

TOWN BOARD
DECEMBER 11, 1996

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

- - -

SUPERVISOR FULLER: Good evening and welcome to a meeting of the Bethlehem Town Board. We begin tonight, we have 4 or 5 public hearings. I would ask the Clerk to read the call of the first hearing.

TOWN CLERK NEWKIRK:

NOTICE OF PUBLIC HEARING
TOWN OF BETHLEHEM

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Bethlehem, Albany County, New York will hold a public hearing on December 11, 1996 at 7:30 p.m. at the Town Hall, 445 Delaware Avenue, Delmar, NY to consider proposed Local Law No. 16 of 1996, amending Chapter 111, Taxation, Article I, Partial Exemption for Aged Persons.

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.

Public Hearing
Partial Exemption
Aged Persons
Taxation

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

- - -

State of New York)
County of Albany)

MARY AHLSTROM of the Town of Bethlehem, being duly sworn, says that she is the Assistant Publisher 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 27 day of November 1996.

/s/ Mary A. Ahlstrom

Sworn to before me this 3rd day of December 1996.
/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 November 27, 1996, 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
6th day of December 1996.
/s/ Catherine T. Picarazzi
Notary Public

- - -

The motion was made by Mr. Putney and seconded by Mrs. Davis 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. Putney, Mr. Lenhardt, Mrs. Davis,
Mr. Johnson.
Noes: None.

- - -

SUPERVISOR FULLER: Dave Leafer. Dave is our Assessor and he will explain what the Board is about to adopt here this evening. It is the changes in the Senior Citizen exemption law.

MR. LEAFER: For those who may not have done so or noticed, there are copies of what I am reading from on the table in the front that you are welcome to pick up and take with you. Briefly, this summer Governor Pataki formally passed into law 2 amendments to Section 467 of the Real Property Tax Law. That section has to do with the tax exemption for persons 65 years of age or older commonly termed as senior exemption law. Basically, the first of the 2 laws that were passed... or 2 amendments that were passed has to do with changing the sliding scale on the senior's income eligibility levels. Currently to be eligible for a full 50 percent exemption, a senior... the senior property owner would have to be earning an income of just under \$17,500. Under the new proposed change, \$18,500 would be the level for that exemption. Also changing is the maximum amount from \$25,900 to \$26,900 or just under those figures to make a party eligible for a 5 percent exemption and also changing in between are all of the other exemption levels.

The second change... amendment change has to do with calculating the income levels by the seniors related to their ability, if the law is passed, and this is a local option law, to allow them to deduct from their income all non-reimbursed medical and prescription drug expenses. Real Property Services has been mandated to provide a more clean cut detailed description of exactly what those expenses will entail. We are assuming at the moment that they do mean doctors, hospital and prescription drug expenses that are not reimbursed through insurance companies, Medicaid, Medicare, etc. These would be deducted from the applicant's income to determine which level they would be... would apply for in terms of the amount of exemption that they can have.

This law, if passed on a local basis, will be put into effect for the 1997 assessment year which means that the first tax bill that would be impacted for the senior property owner would be the school tax bill in September 1997. I would say that is about it.

SUPERVISOR FULLER: Thank you, Dave. Are there any questions from the Board? Those wishing to speak in favor of adoption, partial exemption for the aged population. Is there anyone wishing to speak in opposition? May I have a motion to close the public hearing.

The motion was made by Mrs. Davis and seconded by Mr. Johnson to close the public hearing at 7:32 p.m. The motion was passed by the following vote:

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

Catherine A. Newkirk
Town Clerk

Supervisor Fuller convened the regular meeting following the close of the public hearing. She asked for a motion to adopt Local Law No. 16 of 1996 amending Chapter 111. Taxation, Article I, Partial Exemption for Aged Persons.

The motion was made by Mr. Lenhardt and seconded by Mr. Johnson to adopt Local Law No. 16 of 1996 amending Chapter 111. Taxation, Article I, Partial Exemption for Aged Persons. The motion was passed by the following vote:

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

Adopt Local
Law No. 16
Partial exemptic
for aged persons
taxation

Supervisor Fuller said the School Board will be notified of the adoption of this Local Law.

Hearing began: 7:40 p.m.

SUPERVISOR FULLER: We are on to the next public hearing. Hopefully we will just continue moving on and see how far we can get here before we loose power completely. May I ask the Clerk to read the call of the hearing.

