

TOWN BOARD  
DECEMBER 26, 1991

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: Kenneth J. Ringler, Supervisor  
 M. Sheila Galvin, Councilwoman  
 Charles Gunner, Councilman  
 Sheila Fuller, Councilwoman  
 Bernard Kaplowitz, Esq., Town Attorney  
 Charles Wickham  
 Karen Pellettier, Director, Senior Citizens Services  
 David Austin, Administrator, Parks & Recreation Dept.  
 Bruce Secor, Commissioner of Public Works  
 John Flanigan, Building Inspector  
 Martin Barr, Esq., Chairman, Planning Board  
 Sergeant Richard La Chappelle, Bethlehem Police Dept.  
 Gregg Sagendorph, Foreman, Highway Dept.  
 Philip Maher, Comptroller  
 Joyce Becker  
 Marlyn and Fred Dunn  
 Jeffrey Lipnicky, Town Planner  
 Beatrice Bird, Progress Club  
 James Blendell  
 Doris Davis  
 Marie Capone  
 Suzanne Capone  
 Sherwood Davies  
 Kathy Keenan, News Herald Representative  
 Ilaina Jonas, Times Union Representative  
 Susan Wheeler, The Spotlight Representative  
 Kathleen A. Newkirk, Deputy Town Clerk

ABSENT: Frederick C. Webster

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Supervisor Ringler opened the meeting with the first of item of business which was a public hearing to consider Local Law No. 7 of 1991 extending the Interim Development Act. He asked the Deputy Town Clerk to read the call of the hearing.

Public  
 Hearing  
 Local Law  
 No. 7, 1991 - Ext.  
 Interim Development  
 Density Act

NOTICE OF PUBLIC HEARING  
 ON PROPOSED AMENDMENT C  
 TO THE CODE OF THE 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 26, 1991 at 7:30 p.m. to Consider Local Law No. 7 of 1991, Amending Local Law No. 5 of 1989 which Establishes an Interim Development Density Act concerning the effective date of the 1989 law.

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

BY ORDER OF THE TOWN BOARD  
 TOWN OF BETHLEHEM  
 CAROLYN M. LYONS, TOWN CLERK

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STATE OF NEW YORK)  
 COUNTY OF ALBANY )

KATHRYN OLSEN of the Town of Bethlehem, being duly sworn, says that she is the bookkeeper 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 11th day of Dec., 1991.

/s/ Kathryn Olsen

Sworn to before me this 13th  
day of Dec., 1991  
/s/ Bruce A. Neyerlin  
Notary Public, Albany County

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STATE OF NEW YORK)  
COUNTY OF ALBANY )

CAROLYN M. LYONS, being duly sworn deposes and says that she is the Town Clerk of the Town of Bethlehem, Albany County, NY and that I posted on December 11, 1991, 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/ Carolyn M. Lyons

Sworn to before me this  
18th day of Dec., 1991  
/s/ Kathleen A. Newkirk  
Notary Public, Albany County

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The motion was made by Ms. Galvin and seconded by Mrs. Fuller that the Notice of Hearing, Affidavit of Publication and Affidavit of Posting Notice be indented on the minutes of the public hearing. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

The Supervisor indicated before we begin the public hearing he would ask the Town Planner to give just a very brief overview as to what this Local Law is about.

Jeffrey Lipnicky, Town Planner, indicated that essentially this Local Law would extend the current Local Law that is in effect called the Interim Development Density Act. That Law was adopted on Nov. 8, 1989 and became effective December 26, 1989 and what the Local Law did was essentially increase the residential lot size requirements in the Town so that that section of the Zoning Code which contains the schedule of minimum lot area requirements was adjusted upward to require larger lot areas. In addition, the lot width requirements in the Zoning Code were also increased and again this was on an interim basis with both set to expire within two years from the date that that became effective. The Local Law here would extend that time period the previous Local Law provided for a period of another year.

Mr. Lipnicky stated that he would give a couple of examples of how the Zoning Code requirements and this Local Law differ - for example a one family structure in a AA or AR Zoning District under the current Zoning Code would require 10,500 square feet so a lot that is a little bit smaller than a quarter acre, and in effect because we only have one small section of Town that zoned "AAA", that is in effect the largest or most restrictive lot size requirement that we have in the Town under the Zoning Code, and again that is 10,500 square feet or quarter acre lots, even in areas that don't have water, don't have sewer, etc. The Interim Development Density Act would increase that to 15,000 square feet, so a little less than a third of an acre. In the same district the lot width requirements currently in the code currently are 70 and 75 feet respectively, the interim regulations increase that to 100 foot lot width, and again it depends which zoning district you are in and what type of residential construction we are talking about, how this schedule varies. Just to give one more example multi-family units in a residence B district for example under the current code require 5,000 square feet per unit, and a lot width of 100 feet plus 2.5 feet for each additional unit, under the Interim Density Regulations that increased to 9,000 square feet per unit with 150 feet lot width plus two feet for every unit. Again, he was not going to go

through the whole schedule because it is quite extensive, but that basically will give you an idea of the magnitude of increase under the Interim Development Density Act. There are a number of exemptions to the Act. Those include any lot or any subdivision which was granted preliminary approval prior to the adoption of the initial legislation which was again back in December of 1989, any sites which had obtained site plan approval, any lots which existed prior to adoption of this Local Law back in 1989 and vacant lots which meet the requirements of the Zoning Code for the various zoning districts, and also, finally the other lots that are exempt are lots in Planned Development Districts that would be in a Planned Residence Districts or Planned Commercial Districts.

The Supervisor thanked Mr. Lipnicky and asked if any of the Board had questions at this point in time. If not, the format of the public hearing is first of all if anyone has any questions regarding it and then if anyone would like to speak in favor or anybody would like to speak in opposition. You do not have to come up to the microphone, however, we do ask that you stand and speak clearly and state your name for the record. He asked if anyone had questions regarding this proposed Local Law?

Sherwood Davies indicated that there was one question that had been answered partially his first question, but the other one he doubted if he would meet on his lot the requirements and he had not read the regulations regarding construction of a house, could it be rebuilt on that same lot? Mr. Lipnicky and Town Attorney, Bernard Kaplowitz, indicated that it could. Mr. Davies indicated that the other point he would like to make is a comment, or would that be later? Supervisor Ringler indicated questions now and then comments in favor later, or in opposition, if you would later.

Supervisor Ringler asked if there were any other questions? He then asked if there was anyone who would like to speak in favor of this proposed legislation? No one spoke.

The Supervisor asked if anyone would like to speak in opposition?

Mr. Spiro Socaris indicated that he was not certain. Supervisor Ringler indicated to Mr. Socaris that his lot was exempted under that grandfather clause. Mr. Socaris responded, OK, but since I got an interpretation that was different than that. The Supervisor indicated that he has it in writing here, OK. Mr. Socaris indicated OK but the thing is that when he asked for that it was six months ago and now he has had to come to this point to get what he believed in the first place, and he would like to avoid that happening in the future is to clarify what is going on here. Let him just say very simply, what this Local Law is seeking to do is change Sections of two articles of the Zoning Law, what it did was only address certain sections of those articles, so it can be interpreted to mean that this is the entire new article or new proposed article and the remainder of articles that were not addressed are going to be laid aside or this is going to be the only part that is going to be changed. The original interpretation he got was that the parts that were not addressed may or may not be part of the new Zoning Ordinance. Hence, this six month wait because the interpretation he received from John Flanigan was no it is not grand-fathered, so what he would like to do is either frame this Local Law and address every section of that which is only like or two sections that were left silent, one with regard to the grand-fathering and one with regard to keeping animals, or whatever, OK so that there is no dispute, because he should not have had to wait six months and he should not have had to go and get copies of the Law and everything else to support his case.

Supervisor Ringler asked Mr. Flanigan if we have a response to that and Mr. Flanigan asked if Mr. Socaris had received a copy of that Memo? Supervisor Ringler indicated that he did not think that he had and he was going to ask him, was there some confusion on your part as to the language? Mr. Flanigan responded that he thought that the confusion was not that the lot wasn't grand-fathered but it has to meet all of the other requirements of the Zoning Ordinance, that is the side yards, rear yards all of that, plus the lot that is in question has some very definite building restrictions on it as far as site development, drainage, it has a big sort of ravine that runs through

the middle of it, there is a big tree in the middle of it, it is only fifty foot wide, so it has some major problems, and he thought there was a miscommunication on that point whether the lot was grand-fathered and he does not have any dispute that the lot is grand-fathered, it is what would have to be done to be able to build on it. Supervisor Ringler asked and that still will exist and Mr. Flanigan responded that this still will exist, that won't change, because you still can only build on fifteen percent of it, you have got to have eight foot side yards and on a fifty foot lot, eight foot side yards doesn't leave much left if you want to put a garage or something else on it you would have to build a long carriage down the middle of the lot, but it is two hundred feet deep and it has some great slopes in the back, it slopes directly from the street to the rear. But as far as it being grand-fathered, it is grand-fathered. Mr. Socaris indicated that that was not the issue. there are only two parts in the Zoning Ordinance that allow grand-fathering, that is the width of lot and the housing density which are the two articles that we are talking about now. He said these are the only things that we were discussing. Specifically, he said what our transaction was -- it says here on applicability in the local law, it says existing vacant lots and sites which met the requirements of the Zoning Ordinance in respect to housing density and width of lot prior to the effective date of this local law. He said this lot met the requirements by the grandfather. He said the grandfather is not addressed in the local law so he interpreted it to mean that if it did not meet the requirements without the grand-fathering, then it is in limbo until this issue is settled. He said it was strictly those two items, all these other items, obviously all lots have to meet all those other with the height, the width and everything else. Supervisor Ringler said he does meet it. He said the grand-fathering is applicable to your lot. Mr. Socaris said yes, that is what he is saying now but that is not what the discussion was six months ago when Mr. Lipnicky agreed with him six months ago. Mr. Ringler said we are agreeing tonight. Mr. Socaris said okay but what is to stop this from happening again. Supervisor Ringler said an interpretation has been made, indicating all laws are subject to interpretation. He said his job is to interpret as a Building Inspector and sometimes he is in error and that is why he consulted with counsel. He said not very often is Mr. Flanigan in error though. Mr. Ringler said Mr. Socaris's lot is clear on this.

