.
Abstain: None.

Next item was to set a Public Hearing to consider a Local Law amending the Code of the Town of Bethlehem, Chapter 87, Pesticides. Could advertise April 25, 2007 and hold hearing May 9, 2007 at 5:45 p.m.

The motion was made by Mr. Plummer and seconded by Mr. Kotary to approve setting a public hearing on April 25, 2007 and hold hearing May 9, 2007 at 5:45 p.m. to consider a proposed local law amending the Code of the Town of Bethlehem, Chapter 87, Pesticides as requested by Nan Lanahan, Administrator, Parks and Recreation Department. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.
Noes: None.
Abstain: None.

Supervisor Egan announced that Mrs. Judith Kehoe nominated Mr. Jeff Dammeyer which he was awarded for the 2007 Frank C. Moore Award by the Empire State Capital Area Chapter of the American Society for Public Administration.

Supervisor Egan said the Guardian Society picked the Town of Bethlehem Senior Services Department as a best practice senior department, which will be featured in a television show to air in the upcoming weeks and congratulated Karen Pelletier.

Supervisor Egan said at the beginning of the week the walls were full of pictures from Hamagrael Schools unfortunately, the tape did not hold up well. The first grade classes had to do a community service report, they went from the Town Hall, to the Police Department and then to McDonald's. Supervisor Egan congratulated the first grade classes at Hamagrael for a great job.

Supervisor Egan stated Nancy Mendick celebrated her 20th year as the Receiver of Taxes.

Supervisor Egan gave her formal resignation effective immediately upon adjournment of the Town Board meeting. She thanked all the staff.

Supervisor Egan asked if there was any public comment on anything this evening.

Ellie Prakken, Past President of the Bethlehem Garden Club, thanked Supervisor Egan and the Town employees for the continued support, recognition and commitment in working with the garden club to beautify entrances to Bethlehem and to create the garden at Town Hall and thanked them for helping the Garden Club plant and maintain the gardens.

Councilman Plummer congratulated and thanked Supervisor Egan and wished her the best with her new position. He thanked her for her work as Supervisor and said that the past 3 ½ years have been full of action, results and thanked her for her friendship.

- - -

Planning Board Chairman, John Smolinsky said if there was a Terri Egan fan club that he would want to be the president. The vision for the Town had been forward looking, the actions were forward moving. He stated Supervisor Egan operated with unprecedented openness and invited expansive community participation that was important to the community and raised the bar for municipal leadership.

- - -

Mrs. Kehoe presented a plaque on behalf of the Town Board and the Department Heads to Supervisor Egan as a tribute to her service for this community. She stated that Supervisor Egan led by example, devoting many hours and best efforts to continually improving the high level of services to the public. Every issue that has been considered has been weighed by a simple set of standards. The question was what is the right thing to do, will it meet the needs and desires of the community, and is it fiscally responsible.

Mr. Leveille stated Supervisor Egan was a very modern manager, that valued and took the input of associates and it was a pleasure working with her.

- - -

Mr. Sagendorph stated that he worked under six prior supervisors and stated no one has landed that position with so much energy and enthusiasm. There has been many ideas and with a blueprint for Bethlehem and she accomplished 100% of that blueprint. He also quoted Supervisor Egan from an earlier quote “get on the train or I will throw you on the train”. Mr. Sagendorph stated Supervisor Egan brought everyone together, all the Department Heads, all the Town Agencies and everyone worked as one group which has never happened in the 35 years he has been employed at the Town.

- - -

Councilman Kotary thanked Supervisor Egan for her friendship, changing the role of Town Government and how Town Government interacts with the people of this Town. There were many accomplishments that were achieved in a short amount of time.

Councilman Messina stated he has met many top-level administrators however, Supervisor Egan was the best of the best.

Councilman Dawson stated that she has learned a lot in a short period of time, she was sorry to see her leave and thanked Supervisor Egan.

The motion was made by Mrs. Dawson and seconded by Mr. Plummer to adjourn the regular Town Board meeting at 6:20 p.m. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

Noes: None.

Abstain: None.

Town Clerk