TOWN CLERK NEWKIRK:

NOTICE OF PUBLIC HEARING
TOWN OF BETHLEHEM

Public Hearing
Local Law 17
Veterans
Exemption

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Bethlehem, Albany County, New York will hold a public hearing on December 11, 1996 at 7:40 p.m. at the Town Hall, 445 Delaware Avenue, Delmar, NY to consider proposed Local Law No. 17 of 1996, amending Chapter 111, Taxation, Article III, Alternative Veterans Exemption.

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)

MARY AHLSTROM of the Town of Bethlehem, being duly sworn, says that she is the Assistant Publisher 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 27 day of November 1996.

/s/ Mary A. Ahlstrom

Sworn to before me this 3rd day of December 1996.

/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 November 27, 1996, 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
6th day of December 1996.

/s/ Catherine T. Picarazzi
Notary Public

- - -

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis 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. Putney, Mr. Lenhardt, Mrs. Davis,
Mr. Johnson.
Noes: None.

- - -

SUPERVISOR FULLER: Okay, Mr. Leafer.

MR. LEAFER: The second law change... or the next law change that is pertinent to the Town of Bethlehem took place this summer and has to do with Chapter 477 of New York State Laws of 1996 which changed... proposed an amendment to Section 457a of the Real Property Tax Law. This is the exemptions portion of the tax law that refers to the alternative veterans exemption. This new law provides that each county, city, town or village has the authority to adopt a local law to increase the home value cap of \$80,000 currently in effect to either \$100,000 or \$120,000. Adoption of this law would result in the following changes. I have indicated on the bottom of the page what those changes would be. Briefly, currently an alternative veteran who served during war time would get either a 15 percent exemption or a maximum \$12,000 based on a value of a home with a maximum of \$80,000. The new law will change that and depending upon which one is adopted, would allow that maximum value cap on the home to be either \$100,000 or \$120,000 therefore, the war time exemption would be 15 percent or a maximum of \$15,000 or \$18,000 depending upon whether the value of the home had reached the level of either \$100,000 or \$120,000. The combat veterans exemption... if they served during... in combat during that same period, they receive an extra 10 percent exemption. That exemption relates under the old law to \$12,000 under the new either \$15,000 or \$18,000 and there is also a disability law for the alternative vet which currently would have a maximum of \$40,000. Under the new amendment change either \$50,000 or \$60,000. The county has already passed this law, they passed it at the maximum levels based on \$120,000 value of homes.

SUPERVISOR FULLER: Any questions from the Board? Anyone wishing to speak in favor? Anyone wishing to speak in opposition. May I have a motion to close the public hearing.

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to close the public hearing at 7:42 p.m. The motion was passed by the following vote:

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

Local Law 17
Alternative
Veterans Exempt
passed

Kathleen A. Newkirk
Town Clerk

Supervisor Fuller reconvened the regular meeting following the close of the public hearing. She asked for a motion to adopt Local Law No. 17 of 1996, Alternative Veterans Exemption, at the higher rates.

Adopt Local Law
No. 17 ,
Alternative
Veterans
Exemption at
Higher rates

The motion was made by Mrs. Davis and seconded by Mr. Johnson to adopt Local Law No. 17 of 1996, amending the Code of the Town of Bethlehem, Taxation, Alternative Veterans Exemption to allow the permitted base change to \$120,000 Home Value Cap; \$18,000 maximum exemption wartime; \$30,000 maximum exemption combat; and \$60,000 maximum exemption disabled. The motion was passed by the following vote:

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

Noes: None.

Hearing began: 7:45 p.m.

SUPERVISOR FULLER: The next public hearing is to limit parking on Borthwick Avenue, which is right outside our Police station. She asked the Clerk to read the call of the hearing.

Public Hearing
limit parking
on Borthwick
Avenue

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, on 11th day of December, 1996 at 7:45 p.m. to consider proposed Local Law No. 18 of 1996, amending the Code of the Town of Bethlehem as follows:

AMEND VEHICLE AND TRAFFIC ARTICLE VI, Section 119-40, Schedule XIV, Time Limit Parking by adding the following:
Add:

One (1) hour parking Borthwick Avenue, Delmar, from a point 132 feet North of Delaware Avenue to a point 207 feet North of Delaware Avenue.

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)

MARY AHLSTROM of the Town of Bethlehem, being duly sworn, says that she is the Assistant Publisher 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 27 day of November 1996.

/s/ Mary A. Ahlstrom

Sworn to before me this 3rd day of December 1996.