Supervisor Ringler asked if anyone else wished to speak. Mr. Sherwood Davies said he had a comment. He said there is a down-side to this proposal and he thinks it may directly or indirectly affect all property owners. He said as he understands from reading the Spotlight, under the current regulations in zone "A", you can build up to almost the maximum of 5 houses per acre and this regulation requiring 12,000 square feet, would limit it on the average of about 3.5 homes per acre. He said lot sizes are increased considerably. He said there will be a reduction maybe 40 percent where the land has homes or residences on it. This reduced housing density, according to Mr. Davies, will be reflected in increased capital maintenance costs of highway, sewer, water, utility, cable TV. He said he would hope that in the future property assessment that land be a factor when it is assessed, as well as, the residence. He said he would not like to see the shifting of the tax burden to other properties and that is subject of another discussion he have with Supervisor Ringler when I get this other material.

Supervisor Ringler asked if anyone else would like to speak. There were none. The motion was made by Ms. Galvin and seconded by Mr. Gunner to close the public hearing at 7:44 p.m. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
 Noes: None.  
 Absent: Mr. Webster.

*Kathleen A. Newkirk*  
 Deputy Town Clerk

Negative  
Declaration  
SEQR and  
Adoption of  
Local Law  
No. 7, 1991

Due to the fact the previous Local Law expires on this date, the Town Board agreed to take action on this public hearing. The first item to be addressed was the negative declaration in regard to SEQR.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to declare this a negative declaration in regard to SEQR. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

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Supervisor Ringler next asked if the Board would like to adopt Local Law No. 7 of 1991. The motion was made by Ms. Galvin, seconded by Mrs. Fuller and passed by the following vote to adopt Local Law No. 7 of 1991:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

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Supervisor Ringler noted the next item is a public hearing to consider Local Law No. 8 of 1991 extending the Solid Waste Facilities Moratorium law for an additional four (4) months. He asked the Deputy Town Clerk to read the call of the hearing.

NOTICE OF PUBLIC HEARING  
ON PROPOSED AMENDMENT  
TO THE CODE OF THE TOWN OF BETHLEHEM

Public  
Hearing  
Local  
Law No. 8  
of 1991  
Extension  
Solid Waste  
Facilities  
Moratorium

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Bethlehem, Albany County, New York will hold a public hearing on December 26, 1991 at 7:45 p.m. to Consider Local Law No. 8 of 1991 Amending Local Law No. 4 of 1991 to Amend the Solid Waste Facility Moratorium Law of the Town of Bethlehem and Local Law No. 5 of 1990 and Local Law No. 1 of 1991, Extension of Moratorium for an additional four month period of time. All parties in interest and citizens will have an opportunity to be heard at the said hearing.

BY ORDER OF THE TOWN BOARD  
TOWN OF BETHLEHEM  
CAROLYN M. LYONS  
TOWN CLERK

Dated: November 27, 1991

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STATE OF NEW YORK)  
COUNTY OF ALBANY )

KATHRYN OLSEN of the Town of Bethlehem, being duly sworn, says that she is the bookkeeper 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 11th day of Dec., 1991.

/s/ Kathryn Olsen

Sworn to before me this 13th  
day of Dec., 1991  
/s/ Bruce A. Neyerlin  
Notary Public, Albany County

STATE OF NEW YORK)  
COUNTY OF ALBANY )

CAROLYN M. LYONS, being duly sworn deposes and says that she is the Town Clerk of the Town of Bethlehem, Albany County, NY and that I posted on December 11, 1991, 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/ Carolyn M. Lyons

Sworn to before me this  
18th day of Dec., 1991  
/s/ Kathleen A. Newkirk  
Notary Public, Albany County

- - -

The motion was made by Ms. Galvin and seconded by Mrs. Fuller that the Notice of Hearing, Affidavit of Publication and Affidavit of Posting Notice be indented on the minutes of the public hearing. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

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Supervisor Ringler said this basically is a short term extension of the Solid Waste Facilities Moratorium. He said as Mr. Secor has

explained when he requested this, the Solid Waste Task Force is pretty much near completion on their recommendations that they will be making. He said, however, he does need a little more time to complete and has recommended that we do extend this for four (4) months in order to complete the paperwork necessary and pass the necessary legislation. He asked if the Board had any questions. Hearing none, he asked if the public had any questions. There were none.

Supervisor Ringler asked if anyone wished to speak in favor. There were none. He then asked if anyone wished to speak in opposition. There were none.

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

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.

Noes: None.

Absent: Mr. Webster.

*Kathleen A. Newkirk*  
Deputy Town Clerk

Supervisor Ringler reconvened the regular meeting following the public hearing. He asked if the Board would like to take action on this local law. Councilman Gunner asked if there was anything urgent about this. Supervisor Ringler said the present local law basically expired last week. Councilman Gunner asked if another week would make a difference, let it go a week early. Supervisor Ringler said there is no problem. Councilman Gunner said if there is no problem he would just as soon stick to my... go ahead and vote but I mean I would just as soon wait. Supervisor Ringler said he sees, personally, no reason to hold it up, no one spoke in favor or against, if anyone else feels that way.

Negative Declaration and Adopt Local Law No. 8, 1991 Extension of Solid Waste Facilities Moritorium

The motion was made by Mrs. Fuller and seconded by Ms. Galvin to adopt a negative declaration in regard to SEQR for Local Law No. 8 of 1991. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

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The motion was made by Ms. Galvin and seconded by Mrs. Fuller to adopt Local Law No. 8 of 1991. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster

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The following item on the agenda, according to Supervisor Ringler, is discussion of the Interim Development Limitations Act Extension. He indicated a letter has been received from Mr. Lipnicky, Town Planner, noting the current law is expected to expire on February 22, 1992. He said basically, this is the law that limits subdivisions to 25 lots during the current LUMAC study. He said in order for the Board to proceed, a public hearing would have to be held and noted it could be scheduled for January 22, 1992 at 7:30 p.m. He asked if there were any questions or comments at this point.

Set Public Hearing Local Law No. 1, 1992 Extending Interim Development Limitations Act

Mr. Flanigan asked if the Board could take under consideration the section of the proposal that he would like them to think about, maybe bring up at the public hearing. He said in Section 3, development limitations number C where section of total lands comprising the proposed development have been approved for a final plat by the Planning Board, no further sections will be considered for approval until such time as 80 percent of the total number of approved residential building lots in such section have been developed, constructed upon and issued a certificate of occupancy by the Building Inspector. He said what this means is that if someone has a 100 lot subdivision and they have a section approved for 25, they can go ahead and build that 25 but before they can come in and apply to the Planning Board for their next section to go on, they would have to have certificates of occupancies on 20 of those buildings. Mr. Flanigan said there is a 2 and one half to 3 month delay between the time you build a house and when you get a certificate of occupancy. He said you are looking at a proposal here where we have quite a few subdivisions out there in this 25 lot limitation that are going to be back that are building now. He said he raises this now because he is asking the Board to consider that you make those building permits rather than certificates of occupancies to give the developer a little leeway because you remember, he has a lot of money up front, a lot of money in the ground, water, sewer, roads -- those type things up there -- that have to be done. He said of all these, and he talked to the Supervisor about this and he asked him to look and there are 6 under the interim development. He said if every one ends up about the same time, which it could happen conceivably, before the Planning Board looking for another section, these gentlemen would be out of business for maybe 2 to 3 months in between by leaving it the 20 certificates of occupancies rather than the 25 building permits.