/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 November 27, 1996, 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
6th day of December 1996.
/s/ Catherine T. Picarazzi
Notary Public

- - -

The motion was made by Mr. Johnson and seconded by Mrs. Davis 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. Putney, Mr. Lenhardt, Mrs. Davis,
Mr. Johnson.

Noes: None.

- - -

SUPERVISOR FULLER: Lieutenant Vanderbilt if you would like to come forward and...

LT. VANDERBILT: Good evening. The first item from the Traffic Safety Committee as Mrs. Fuller has said is to limit... time limit parking on Borthwick Avenue. As you are probably mostly aware, there are 3 handicap spaces along the fence where the police cars park on the west side of the building. Just toward Delaware Avenue from that there are 3 other additional parking spaces. We have had comments from people visiting the Police Department that it is difficult to find one of those parking spots open and we found that the same people seem to be parking there pretty much all day long and in an effort to make it more convenient for people visiting the Police Department and the Justice Department, the Committee felt that we should limit time parking there to 1 hour for those 3 spots, thus the recommendation that you have before you now. May I answer any questions?

SUPERVISOR FULLER: Lt. Vanderbilt, just the issue with court during the day, is an hour enough for cars parked there. If we have someone in court here or say there is a trial...

LT. VANDERBILT: Actually those spots are probably for people just doing business at the window -- coming in to get a report, to file a complaint which we consider the time it would take somebody to file a complaint, usually 1/2 hour, 45 minutes and an hour would be plenty. If someone is coming for a court appearance, that could be 2 or 3 hours so generally those people park in the rear parking lot because there are usually 30, 40, 50 or more people at a time here for a court appearance.

SUPERVISOR FULLER: Okay. Is there anyone wishing to speak in favor of limiting the parking on Borthwick Avenue for 1 hour right by the Police station? Anyone wishing to speak in opposition? No one wishing to speak this evening. May I have a motion to close the public hearing?

The motion was made by Mr. Putney 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. Putney, Mr. Lenhardt, Mrs. Davis,
Mr. Johnson.

Noes: None.

Lillian A. Newkirk
Town Clerk

Supervisor Fuller reconvened the regular meeting following the close of the public hearing. She asked for a motion to adopt Local Law No. 18 of 1996, Time Limit Parking, Borthwick Avenue, Delmar.

Motion was made to adopt local law No. 18 limit Parking Bothwick Ave

The motion was made by Mrs. Davis and seconded by Mr. Johnson to adopt Local Law 18 of 1996 amending the Code of the Town of Bethlehem, Vehicle and Traffic, Time Limit Parking to limit parking on Borthwick Avenue, Delmar, NY to one (1) hour from a point 132 feet north of Delaware Avenue to a point 207 feet north of Delaware Avenue. The motion passed by the following vote:

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

Noes: None.

Supervisor Fuller noted the originally scheduled public hearing regarding proposed regulation of wireless communication devices within the Town of Bethlehem will not be held. She noted this was not advertised for a legal ad and therefore, the public hearing cannot be held. She said since that time, proposals have been received from Albany County Planning and the NYS Planning Federation. She said this will be rescheduled for sometime in January following review of information received.

Cancelled Public hearing on wireless communication devices

The next item was a request from Receiver of Taxes and Assessment, Nancy Karins, for approval of appointment of part time personnel.

Tax Receiver to hire part-time workers

The motion was made by Mrs. Davis and seconded by Mr. Johnson to approve the appointment of part time personnel for collection of property tax from the end of December 1996 to the beginning of April 1997 as listed on the Memorandum from Nancy G. Karins, Receiver of Taxes and Assessments, dated December 4, 1996 at the rate indicated. The motion was passed by the following vote:

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

Noes: None.

The next item was a request from Nancy Karins, Receiver of Taxes and Assessment, for approval of transfer of funds to allow for purchase of equipment. Supervisor Fuller said it would be \$2700 from Contractual Expense to Office Equipment. She said it is for the purchase of 3 work stations and 1 desk.

Tax Receiver transfer funds for equipment

The motion was made by Mr. Putney and seconded by Mrs. Davis to approve the transfer of \$2700 from account number A1330.4, Contractual Expense to account number A1330.211, Office Equipment to allow the purchase of three (3) work stations and one (1) desk. The motion was passed by the following vote:

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

Noes: None.

The following item was a request from John Flanigan, Building Inspector, for approval of renewal of Trailer Camp Permits for 1997.