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Mr. Lipnicky asked about the possibility of just lowering the percent of certificates of occupancies. Mr. Flanigan said he would agree, indicating he has no problem with this. Supervisor Ringler said this might be the way he would look at it because under the current rules and regulations, you can apply for a building permit and there is no time limit on when they build. He said conceivably, they could come in and apply for all the building permits and not be taking any action. Mr. Flanigan said something that would give a little leeway. He said he would go for that, indicating he just wants to get a better way for things to move. He said he can just see 3 of them coming back to the Planning Board at one time. Supervisor Ringler asked Mr. Lipnicky if he had a recommendation on the percentage. Mr. Lipnicky said he thinks maybe he and Mr. Flanigan should talk about this a little bit more. He said he thinks the better approach is with the certificate of occupancy because just like he has said, someone could come in and ask Mr. Flanigan for 25 building permits and they have met the requirements. Mr. Flanigan said there could be some criteria made for that, if this is the route that we wish to take. He said he is willing to just drop the percentage down a little bit if you see my point. Supervisor Ringler said his point is a valid point. Mr. Flanigan said these people put a lot of money in the ground, not that he is going for the builders but it is tough out there now anyway. Councilwoman Galvin asked Mr. Flanigan what percentage he was thinking of as being reasonable. Mr. Flanigan said he did not know. Mr. Lipnicky suggested 60 percent. Mr. Flanigan said 60 percent sounds reasonable. He said if someone is going to go they are going to continue on. Supervisor Ringler said he just talked to counsel and he prefers if it is going to be lowered that we not wait until the hearing. He said he thinks it should be heard on what we are proposing, otherwise, if we decide to change it, we would have to have another public hearing on it. Mr. Flanigan said this is okay. Mr. Ringler further said this way, as a result of the hearing, it comes in and it says it should be 70, we could do it but if 60 is a good number and people are happy with it, including the staff, then we can live with the law. Mr. Lipnicky said he would suggest 60 percent but suggested the Board let Mr. Flanigan and he talk about it a little bit more in case they have a recommendation to change that but that sounds reasonable. Supervisor Ringler said whatever is advertised is what we have to have the hearing on. Mr. Flanigan asked what date the hearing will be held. Supervisor Ringler said he is going to recommend January 22, 1992. Attorney Kaplowitz said the decision has to be made before the advertising. Mr. Flanigan indicated he and Mr. Lipnicky can work it out on Friday. Supervisor Ringler said he thinks that is better also. He said he thinks the Board is inclined to go along with your recommendation. Mr. Flanigan said he just sees a big influx at one time.

Supervisor Ringler asked if there were any other questions or comments by the Board. The motion was made by Mrs. Fuller and seconded by Mrs. Galvin to hold a public hearing on January 22, 1992 at 7:30 p.m. in regard to Local Law No. 1 of 1992, Interim Development Limitations Act Extension. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
 Noes: None.  
 Absent: Mr. Webster.

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Discussion  
 No Parking  
 Grove Street

Supervisor Ringler next acknowledged receipt of a petition regarding No Parking on Grove Street. He said we are entering the regular business session of the Town Board at this point, it is not a public hearing but he indicated we are rather loose around here, as long as time permits. He further said on this issue he was going to allow some public comment because he know there are a couple people who would like to speak he thinks. He said once the Board get finished with their discussion and comments and anyone has a question or comment, please raise your hand and you will be recognized. He said at the end of the regular meeting, we open it up to any item that anyone would like to bring to the attention of the Board.

Supervisor Ringler said he forgot the exact time frame but a couple of months ago at least, the Town Board passed on a recommendation of the Traffic Safety Committee to ban parking on Grove Street in the Town. He said subsequently he has received a petition with several hundred signatures on it stating that we feel the Town of Bethlehem has acted hastily in banning parking on Grove Street. It further said we feel this action has far more adverse economic effects on local businesses than positive effects on relieving traffic congestion, this traffic prohibition should be lifted immediately pending a fair and through review of parking in the entire four corners area. He said he also received a note this evening to the Town Board from the residents of Grove Street who believe that all the residents and the businesses on the street have a right and a need to safe and unencumbered access and egress to their property for personal, business and possible emergency vehicle use, also pedestrians should be able to safely use the street. It further states, therefore, we are in support of existing No Parking Ordinance on Grove Street, signed Fred J. Dunn.

Supervisor Ringler said when he received the petition, Mr. Heffley, the businessman who was encouraging his customers to sign this petition, came in to see him and made a suggestion that perhaps we should consider some limited parking on a timed basis and so forth. Mr. Ringler said before acknowledging this petition, he did send it back to the Traffic Safety Committee asking them to look at this and see what their thoughts are on it. He said before the night is over, he will ask them to comment on it. He further said he did tell Mr. Heffley if he would like to explain further his rational behind his petition and his feelings on this that he would be allowed to address the Board.

Mr. David Heffley said he runs the Four Corners Luncheonette on Grove Street. He said in October when the Highway Department posted Grove Street no parking, he immediately petitioned the Town to reexamine their decision because he felt that as one of the most affected parties in the area -- he was unaware of this ordinance and it was probably adopted too hastily. He said since October he has learned that the neighbors on Grove Street had also presented a petition voicing their many concerns about safety and traffic congestion on Grove Street. He said but mainly about Curtis Lumber's unneighborly management of their own traffic flow and about their proposed expansion. He said he asked the Traffic Safety Committee for a copy of the petition from the neighbors and was told that they could only provide it by pursuit through the Freedom of Information act. He stated Mr. Gunner provided me one this past Monday, at which time he also told Mr. Heffley he could address the Board this evening. He said reading their petition, he found that with just one deletion and a few additions, he would have been happy to sign it himself. He did confirm there is a big traffic problem on the street and he said he probably also would have asked the 600 people that signed his petition to look at their's as well. Mr. Heffley said specifically one proposal that comes to mind, they propose changing the parking on Grove Street and they have 3 different choices, alternatives under this one proposal -- either limiting it once past the post office property or eliminating it all together on the whole street. He said the Town adopted the proposal to eliminate parking entirely on Grove Street rather than the neighbor's one suggestion to just eliminate part of it. He said in the past 2 months, since the parking prohibition has gone into effect, he has seen his business decline by about 25 percent and has dismissed a quarter of his serving staff in the dining room. He said it is an action he has never had to take before in nearly the 7 years he has been in his present location and he attributes this directly to the disruption of parking on Grove Street. He feels the more sensible approach would have been to implement one of the neighbors other suggestions and permit some parking on Grove Street, namely his suggestion, make it a timed parking along the expanse of Grove Street that borders the post office. He said when the Traffic Safety Committee came down this summer to look at the problem, they told him that it seemed to be most of the congestion was caused by postal employees parking along the street all day long and not leaving any space for anybody else. He said it would also -- by limiting, more or less, excluding postal employees from parking there, would allow

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postal patrons to park along the street again instead of filling up his lot every day and chasing his customers out. He said he made the suggestion to the Traffic Safety Committee, like Mr. Ringler mentioned, and they immediately sent Mr. Wickham of the Highway Department out to prepare a report on -- he thinks -- why it is undesirable, from the impression he got. He said however, they have permitted unrestricted parking their for the last 7 years and they have not even addressed the far worse parking problem, one block over on Becker Terrace. He said it seems manifestly unfair, you know, to make my street no parking while on Becker Terrace, one street over, which goes to the same place, they allow double parking on both sides of the street. He said Mr. Ringler suggested he ask some of his commercial neighbors about arrangements to use their lots and although he has asked them about it, you know, we are still in negotiations and he also feels it is probably outside the jurisdiction of the Board to enter into negotiations of this sort. Mr. Heffley said the Building Inspector also suggested he demolish the garage on the property and put in a bigger parking lot. He said he pointed out that his lease specifically excludes him from that strip on the lot that the garage sits on and he really cannot do anything about it. In addition to lost parking, Mr. Heffley said he feels there is a somewhat ominous message that this action sends to all his customers -- every time somebody comes down and it is a busy lunchtime, his lot is generally full, the street is completely deserted and there is no where to park so people go around the block and leave via Becker Terrace which always has parking on both sides of the street and quite often double parking on both sides of the street. He said people keep coming to him and saying what did you do Dave, why the double standard here frankly he said he thinks it is an oversight. He said he does not think you can address one area of the Town and not the other. He said you have to look at the whole thing together.

Mr. Heffley asked if anyone had any questions. Supervisor Ringler asked if there were any questions. There were none at this time. The Supervisor asked Mr. Charles Wickham, soon to be Chairman of the Traffic Safety Committee to give some background. Mr. Wickham said the Traffic Safety Committee met and went down to the site in August and walked Grove Street, went down Hallwood Road and also did look at Becker Terrace, but on Grove Street the street varies in width for the entire length, at Delaware Avenue it is approximately twenty-three feet from the pavement, down by the Luncheonette it is about twenty feet and down north of Hallwood it goes down to about eighteen foot wide. When we looked at Becker Terrace he believed it was about anywhere between thirty and forty feet of pavement, so you have two different types of street there, and it is kind of unfair to compare them if one is forty and one is twenty-three feet wide. We looked at people parking on the one side, observed the traffic situation and people trying to get on to Grove Street from Delaware Avenue and people trying to get back on Delaware Avenue, and for trying to maintain two-way traffic and maintain parallel parking was very difficult to say the least. A lot of times people would have to wait for the one car to go by to get around the car that is parked, and he was not sure about winter time conditions, if you are looking at snow banks and so on it just makes it even worse, with the cars coming out into the draining lanes, so we also had Kevin Shea who is a member of the Fire Association and he felt for emergency egress and ingress at that location, he said it would be difficult at definitely the busiest times to get in and out of there with emergency equipment. So based on that that is why we came up with our recommendations to allow no parking on the east and west side of Grove Street.

Supervisor Ringler asked Mr. Wickham if they took into consideration the recommendation on the time, as was suggested. Mr. Wickham said the only problem with that is that you still have people parking there. He said even though it may be a different car, you still have people parking there. He said to try and maintain the traffic, you cannot get around it. He said they still do not care whose car it is, it is still an obstruction. Supervisor Ringler said he asked the soon-to-be Highway Superintendent, who is also on the Traffic Safety Committee, to look about the possibility of widening that and asked Mr. Sagendorph if that is possible under the current situation. Mr. Sagendorph said that would be a concern for the Engineering Department to look into the right-of-ways of Grove Street

and also on Hallwood Road. He said he would not commit himself at this time but it is something that could be looked into, particularly on Hallwood Road. Mr. Ringler said in regard to Hallwood there is more to deal with going in. Mr. Wickham said Grove Street is a 40 foot right-of-way and Hallwood is a 50 foot right-of-way. Supervisor Ringler asked if this was currently. Mr. Wickham said it was. Mr. Sagendorph said you have to remember access from the post office lots -- one, they have an underground garage that would have to be addressed along with the sidewalk, also there new parking lot behind the post office has a steep grade entry and would have to be addressed -- if you widen it you make everything that much steeper.

Supervisor Ringler said that basically what is being said is if there is parking, there is basically one lane of moving traffic. Mr. Wickham said there is not 2 full lanes there. Supervisor Ringler asked if two cars can get by there. Mr. Wickham said they can but it is tight. He said with trucks it is worse.

Supervisor Ringler asked Ms. Galvin if she had a question. Councilwoman Galvin asked if any consideration been given to the possibility of making it one way part of the way down. Mr. Wickham said to be honest they discussed it but they did not know what type of implications they would pass along to people on Hallwood and Becker Terrace. He said this included what that would do to the businesses that are there. He further indicated they did look at Grove Street and looked at Becker Terrace and if that comes to be a problem, they can develop that in a more manageable way because the right-of-way is wider and the pavement is wider.

Supervisor Ringler said one of the problems, indicating he was involved in some of the discussions on the one way -- that was something that was talked about and he asked them to look at this -- is that it is difficult getting out on Delaware Avenue at both of these streets currently and to make one one-way, then everyone trying to get on Delaware Avenue is at the same location trying to get out on the road and that probably would create more problems than exist now. Mr. Wickham said it might also depending on which way the one way would go. He said there is also a very tight intersection where Hallwood and Grove Street come together and depending which way truck traffic is moving, it may have a difficult time or impossible to make that intersection.

Supervisor Ringler asked if there were any questions or comments. Councilwoman Fuller asked what is available now for parking. She asked how many parking spaces Mr. Heffley actually has at this time. Mr. Heffley said he has 16 in the front lot and it depends on how you count the back lot, he can fit anywhere from 5 to 6 employees there because they do not have to worry about blocking each other in. He said if he makes it a legal lot, it would entail ripping the garage down which he cannot do. He said it would hold probably 4 cars, legally. Mrs. Fuller inquired about the employees. Mr. Heffley said his employees park there now because he does not think his customers want to block each other in. Mrs. Fuller asked Mr. Heffley if his employees would consider parking elsewhere to free up some. Mr. Heffley said he was sure they would but that is only part of the problem. You know, Mr. Heffley said, it is a hard lot to get in and out of, indicating it is around the back side of the building and it does not hold that many cars. He further said it would entail changing the entire character of the back side of the property. He said right now there is a garage there, there is a big maple tree and it still looks residential. He said he does not want to alter it.

Councilman Gunner said he has a few questions, first actually the thing that is on the agenda is the petition. I was presented it not for any other reason but they were to all the customers, when I was having breakfast there with my wife one day, and I read it and as I read it, I agreed with the introduction that we acted swiftly, acted hastily here, I would say swiftly would be a better word but play with that as you want, nevertheless, I did not sign it because I wouldn't sign it until I spoke with my peers I told the people on the Board. My wife immediately said she would like to sign it and I was not going to stop her, even if I wanted to, I wouldn't even try. Laughter.

Councilman Gunner continued at any rate I think that we did act swiftly that night, the minutes will show that I asked several questions, I was concerned that the business that was going to be hurt the most was not represented, I was concerned that he may not have known about it, there were answers back that he should have know about it, or he could have known about it and my last question and there were about six that I asked that night, was were the people on each side of the street notified and the answer came back from one of the people there, "Yes" and they all saw the petition, and then I said did both all odd and even numbers on that street, and they said yes and with that I was one of only three members that were present that night, there are five on this Board and only three members were present, and we did pass it and sure enough even Ken said your worry came through, he was not aware of what was coming on. I don't think in this community we have to do that. I don't like government to do that, and so I felt that he should have an opportunity to have his say, which has happened tonight. In the meantime, then I got interested and I too had to go over to the Police Department and get a copy of this, I could have gone to Town Clerk as well, of this petition that was filed in July, July 12th it is dated and I had a lot of questions about it. Some of them I will try not to repeat, Heffley's questions, but they say the no parking ordinance does not ease the problem it was designed for -- since it was never enforced. Did we try to enforce it at any time to see if it was still a problem? I did go to the Police Department, try to get the records of tickets issued, I could not, evidently they do not keep the records of the tickets issued, they keep the ones that are on hand and after they are paid off, I guess they are discarded or -- try to go back for a better time, they did give me the number of complaints that were issued and I have that for 5 years and I did work out something on that. And, there was more enforcement since November, October, the end of October on the no parking on both sides of the street, than it was for the 9 months preceding it. So, I just wondered to myself, suppose we did enforce the one side, would we have this problem. That was just one piece of it. Then, they go down... as a matter of fact, it says if this problem is not resolved first by strict enforcement, there really isn't much need to solve the problem near Curtis Lumber. Now, this petition speaks for that whole area and I think it was well said and I agree with much that the people that live there say, however, I in speaking to some of those people, they in no way want to trample the rights of somebody else but they do want to have their rights heard. I just have... in the petition there are 9, 11 actions they request to be done, to my knowledge of the 11, the only one that was taken or I heard a response on was number 7 which you already hear from Mr. Heffley, there were 3 possibilities. They took the most severe possibility, there may be good reason for it, I am not questioning that, but as I read this and look at it, I don't know, I was not privy to all that information. So, I guess I was concerned that the citizen who was affected the most, have an opportunity to have his say, he has had his say, I still have a concern that we should look at these other things and if we did do wrong or if there is a better way, to the best of my knowledge neither the residents who had the petition nor the one person who was affected the most -- there may be somebody else -- but haven't really had a chance to get together and work together on it as a community, it is a commercially zoned area and to see what goes.

Mr. Gunner said now, there are a couple questions that came up to my mind as Mr. Wickham spoke and the question on pavement on the street, okay, pavement on the street, is that paved by the Town, all of that road over on Becker, right up onto their property? That is about 50 feet. Mr. Secor asked to let him interrupt here, indicating the Town owns to within a few inches of each of the buildings. The pavement that is there, according to Mr. Secor, is all part of the Town street. Councilman Gunner said they angle park, we allow angle parking? Mr. Secor said no, the Town has met with them a number of times to try and straighten that out and it is an ongoing problem. Mr. Gunner said it still continues as of today and I have nothing against Bennett's, as a matter of fact I like them a lot. Mr. Secor said the Town has met with them a number of times because they are double parked there and it is a problem. He said we have met their with them to try to line that out but the reason that is paved is that it is all Town right-of-way. Mr. Gunner asked if all the right-of-way on Grove Street is paved. Mr. Secor said no, again for the reasons Mr. Sagendorph has

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mentioned, there are some other obstructions and things there that have to be looked at.