Building Inspector for approval of trailer camp permits

The motion was made by Mr. Putney and seconded by Mr. Johnson to approve the renewal of Trailer Camp Permits for Shady Grove East, Shady Grove West and Breckenridge Village at a total fee of \$740. The motion was passed by the following vote:

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

Noes: None.

Building
Inspector
approval for
construction
trailer

The next item was a request from Building Inspector, John Flanigan, for approval of construction trailer at Woodhill Estates in Glenmont, NY.

The motion was made by Mr. Johnson and seconded by Mr. Putney to approve a construction trailer at Patterson Drive, Glenmont, NY, Woodhill Estates. The motion was passed by the following vote:

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

Councilman Johnson thanked Mr. Flanigan for the shrubs.

Parks and
Recreation
approval
seasonal
personal

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

The motion was made by Mrs. Davis and seconded by Mr. Putney to approve the appointment of the following seasonal personnel as recommended by David Austin, Administrator, Parks & Recreation Department:

Recreation Supervisor I at a rate of \$5.00 per hour

Timothy J. Moshier
111 Union Avenue So.
Delmar, NY 12054.

The motion was passed by the following vote:

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

Parks and
Recreation
approval
transfer of
funds
damage to
Henry Hudson
Park

The next item was a request from Administrator, David Austin, Parks & Recreation Department, for approval of transfer of funds. Supervisor Fuller noted these transfers are necessitated primarily due to substantial damage at the Henry Hudson Park, Cedar Hill. She said the amount received from FEMA of approximately \$59,000 will more than adequately cover these shortages.

The motion was made by Mr. Johnson and seconded by Mrs. Davis to approve the transfer of \$2,000 from Contingency to Recreation Administration personnel; \$22,000 from Contingency to Parks Contractual; and \$1,500 from Parks Equipment to Parks personnel due to substantial damage at the Henry Hudson Park, Cedar Hill, Town of Bethlehem. The motion was passed by the following vote:

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

Hearing began: 7:50 p.m.

SUPERVISOR FULLER: The next item on tonight's agenda is amending Vehicle and Traffic Laws, it is adding a yield sign on Dykeman Road in both directions and making through street out of Mosher Road.

TOWN CLERK NEWKIRK:

NOTICE OF PUBLIC HEARING
TOWN OF BETHLEHEM

Public Hearir
amend traffic
law yield sig
on Dykeman
Road

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Bethlehem, on 11th day of December, 1996 at 7:50 p.m. to consider proposed Local Law No. 19 of 1996, amending the Code of the Town of Bethlehem as follows:

AMEND VEHICLE AND TRAFFIC ARTICLE VI, Section 119-34, Schedule VIII, Yield Intersections, as follows:

Add:

Yield sign on Dykeman Road in both directions at intersection with Mosher Road;

AMEND VEHICLE AND TRAFFIC ARTICLE VI, Section 1189-32, Schedule VI, Through Streets, as follows:

Add:

- Through street Mosher Road at entrance of Heather Lane, direction southwest, add stop sign;
- Through street Mosher Road at entrance of Old Ox Road, direction northeast, add stop sign;
- Through street Mosher Road at entrance of LaGrange Road, direction southwest, add stop sign; and
- Through street Mosher Road at entrance of Dykeman Road, direction both, add stop sign.

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)

MARY AHLSTROM of the Town of Bethlehem, being duly sworn, says that she is the Assistant Publisher 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 27 day of November 1996.

/s/ Mary A. Ahlstrom

Sworn to before me this 3rd day of December 1996.

/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 November 27, 1996, 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
6th day of December 1996.
/s/ Catherine T. Picarazzi
Notary Public

The motion was made by Mr. Lenhardt and seconded by Mr. Putney 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. Putney, Mr. Lenhardt, Mrs. Davis,
Mr. Johnson.
Noes: None.

SUPERVISOR FULLER: Where's Lieutenant Vanderbilt, right in front of me. For those that may have just arrived, we have had a power outage here in the building. We are on generator power. We don't know what the problem is, so while we are able to move along, we will continue. Go ahead.

LT. VANDERBILT: The request before us now is relative to Mosher Road, as Mrs. Fuller stated, which is the Mosher Road in the heart of Delmar which runs between Murray Avenue and Tierney Drive. Presently of the 4 intersecting roadways that intersect Mosher Road, only 1, Dykeman Road, has any traffic control and that has a yield sign at this moment. We have found there is significant accident history on the roadway and some type of traffic control was warranted. And, in our study, we felt that the best way was to declare Mosher Road a through street, thus having stop signs erected at every intersecting street with Mosher Road. That necessitated a repeal of Section 119-34, Schedule VIII, repealing the yield signs that are presently on Mosher. So, the first item of this is repealing those yield signs on Dykeman at Mosher and the second portion of the request is to install stop signs at Heather Lane from the southwest; Mosher Road and Oldox on the northeast would range from the southwest; and Mosher Road and Dykeman from both directions, stop signs and I think power is back.

SUPERVISOR FULLER: For a couple minutes anyway.

LT. VANDERBILT: Any questions?

SUPERVISOR FULLER: Those wishing to speak in favor? Is there anyone wishing to speak in opposition? May I have a motion to close the public hearing.

The motion was made by Mr. Putney and seconded by Mr. Lenhardt to close the public hearing at 7:52 p.m. The motion was passed by the following vote:

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

Kathleen G. Newland
Town Clerk

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

Supervisor Fuller asked for a motion to adopt Local Law No. 19 of 1996.

The motion was made by Mrs. Davis and seconded by Mr. Johnson to adopt Local Law No. 19 of 1996 amending the Code of the Town of Bethlehem, Vehicle and Traffic, Article VI, Section 119-34, Schedule VIII, Yield Intersections by repealing a yield sign on Dykeman Road in both directions at intersection with Mosher Road and amending the Code of the Town of Bethlehem, Vehicle and Traffic, Article VI, Section 119-32, Article VI, Through Streets, by designating Mosher Road a through Street with stop signs at Heather Lane, Oldox Road, LaGrange Road, and Dykeman Road. The motion was passed by the following vote:

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

Adopt Local
Law No. 19
amending coc
repealing a
yield sign
at Dykeman

Hearing began: 7:55 p.m.

SUPERVISOR FULLER: The next public hearing, this I believe is a stop sign to be installed at Hackett Street at the intersection of Thatcher Street. Lt. Vanderbilt.

TOWN CLERK NEWKIRK:

NOTICE OF PUBLIC HEARING
TOWN OF BETHLEHEM

Public Hearing Stop Sign installed at Hackett

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Bethlehem, on 11th day of December, 1996 at 7:55 p.m. to consider Local Law No. 20 of 1996, amending the Code of the Town of Bethlehem as follows:
AMEND VEHICLE AND TRAFFIC ARTICLE VI, Section 119-33, Schedule VII, Stop Intersections, as follows:

Add:

Stop sign on Hackett Street, direction south, at intersection with Thatcher Street.

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)

MARY AHLSTROM of the Town of Bethlehem, being duly sworn, says that she is the Assistant Publisher 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 27 day of November 1996.

/s/ Mary A. Ahlstrom

Sworn to before me this 3rd day of December 1996.

/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 November 27, 1996, 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
6th day of December 1996.

/s/ Catherine T. Picarazzi
Notary Public

- - -

The motion was made by Mr. Putney and seconded by Mrs. Davis 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. Putney, Mr. Lenhardt, Mrs. Davis,
Mr. Johnson.
Noes: None.

- - -

LT. VANDERBILT: Hackett Street in Selkirk goes between Maple Avenue which is State Route 396 and the Town road of Thatcher Street adjacent to the Conrail railroad tracks. At the intersection end of the street, the north end with the State highway there is presently a stop sign governing entrance onto the State highway, however, at the south end of the roadway there is no intersectional control where Thatcher and Hackett intersect with each other. We had a petition from the residents there, approximately 40 residents of that area have signed a petition requesting that we put a stop sign at that intersection. We felt that was a very reasonable request since Thatcher Street does have a significant traffic volume. So, we are forwarding this request to the Board. Any questions?

SUPERVISOR FULLER: Thank you, Dick. Anyone wishing to speak in favor? Anyone wishing to speak in opposition? May I have a motion to close the public hearing.

The motion was made by Mrs. Davis and seconded by Mr. Johnson to close the public hearing at 7:57 p.m. The motion was passed by the following vote:

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


Town Clerk

Supervisor Fuller reconvened the regular meeting following the close of the public hearing and asked for a motion to adopt Local Law No. 20 of 1996.