Mr. Gunner said he guessed he was concerned too because we just gave a building permit and allowed the expansion of a lumber facility down there, Curtis Lumber -- I go there so I have no bone to pick with them usually get good service -- but their parking is very difficult. They use some of their parking area, they put all kinds of material in that parking area and they park out in those streets. They have not been affected by it. But, their trucks -- and I read in the complaint reports over the last 5 years -- that is the second most common complaint. Their trucks are annoying or blocking. Not their trucks but the trucks that deliver to them and that creates a problem for that whole area. In effect, it has also created a problem for Mr. Heffley, he is feeling, they are not and I am not particularly taking sides on it, but I did notice they have requirements or requests, if I am right, that they should look at opening the back gate so that they will have an easier, egress and entrance for their delivery trucks. Well, I don't think that is going to happen because I looked at that new building and it has a loading dock and the best way to get into it is through the one gate they use now. So, I don't... Supervisor Ringler said they went to the Board of Appeals -- asking Mr. Flanigan what they had to get, a variance or special exception. Mr. Flanigan said it was a Special Exception. Mr. Ringler asked what the status is in regard to what Councilman Gunner is asking. Mr. Flanigan said the Board of Appeals did not require Curtis Lumber to open the back gate. He said the Board needs to remember that the new building has been built but everything that has to be torn down and all the stuff moved around on the site has not been done yet due to the winter weather. He said the old buildings on the site are to be removed. Mr. Gunner asked if they are conditioned. Mr. Flanigan said yes. Supervisor Ringler asked if this was for additional parking or additional storage for lumber. Mr. Flanigan said no, the lumber is going in the building indicating this was why they built the building. He said there will be better circulation. Supervisor Ringler asked if on the approval of the Board of Appeals the requirement for more parking inside once this is done. Mr. Flanigan said no, just where they show it along the front part where they have the trailers and wood pile. He said it is right along the right hand side where the new green fence is going up and that would be moved out of there. Mr. Flanigan said they are usually in there early in the morning. Mr. Gunner said well, that is the second part of the problem. Mr. Flanigan said they are in and out of there. Mr. Gunner said they are going to definitely be there with their engines running and annoying the people that live there, right across the street, because that was one of the big complaints. And, he just thinks we ought to look at that whole area. Now, the next part about it, as I drove around and looked at it is worth your life, I knew that myself just from using those services in Town, but I guess, I sort of just winced and got out onto Delaware Avenue but whether you go out Grove or Becker, it is very difficult. There are cars blocking your view when they are parked there. Have we addressed that? I don't think we want to take on the Federal Government, perhaps but maybe we should -- we didn't do well the last time. So, I guess I have all these reservations, they are all... I am not going to go through each one, they are all listed there and I just have... it brought up more questions than answers, I am not really taking sides on the issue, I just have points that I felt, I, at least, acted too swiftly that night. My opinion is we acted too swiftly anyhow, but I did and if it is to be corrected I would certainly vote for that and I am not saying... I don't know, I don't know what the other alternatives are. I am not really sure now when you look at the whole thing. Amen.

Supervisor Ringler acknowledged Mrs. Marie Capone. Mrs. Capone asked Mr. Gunner if he looked at this application when he had a public hearing before he built the restaurant. She said she believes he said he was going to tear down the garage and create 7 parking for his employees. Check it out was Mrs. Capone recommendation. Mr. Gunner said he did check that out, thank you. That was one of the recommendations but it wasn't required for him to do, he did not own

the garage, he couldn't tear it down unless he wanted to get arrested and as a matter of fact, his lease now specifies and I don't know if that was then or not... Mr. Heffley said it did originally. Mr. Gunner said it did originally, okay, specify that he cannot really use... he cannot block that entrance or exit because someone else is paying rent for that obviously, or the owner may be keeping it so I did, that was one of my concerns too because if he owned the garage, then as a good businessman he might take it down, I don't know. He doesn't own it. Mrs. Capone asked if he feels that if the Town does something between the post office and the street to create parking there you are creating parking for an individual, then other businesses are going to expect you to create parking for them. Mr. Gunner said no, he does not think that, he thinks we are looking out for other businesses, Curtis now has all the parking in the world along Hallwood Road. There was another one or two businesses down there the businesses over on Becker have plenty of parking. I heard about the fire department was down there looking at about for ingress and egress, no fire engine is going to turn around there. Three times in two weeks I drove through and if it weren't for -- I guess it is the Key Bank owns a lot, I assume they own the back part of it too, they may not -- at any rate, if that weren't there, I wouldn't have been able to get around a truck that was waiting for that gate to be opened. He said he thinks that that would probably bother the residents as well as other citizens if you are doing business in that area. Now, maybe they plan that they can get around. Yes, I have tried to check as much as I could. All I am saying, I don't have an answer at this point, all I am saying is that we should look it up. Mrs. Capone said you have the post office, you have where the truck parks in the back, then you have a vacant parking lot that could be used during the day that is vacant between the house and the post office parking lot. It belongs to the government, according to Mrs. Capone, it is a postal lot there but this gentleman could train his people to use it during the day, make arrangements with the post office. She said it is not a big deal, it is already there. Mr. Gunner said if he gets that arrangement made, I guess I'll eat a breakfast there for a month because a I don't just see the government giving... that is where they put all their trucks. I even checked with the post office, they do not use that for parking other than their government vehicles. Mrs. Capone said but during the day the parking lot is vacant, so if you can make arrangements and you eat breakfast for a month, she will go with him. Mr. Gunner said okay. Mr. Heffley said he would buy the breakfast if she can talk him into it.

Supervisor Ringler asked Councilman Gunner if he had a recommendation for the Board as to how they should proceed from here. Mr. Gunner said yes, I think they ought to get at least the leader from the residents and the affected businesses because... and even if they start talking about something that may have an impact on another business or another resident area, maybe over on Becker... I think there may be one residence there that it is hard to tell whether it is a residence or a business is probably called... and look at it again, at least. Supervisor Ringler said what he would like to suggest -- and he has suggested this to Mr. Heffley and he is right, he does not have the authority to tell other businesses that they should let you park in their lots -- there is a great deal of parking in the area, the question is who is it available to at any point in time. Perhaps, Mr. Ringler said, if we got together with some of the businesses and maybe even the post office, we could create some other parking down in this area. Mrs. Capone said, okay, you have exactly that in St. Thomas. She said they do not have services during the week and the parking lots, the cars are all in the parking lot. She said maybe you can make the same arrangement with the government. Mr. Gunner noted they have a 12 o'clock mass every day. He said it does not get a big crowd. Mrs. Capone said, yes, but it does not matter.

Supervisor Ringler said if this is agreeable to the Board, he would like to proceed in that matter and see if something can be worked out down there to try to accommodate everybody. Mr. Gunner said he has no problem with that. Mrs. Capone said okay, we will look into doing something, who is we. She asked if Mr. Ringler was talking about the Highway Department, are you talking about the Board, are you talking

about Mr. Wickham, who are you are talking about she asked. Supervisor Ringler said Mrs. Capone and himself. She said forget it. She noted this is Mr. Wickham's job.

Supervisor Ringler said he and the Traffic Safety Committee and Mr. Heffly and Mr. Dunn, one of the residents over there, maybe they can all sit down and see what can be worked with the neighbors to help Mr. Heffley but still take care of the traffic problems in the area. Mr. Ringler asked if there was another question or comment, he saw a hand raised.

Mrs. Carol McGann said she lives on Grove Street and has for the past 22 years. She said she lives on the end and it horseshoes around, which a lot of people do not know. She said she is really stuck at the end, noting she is interested in if there is an emergency. She said she has been more interested as the businesses came in, more things -- we have more than one problem. She thinks Mr. Heffley has parking and I think Grove Street is not wide enough for parking. She said the partial parking or whatever parking, there is absolutely no room for parking on Grove Street. She said she wanted to thank whoever was responsible for putting up, temporarily apparently for now, I am sad to say it is temporary, it is wonderful right now to have no parking on Grove Street. Councilman Gunner said the only thing -- right now it is not temporary. Mrs. McGann said it was so unsafe. Mr. Gunner said it is not temporary, it is permanent. Mrs. McGann said she knows. Mr. Gunner said permanent, it can be changed, nothing is permanent in this world except death.

Supervisor Ringler explained that the status is that the Local Law was passed, it is in place, to rescind it, the Town Board would have to have another public hearing, to take action to change it. He said it is not just something that we just arbitrarily decide to remove it. Mrs. McGann said she just wanted the Board to know the residents are all enjoying it, they live there. She said walking down Grove Street is just like taking your life in your hands. She said it is not against any business -- she said she goes to the Luncheonette 3 times a week and she loves it there and everything like that -- she said she has not been able to get in there because it is full. She said it popular, it is a nice place, you know but the thing is, you have to think about the sensible things and do we have to supply parking for business. She said she means, is that something that you are expected to do. Supervisor Ringler said he does not think... Mrs. McGann said he does not own the place, he rents the place, he has sufficient parking, if that parking lot is full, his place is full. He does not have a lot of... she said you know, it is small, it is cozy and nice and she said she would like to please everybody naturally. Supervisor Ringler said he would also. Mrs. McGann said as she was saying, she has been there a long time and she has seen a lot of changes and she said they are not people to complain apparently, because they are really getting stomped on, noting you know what I mean. Supervisor Ringler said he does not think they are getting stomped on. He said the Board took action on the recommendation, indicating please remember this. Councilman Gunner said not really. Mrs. McGann said they are going to enjoy it while they can. Councilman Gunner said I have the recommendation here, you took action on one part of it and I think that is what you may be forgetting Mrs. McGann, that even here, the resolution said this, this parking problem isn't resolved first, which they have done, okay, according to what you have just said, all right, however... Mrs. McGann said she did not know if she said it right. Mr. Gunner said you said it very well, what you said was very well. What I am saying is it does not meet, hasn't looked at the whole thing, hasn't solved the problem down there. A fire engine getting down in there may never get out and you get 3 or 4 in there with the lumber yard in there, it is going to be a problem. Mrs. McGann said it is one of the biggest improvements she has noticed, she has to say it solved a lot of things. She said she does not know how the rest of the neighbors feel, she is just telling what she feels. Mr. Gunner said it certainly has for the residents that live there, however, once again, there is a perception, the larger business there still has plenty of parking, doesn't have to meet with some of the requirements, did appeal it, got things changed. I just have a lot of concern for all that. It may be perfectly right and legitimate but I think we should be careful