Adopt
Local Law
No. 20
amending
Traffic and
Vehicle by
adding stop
sign Hackett
Street

The motion was made by Mr. Putney and seconded by Mr. Lenhardt to adopt Local Law No. 20 of 1996 amending the Code of the Town of Bethlehem, Vehicle and Traffic, Article VI, Section 119-33, Schedule VII, Stop Intersections, by adding a stop sign at the intersection of Hackett Street with Thatcher Street, Selkirk. The motion was passed by the following vote:

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

Public
Works approval
reduction in
bonding
for Field-
stone Creek

The next item was a request from Michael Cirillo, Engineering Services Administrator, Dept. of Public Works, for approval of reduction in bonding for Fieldstone Creek Subdivision.

The motion was made by Mr. Lenhardt and seconded by Mr. Putney to approve the reduction in bonding for Fieldstone Creek Subdivision from \$18,000 to \$12,000. The motion was passed by the following vote:

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

Engineering
approval
of lease
agreement
pertaining
to North
street
composting
site

The next item was a request from Michael Cirillo, Engineering Services Administrator, Dept. of Public Works, for approval of renewal of lease agreement pertaining to North Street site with renewal period of January 1, 1997 through December 31, 1998. Supervisor Fuller noted this is until our new composting facility is available. Work has been started, however, not completed. She said this is a lease that we renew every 2 years at a cost of \$4,000. per year.

The motion was made by Mr. Johnson and seconded by Mr. Putney to approve the renewal of lease for the North Street site, Delmar, NY for the period January 1, 1997 through December 31, 1998. The motion was passed by the following vote:

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

Supervisor Fuller explained this was basically for yard waste only -- grass clippings, snow. There is no garbage going to this landfill.

Engineering
acceptance
deeds for
Wildwood

The next item was a request from Engineering Services Administrator, Michael Cirillo, Dept. of Public Works, for acceptance of deeds for the Wildwood Subdivision.

The motion was made by Mrs. Davis and seconded by Mr. Putney to approve the acceptance of deeds for the Wildwood Subdivision, located at Wildwood Lane and Elm Avenue, Selkirk. The motion was passed by the following vote:

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

Highway
Superin-
tendent
approval of
transfer of
funds

The next item was a request from Gregg Sagendorph, Highway Superintendent, for approval of Transfer of Funds, from Machinery, Personal Services and Machinery, Contractual to General Road Repairs

in the total amount of \$35,000. which will cover the cost of fuel and road materials until the end of the year.

The motion was made by Mr. Johnson and seconded by Mr. Lenhardt to approve the transfer of funds from Machinery, Personal Services -- \$20,000 and Machinery, Contractual -- \$15,000, total amount \$35,000 to General Road Repairs as requested by Highway Superintendent, Gregg Sagendorph. The motion was passed by the following vote:

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

The following item was a request from Gregg Sagendorph, Highway Superintendent, for approval to go to bid for Gasoline and Fuel Oil for the year 1997. Could advertise December 18, 1996 and open bids December 30, 1996 at 2:00 p.m. and 2:10 p.m.

Highway
Super-
intendent
to go to
bid for
Gasoline
and Fuel O

The following resolution was offered by Mr. Putney and seconded by Mrs. Davis:

WHEREAS, the Town desires to advertise for bids for Gasoline and Fuel Oil for the year 1997, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 18th day of December, 1996 and that bids be received up to 2:00 p.m. and 2:10 p.m. on the 30th day of December, 1996, respectively, at which time the bids will be publicly opened and read.

The resolution was adopted by the following vote:

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

The next item was to acknowledge receipt of Conditional Approval of Final Plat for Cedar Ridge, Section 4, from the Planning Board for information purposes.

Conditional
approval of
Final Plat
Cedar Ridge

Hearing began: 8:00 p.m.

SUPERVISOR FULLER: Back to the final public hearing.

TOWN CLERK NEWKIRK:

NOTICE OF PUBLIC HEARING
TOWN OF BETHLEHEM

Public Hearing for Stop Signs at Marquis Clifton way Beverwyck Lane

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Bethlehem, on 11th day of December, 1996 at 8:00 p.m. to consider Local Law No. 21 of 1996, amending the Code of the Town of Bethlehem as follows:
AMEND VEHICLE AND TRAFFIC ARTICLE VI, Section 119-33, Schedule VII, Stop Intersections, as follows:

Add:
Clifton way Stop sign on Marquis Drive, direction north, at intersection with Clifton Way;
Beverwyck Lane Stop sign on Clifton Way, direction south, at intersection with Marquis Drive;
Stop sign on Beverwyck Lane, direction west, at intersection with Clifton Way; and
Stop sign on Beverwyck Lane, direction both, at intersection with Marquis Drive.

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)

MARY AHLSTROM of the Town of Bethlehem, being duly sworn, says that she is the Assistant Publisher 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 27 day of November 1996.

/s/ Mary A. Ahlstrom

Sworn to before me this 3rd day of December 1996.

/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 November 27, 1996, 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
6th day of December 1996.

/s/ Catherine T. Picarazzi
Notary Public

- - -

The motion was made by Mr. Lenhardt and seconded by Mr. Putney 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. Putney, Mr. Lenhardt, Mrs. Davis,
Mr. Johnson.
Noes: None.

- - -

SUPERVISOR FULLER: Go ahead Lieutenant.

LT. VANDERBILT: Just off Krumkill Road, the Beverwyck community is served by basically 3 roadways. They are Marquis Drive, Clifton Way and Beverwyck Lane. When these roads were constructed, on the interior of this sytem there were no intersectional controls placed at that time. We received concern from the residents in that area, looked at the traffic flow pattern and 2 of the major roadways actually go back to the retirement community at Beverwyck are Clifton Way and Beverwyck Lane. We anticipated the most heavy traffic areas and have recommended stop signs at intersecting roadways to more safety cover those intersections. And, we are recommending that on Marquis Drive there is a stop sign in the northbound direction of Clifton Way and on Clifton Way in the southbound direction at Marquis Drive and on Beverwyck Lane westbound at Clifton Way and on Beverwyck Lane in both directions where it intersects with Marquis Drive. And, this should add some more order to the flow of traffic in that area. In fact, just this afternoon, one of the residents that expressed concern and I spoke about this and he was very pleased to find that it was on the agenda tonight and supported what we are recommending. May I answer any questions for anybody.

COUNCILWOMAN DAVIS: No, but I do want to tell you Dick, that I know the neighbors appreciate also the request for additional signage that we talked about earlier. Thank you for expediting that and taking care of it.

LT. VANDERBILT: Thank you.

SUPERVISOR FULLER: Is there anyone wishing to speak in favor? Anyone wishing to speak in opposition? May I have a motion to close the public hearing?

The motion was made by Mr. Lenhardt and seconded by Mr. Putney to close the public hearing at 8:02 p.m. The motion was passed by the following vote:

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

Kathleen A. Newberk
Town Clerk

Supervisor Fuller reconvened the regular meeting following the close of the public hearing. She asked for a motion to adopt Local Law No. 21 of 1996 adding stop signs.

Adoption
of Local
Law No. 21
add
stop signs

The motion was made by Mr. Lenhardt and seconded by Mr. Putney to adopt Local Law No. 21 of 1996 amending the Code of the Town of Bethlehem, Vehicle and Traffic, Article VI, Section 119-33, Schedule VII, Stop Intersections by adding stop sign on Marquis Drive, direction, north, at intersection with Clifton Way; stop sign on Clifton Way, direction south, at intersection with Marquis Drive; stop sign on Beverwyck Lane, direction west, at intersection with Clifton Way; and stop sign on Beverwyck Lane, both directions, at intersection with Marquis Drive, North Bethlehem. The motion was passed by the following vote:

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

Supervisor Fuller asked if anyone wished to address the Board. A student asked about the upcoming meetings of the Board, indicating the next meeting was December 30th and asking the date of the following meeting. Supervisor Fuller said January 8, 1997 which is a regular meeting. She said December 30, 1996 is at 4 p.m. She thanked the student for asking. The Supervisor noted the next regular meeting would have been December 25, 1996 which is Christmas Day. Therefore, the December 25, 1996 meeting is canceled and a special meeting on December 30, 1996 at 4:00 p.m. has been scheduled.

Adjourn
to Executive
session
no formal
action was
taken

Supervisor Fuller asked for a motion to meet in Executive Session following the close of the regular meeting to discuss negotiations.

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to meet in Executive Session following the close of the regular meeting to discuss negotiations. The motion was passed by the following vote:

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

The motion was made by Mr. Lenhardt and seconded by Mr. Johnson to adjourn the regular Town Board meeting at 8:04 p.m. The motion was passed by the following vote:

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

Kathleen A. Newkirk
Town Clerk

EXECUTIVE SESSION

There was no formal action taken at the Executive Session.