about the perception of the way we did things and that's basically why I said it. I still hold for what I asked to do and I would back Mr. Ringler to look at it. They may find there is a way of settling more than just the one part of it and I think that would be good. Mrs. McGann said and find another problem to invite to stay. Mr. Gunner said it is up to the Chairman. Mrs. McGann said the problem is when you give people and we are all people a privilege, the privilege is abused and that is why people, you know, have more and when you allowed parking on Grove Street, she said it is just tremendous, these people do not use their common sense. She said they park in front of people's private parking spaces. She said she normally was against this but she lives there and she has to live with these kinds of things. She said there is an elderly woman on the street and there is a little parking space in front of her house and the man who lives upstairs and when he comes home to go in his parking, there are cars parked there because they are someplace in the neighborhood. She said she will not say where because she does not know, she can assume but she does not know. She said this is not right, this is not his fault or anybody else's fault, it is the person who parks there, indicating you know what I am saying, they abuse the privileges and this what has been going on. She said it is a real problem.

Councilman Gunner said we do provide parking, we provide parking not too far from the 4 corners, so we do provide parking, we work with other agencies, we have a parking lot out on Cherry, we have one in back of Delmar, Delaware Avenue, that serves as parking for a lot of businesses down there. So, the Town does provide parking, I am not saying necessarily that we should do that, however, when we zone areas commercial, which that area is zoned, we should when they build or something, we should look to make sure that those facilities are provided. And, it is not happening. Mrs. McGann said the street was too small, you know what I mean. Mr. Flanigan, Building Inspector, said he had to take exception to that Mr. Gunner. He said there is parking. Everyone of the businesses down there, except Bennett's, according to Mr. Flanigan, has the required number of parking places on their site. Mr. Gunner said but are they available and CVS is not, as of today, okay, not CVS, Curtis.

Mrs. Marlyn Dunn said she just wanted to say, even in commercial zones, school buses are allowed to go down a street and when there is parking on Grove Street, a school bus cannot come down the street to get her children. She said she has to take the children over to the corner of North and Hudson because the bus cannot get down the street. She said people just park there. She said the bus cannot make the turn. Councilman Gunner asked if they still park there. Mrs. Dunn said no, she is talking about before. She said the Board is talking about changing it back. She said she is saying it is wonderful now but a bus could not get down there before when there was parking on that street. Mr. Gunner said he just wants to correct one thing, I am not talking about changing it back at all, I never said that. Mrs. Dunn said any change other than what it is we are against. Mr. Gunner said you have about 9 or 10 others here. Mrs. Dunn said that is fine but they started with one of them, it is finally started to change, do not change it back because it has started to get better. Mr. Gunner said he never said to change it back, I said that we picked on one business, we haven't given him a chance to voice himself and I want that done, I would do it for you or anybody else in this room. Mrs. Dunn said when a school bus cannot get up the street, you have to consider that first. Mr. Gunner said that has been going on for 6 years, what has taken us so long, why haven't we enforced it. Mrs. Dunn said she used to call the police every day. Mr. Gunner said why haven't we enforced it on the one side. Mrs. Dunn said whatever, but now it can happen so let's not change it back. Mr. Gunner said that is wonderful, that is fine, but we should look at the whole thing.

Supervisor Ringler said what he would like to do... He said his feeling is that the Traffic Safety Committee has made a recommendation which makes some sense, whenever a decision is made there is an effect, if the Board can mitigate the effect, he would like to try and do that. He said this what he would like to do at this point in time, try to find out if we can find something that will solve the problem by not

having parking there but perhaps by working with the neighbors, find some off street parking that will address Mr. Heffley's needs as well. He said if he can do that the old Solomon approach will win again but he is not saying we can but they will try. The Supervisor said they will get working on this right away and get back, suggesting perhaps the neighbors and Mr. Heffley and the Board can get together in the near future and work something out. Mr. Gunner said he would also like to add to that as that develops more commercially, I think we should look at what we are going to require for parking for anybody who gets a building permit. Supervisor Ringler noted right now they have to meet requirements if they change from residential to commercial. Mr. Flanigan said if Mr. Heffley was going in there tomorrow, he would need 27 parking places and he would not even be there. Mrs. Fuller asked what the building occupancy is for this building. Mr. Flanigan said for the load of that building it is 49, that is what it is posted for. Mrs. Fuller asked if that would need 16 parking places. Mr. Flanigan said it would require 16 parking places. Supervisor Ringler noted he wanted to add to what Mr. Flanigan has said, Mr. Heffley did have the legal amount of parking places when he went into business but the Code was changed after a study determining what the right amount of parking should be for that type of business and it was increased. Mr. Ringler said he wanted to make sure that no one thinks Mr. Heffley was allowed in there without enough parking. Mrs. Capone asked Supervisor Ringler if it is the job of the Town to find him parking or is it the job of the individual to find his own parking. Supervisor Ringler said that is a philosophical question. He said business is good for the Town of Bethlehem and it helps us with our tax base and provides services and so forth. He said he is a businessman, himself, and he feels he has a responsibility to take care of my parking. He said he has pointed out some things to Mr. Heffley that he thought he might consider doing regarding his own employees from his perspective. He said he is not talking about looking at this just to help him, this is a commercial area of the Town, it is a vital asset of the Town. The Supervisor noted as the Town is growing, there are more people, there are more cars, the Town had to take parking off of Delaware Avenue when the State wanted to put the additional lane in there to help traffic get through the Town and if we can, provide some parking for the residents, either through volunteer usage of lots or us considering another Town lot, he thinks the Board should look at this. Mr. Ringler said he thinks there is a community benefit for the Board to help provide more parking for our residents. But, you are right, according to Mr. Ringler, that Mr. Heffley has an obligation as well, as a businessman to protect his business and that is one of the reasons he is here tonight. Supervisor Ringler said they will get together and see what they can do to work something out here and report back to the Board. Supervisor Ringler thanked everyone.

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Supervisor Ringler noted the next item on the agenda is the appointment of Richard J. LaChappelle to the position of Chief of Police, effective December 28, 1991. He said as he has pointed out in a memorandum to the Town Board, this normally would have been done at the organizational meeting, however Paul Currie's retirement is effective December 28, 1991. He said, therefore, he feels it is important to take action on the appointment of the new Chief prior to the organizational meeting. He said he would recommend that Richard LaChappelle be appointed Chief of Police to the Town of Bethlehem, effective December 28, 1991 at an annual salary of \$48,272.00.

Appoint  
Chief of  
Police

The motion was made by Mrs. Fuller and seconded by Mr. Gunner that Richard J. LaChappelle be and he hereby is appointed Chief of Police for the Town of Bethlehem, effective December 28, 1991 at an annual salary of \$48,272.00. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

- - -

Supervisor Ringler congratulated Chief to be Richard J. LaChappelle. Mr. Ringler said incidentally, next Monday at 10 a.m. in the Court Room, there will be a ceremonial swearing in of the new Chief and all are welcome to attend.

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The following item is a recommendation from the Traffic Safety Committee for stop signs at the intersection of Pineview Place and Delmar Place. Supervisor Ringler said this is a result of a petition, a request of neighbors, for stop signs at those locations. The Committee has recommended that the Town Board do place stop signs there based upon the fact that measurements of the intersection which indicate the need for stop signs at the location, the accident history at or near the said intersection -- there have been 4 accidents in the past 4 years -- and the placement of stop signs would make traffic control at this intersection consistent with the control at the other intersections along Delmar Place.

Set  
Public  
Hearing  
Amend  
Traffic  
Ordinance  
Stop Signs  
Pineview Ave.  
and  
Delmar Place

The Supervisor asked if there were any questions. Councilman Gunner asked if this required a public hearing. Supervisor Ringler said it does, indicating he would like to set a public hearing January 22, 1992 at 7:45 p.m. The motion was made by Ms. Galvin and seconded by Mr. Gunner that a public hearing be held on January 22, 1992 at 7:45 p.m. to consider amending the Traffic Ordinance of the Town of Bethlehem for stop signs at the intersection of Pineview Avenue and Delmar Place. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

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Accept  
Resignation  
of Fred  
Holligan as  
Chairman  
Traffic  
Safety  
Committee and  
Appoint  
Charles Wickham  
to replace him

Supervisor Ringler said the next item is to accept the resignation of Fred Holligan as Chairman of the Traffic Safety Committee and appoint Charles Wickham -- who has already gone to work -- as Chairman of the Traffic Safety Committee.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to accept with regret the resignation of Fred Holligan as Chairman of the Traffic Safety Committee. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

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The motion was made by Ms. Galvin and seconded by Mrs. Fuller to appoint Charles Wickham as Chairman of the Traffic Safety Committee. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

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Supervisor Ringler congratulated, he thinks, Mr. Wickham on his appointment. Mrs. Capone asked the Supervisor if he was going to send Mr. Wickham to a stress management class. Mr. Ringler said to the same one he goes to.

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Accept  
Deeds and  
Easements  
Castlewoods  
Subdivision

Supervisor Ringler said the next item on the agenda is to accept deeds and easements in the Castlewoods Subdivision under bond. The motion was made by Ms. Galvin and seconded by Mrs. Fuller that the deed and easements documents for the Castlewoods Subdivision be and they hereby are accepted under bond as recommended by the Department of

Public Works and approved by the Town Attorney. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

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Supervisor Ringler next acknowledged receipt of the Annual Report of Local Highway Mileage corrected to December 10, 1991 from the Highway Department.

Acknowledge  
Receipt  
Annual  
Report of  
Local  
Highway  
Mileage  
Corrected

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Following, Supervisor Ringler entertained a motion to approve the Town Board minutes of October 30, 1991, November 13, 1991 and November 27, 1991 distributed on November 27, 1991 and December 11, 1991. The motion was made by Ms. Galvin and seconded by Mrs. Fuller to approve the Town Board minutes of October 30, November 13, and November 27, 1991. The motion was passed by the following vote:

Approve  
Town Board  
Minutes

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

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Supervisor Ringler said the next item was a request from the Department of Public Works to award the bid for Rockefeller Road Preliminary Treatment Works contract 1G, General Construction and contract 1E, Electrical Work. The Supervisor read the following memorandum from the consultants.

Award Bid  
Rockefeller  
Road  
Preliminary  
Treatment  
Works

December 5, 1991

Town Board  
Town of Bethlehem  
445 Delaware Avenue  
Delmar, New York 12054

RE: Bethlehem Sewer District  
Rockefeller Road Preliminary Treatment Works  
Contract No. 1G - General Construction and/or  
Contract No. 1E - Electrical Work

Gentlemen:

Bids were received on December 03, 1991 at the Town Hall for the subject project. There were nine (9) bid proposals submitted for Contract No. 1G-General Construction and thirteen (13) bids submitted for Contract No. 1E-Electrical Work, as summarized below with any non-conformities noted. A copy of the certified tabulation of bids is enclosed for your review.

The low bid for Contract No. 1G-General Construction was submitted by Laquidara, Inc. of Stillwater, New York, in the total lump sum amount of \$398,999.00. The bid was accompanied by a 5% bid bond drawn by Amwest Surety Insurance Co., 6320 Canoga Avenue, P.O. Box 4500, Woodland Hills, California. Laquidara Construction, Inc. is an established firm in this area and has performed previous contracts for this office as well as for the Town of Bethlehem and is well qualified to perform the required work.

We are not cognizant of any reason(s) why Contract No. 1G-General Construction should not be awarded to Laquidara Construction, Inc. in the amount of their total lump sum bid of \$398,000.00.

The low bid for Contract No. 1E-Electrical Work, was submitted by LaCorte Electrical Construction & Maintenance, Inc. of Troy, New York, in the total lump sum amount of \$24,477.00. The bid was accompanied by a 5% bid bond drawn by Firemen's Insurance Co. of

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Newark, New Jersey, 333 Glen Falls, New York. LaCorte, E.C.M., Inc. is a local electrical firm in this area and has performed a previous contract for this office, and is qualified to perform the required work.

We are not cognizant of any reason(s) why Contract No. 1E-Electrical Work should not be awarded to LaCorte Electrical Construction & Maintenance, Inc. in the amount of their total lump sum bid of \$24,477.00.

We will retain all of the bids submitted until the Town Board has made its Resolution of Award. The bidding documents of the unsuccessful bidders will be forwarded to you at that time for your records.

A copy of the Tabulation of Bids will be mailed to each bidder for review. Bid deposits will be returned to bidders in accordance with the Notice to Bidders and any forfeitures will be forwarded to the Town.

Please let us know when this contract has been awarded so that we can proceed with the contract execution process.

If you have any questions, please let us know.

Very truly yours,

J. KENNETH FRASER & ASSOCIATES, P.C.

By: /s/ James K. Fraser, Jr., P.E.

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The motion was made by Mr. Gunner and seconded by Ms. Galvin to award the bid for Rockefeller Road Preliminary Treatment Works contract 1G to Laquidara Construction, Inc., Stillwater, NY in the total lump sum amount of \$398,999.00 and contract 1E to LaCorte Electrical Construction and Maintenance, Inc. of Troy, NY in the total lump sum amount of \$24,477.00. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

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Transfer of Funds Police & Fire Retirement Funds

The Supervisor said now the end of the year bookkeeping must be done. The first request was for a transfer of funds from the Comptroller's Office for the Police and Fire Retirement funds. The motion was made by Ms. Galvin and seconded by Mrs. Fuller that \$56,000. from Account No. A 1990.4 Contingent Fund be transferred to Account No. A9015.8 Police and Fire Retirement. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

-----

Transfer of Funds Assessor

The next transfer according to Supervisor Ringler is a request from Brian Lastra, Assessor, for a transfer of \$12,000.00 to cover expenses not originally included in the 1991 budget. The motion was made by Ms. Galvin and seconded by Mr. Gunner to transfer \$12,000. from Account No. A1990.4 Contingency Account to Account No. A1355.449. Councilman Gunner asked if that was going to be to help with the reassessment program. Supervisor Ringler said he asked Mr. Lastra to explain the transfer. He said there was a bill that had to be paid dating back to 1988 which was in dispute for accounting services which was agreed upon in this current year that was not budgeted for, plus there has been small claims assessment review which it was more extensive than originally budgeted. Mr. Gunner said it is time to pay it. Supervisor Ringler said we actually worked out pretty well because they wanted a lot more but Mr. Lastra did an excellent job of

bringing it down to what it should be. He said it took a while to settle the whole thing. The motion was passed by the following vote:

Ayes: Mr.Ringler, Mr.Gunner, Ms.Galvin, Mrs.Fuller.  
Noes: None.  
Absent: Mr. Webster.

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Supervisor Ringler said next is a request from the Department of Public Works for transfer of funds in the amount of \$9,100. and \$500. The motion was made by Ms. Galvin and seconded by Mrs. Fuller that for the Department of Public Works, \$4,700. from Account No. A1490.1, \$3,400. from Account No. A1490.2 and \$1,000. from Account No. A1990.4, for a total of \$9,100. to be transferred to Account No. A1490.4. The motion was passed by the following vote:

Transfer  
Funds  
Public  
Works

Ayes: Mr.Ringler, Mr.Gunner, Ms.Galvin, Mrs.Fuller.  
Noes: None.  
Absent: Mr. Webster.

- - -

The motion was made by Ms. Galvin and seconded by Mrs. Fuller that for the Department of Public Works, \$500. from Account No. G9730.6 (BAN Principal) be transferred to Account No. G9710.7 (Serial Bond Interest). The motion was passed by the following vote:

Transfer  
Funds  
Water  
Sewer

Ayes: Mr.Ringler, Mr.Gunner, Ms.Galvin, Mrs.Fuller.  
Noes: None.  
Absent: Mr.Webster.

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Supervisor Ringler said the next item was a request for transfer of funds to Capital Project Account for Water and Sewer Districts. He read the following Memorandum.

MEMORANDUM

TO: Members of the Town Board  
FROM: Bruce H. Secor, P.E., Commissioner of Public Works  
DATE: December 18, 1991  
SUBJECT: Bethlehem Water District No. 1  
Capital Project Account Transfers

During 1991, the last phase of the Font Grove Road Water Main Replacement Project was undertaken, and many other repairs completed. Unscheduled projects and emergency repairs to broken water mains did not allow the Water District to begin some projects planned in the 1991 budget.

The funds for these items were not re-budgeted in the 1992 budget. Therefore, it is necessary to request Town Board authorization to transfer funds into the Capital Project Account so that this money does not lapse. These transferred funds will be used to finance Capital Improvements recommended to the Town Board by the Capital Improvements Committee.

Attached is a proposed Resolution that would authorize the necessary transfers.

Please contact me if you have any questions or need any further information.

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The motion was made by Ms. Galvin and seconded by Mr. Gunner that the following resolution be adopted.

MAJOR REPAIRS AND EQUIPMENT REPLACEMENT FOR WATER DISTRICT NO. 1

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WHEREAS, the 1991 Water District No. 1 Budget included funds for major repairs and equipment replacement in Water District facilities, and,

WHEREAS, due to the necessity to complete unscheduled projects and emergency repairs, budgeted items were not started during 1991, nor were funds for these items rebudgeted in 1992,

NOW, THEREFORE, in order to not have these appropriations lapse as of December 31, 1991, the Town Board hereby approves budget transfers from the following items: from F8310.2 (\$55,000.), from F8320.4 (\$20,000.), from F8330.4 (\$75,000.) to Interfund Transfers F9901.9 of \$150,000. and,

FURTHERMORE, increase the budget for this Capital Project Account to \$355,000.

The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

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Following according to Supervisor Ringler is a similar resolution for the Sewer District, totaling \$370,000.

MEMORANDUM

TO: Members of the Town Board  
FROM: Bruce H. Secor, P.E., Commissioner of Public Works  
DATE: December 19, 1991  
SUBJECT: Bethlehem Sewer District - Capital Project Account

During 1991, we successfully completed numerous infiltration/inflow improvements in the collection systems, major repairs to the Rockefeller Road pumping station, and major repairs to the north clarifier at the Cedar Hill Wastewater Treatment Plant. However, because of numerous other priorities we were unable to move forward with our program of repair and resealing sewer mains drawings were prepared for projects recommended by the Capital Improvements Committee, but will not be completed by December 31, 1991.

The funds for this work were not re-budgeted in the 1992 budget. Therefore, it is necessary to request Town Board authorization to transfer funds into the Capital Project Account so that this money does not lapse.

Attached is a proposed Resolution that would authorize the necessary transfer.

Please contact me if you have any questions or need any further information.

- - -

The motion was made by Mrs. Fuller and seconded by Ms. Galvin to adopt the following resolution:

PUMPING STATIONS, SEWER MAIN REPAIRS  
MAINTENANCE EQUIPMENT AND EQUIPMENT REPLACEMENT

WHEREAS, the 1991 budget for the Bethlehem Sewer District included funds for pump station repairs, sewer main repairs, maintenance equipment and equipment replacement and,

WHEREAS, due to the pressure of other repair problems occurring during 1991 these budgeted items were not completed in 1991, and were not reappropriated in the 1992 budget,

NOW, THEREFORE, the Town Board, not wishing to have these appropriations lapse as of December 31, 1991 approves budget transfers from the following budget items: from G8110.1 (\$15,000.), from G8120.4 (\$140,000.), from G9730.6 (\$55,000.), from G9730.7 (\$160,000.) to Interfund Transfers G9901.9 of \$370,000. and,

FURTHERMORE, increase the Capital Fund budget to \$1,212,000.

The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

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Supervisor Ringler said next is a request from David Austin, Administrator of Parks & Recreation Department for the appointment of Seasonal Personnel.

Recreation Specialist I at a rate of \$5.00 per hour.

Nelson Harrington  
27 East Fernbank Avenue  
Delmar, NY 12054

Nancy Smith  
P.O. Box 144  
Delmar, NY 12054

Robert Salamone  
120 Poplar Drive  
Delmar, NY 12054

Richard Buyer  
59 Delmar Place  
Delmar, NY 12054

Peter Fish  
18 Vista Lane  
Selkirk, NY 12158

Steven Rider  
26 Parkwood West  
Albany, NY 12203

Marty Cornelius  
12 Candlewood Lane  
Delmar, NY 12054

William Morrison  
77 Wormer Road, R.D. #4  
Voorheesville, NY 12186

Appoint  
Parks &  
Recreation  
Dept.  
Seasonal  
Personnel

Senior Lifeguard at a rate of \$6.70 per hour.

Christine Danker  
P.O. Box 506  
Slingerlands, NY 12159

Linda Brown  
R.D. #2, Box 221B  
Ravena, NY 12143

Senior Lifeguard at a rate of \$7.10 per hour.

Jill Riley  
112 Mosher Road  
Delmar, NY 12054

Terry Smith  
47 Edward Street  
Cohoes, NY 12047

Donald W. Geurtze  
40 Elsmere Avenue  
Delmar, NY 12054

Joan Link  
7 Eustis Ridge  
Slingerlands, NY 12159

Senior Lifeguard at a rate of \$7.30 per hour.

Elizabeth Strickler  
42 Euclid Avenue  
Delmar, NY 12054

Senior Lifeguard at a rate of \$8.10 per hour.

Margaret Fitzpatrick  
6 Roweland Avenue  
Delmar, NY 12054

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Laborer at a rate of \$6.95 per hour.

Charles Asprion  
21 Gardner Terrace  
Delmar, NY 12054

Recreation Instructor III at a rate of \$7.50 per hour.

Jude Grimley  
49 Forrest Avenue  
Albany, NY 12208

Elizabeth Skowron  
335 Delaware Avenue  
Delmar, NY 12054

Recreation Instructor III at a rate of \$7.70 per hour.

Lou Smith  
P.O. Box 284  
Selkirk, NY 12158

Kim Carney  
2751 Brookview Road  
Castleton, NY 12033

Recreation Instruction III at a rate of \$7.90 per hour.

Dorothy Bradt  
35 Crannell Avenue  
Delmar, NY 12054

Recreation Instructor III at a rate of \$8.10 per hour.

Linda J. Schacht  
Clapper Road  
Selkirk, NY 12158

David M. Pratt  
Clapper Road  
Selkirk, NY 12158

Elizabeth Strickler  
42 Euclid Avenue  
Delmar, NY 12054

Recreation Instructor III at a rate of \$8.30 per hour.

Mary Bayham-Caraco  
29 Herber Avenue  
Delmar, NY 12054

Theresa Mattson  
835 Washington Avenue  
Albany, NY 12206

Gloria Fabry  
2100 Devon Road  
Delmar, NY 12054

Mary Powell  
12H Millcreek Drive  
East Greenbush, NY 12061

John DeMeo  
3124 Lydius Street  
Schenectady, NY 12303

Recreation Instructor III at a rate of \$8.55 per hour.

Kenneth Neff  
R.D. #1, Box 333  
Delaware Turnpike  
Delmar, NY 12054

Recreation Instructor III at a rate of \$8.85 per hour.

Diane S. White  
56 Pantages Park  
Selkirk, NY 12158

Linda Herzog  
106 Brockley Drive  
Delmar, NY 12054

Richard Poplaski  
13 Chestnut Street  
Castleton, NY 12033

Recreation Instructor III at a rate of \$9.05 per hour.

Grace Franze  
40 Wiggand Drive  
Glenmont, NY 12077

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Senior Recreation Program Director at a rate of \$8.80 per hour.

Michael Fitzpatrick  
9 Marshall Street  
Albany, NY 12209

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Senior Recreation Program Director at a rate of \$9.70 per hour.

Terry Ulion  
40 Journey Lane  
Glenmont, NY 12077

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Recreation Specialist II at a rate of \$5.75 per hour.

Bernard Skaskiw  
14 Brockley Drive  
Delmar, NY 12054

Dominick DeCecco  
39 Elwood Road  
Slingerlands, NY 12159

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Recreation Program Director at a rate of \$8.00 per hour.

Paul Machelor  
6 Summit Avenue  
Albany, NY 12209

Sandra J. Banas  
643 Providence Street Apt. BE  
Albany, NY 12208

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Recreation Supervisor at a rate of \$4.60 per hour.

Shannon Perkins  
4 Oak Road  
Delmar, NY 12054

Brian McGrath  
4 Salem Road  
Delmar, NY 12054

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Recreation Supervisor at a rate of \$4.60 per hour.

Adam Perry  
8 Oakwood Place  
Delmar, NY 12054

Kevin Murphy  
5 Journey Lane  
Glenmont, NY 12077

William Greer  
Box 243 Van Dyke Road  
Delmar, NY 12054

Tim Doody  
14 Glendale Avenue  
Delmar, NY 12054

Kristin Lewis  
91 Union Avenue So.  
Delmar, NY 12054

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Recreation Supervisor at a rate of \$4.75 per hour.

Gregory D. Zornow  
31 Axbridge Lane  
Delmar, NY 12054

Debbie Koretz  
21 Huntersfield Road  
Delmar, NY 12054

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Recreation Supervisor at a rate of \$4.95 per hour.

Timothy J. Conway  
43 Constitution Drive  
Glenmont, NY 12077

Robert T. Newkirk  
331 Clapper Road  
Selkirk, NY 12158

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Recreation Supervisor at a rate of \$5.05 per hour.

Gregory Maher  
1 Albin Road  
Delmar, NY 12054

Recreation Supervisor at a rate of \$5.15 per hour.

Peter Farrell  
75 Dumbarton Drive  
Delmar, NY 12054

Robert Oskam  
28 Jefferson Road  
Glenmont, NY 12077

Thomas Klim  
11 Bradstreet Court  
Delmar, NY 12054

Recreation Supervisor at a rate of \$5.35 per hour.

Amy Budliger  
36 Groesbeck Place  
Delmar, NY 12054

Louis Lazarus  
58 Huntersfield Road  
Delmar, NY 12054

Barbara Riedel  
6 Sylvan Avenue  
Delmar, NY 12054

Barbara Manning  
18 Salisbury Road  
Delmar, NY 12054

Charles Riedel  
6 Sylvan Avenue  
Delmar, NY 12054

Recreation Instructor I at a rate of \$4.50 per hour.

Rory Fay  
42 Herrick Avenue  
Delmar, NY 12054

Thomas Leyden  
54 Brockley Drive  
Delmar, NY 12054

Recreation Instructor I at a rate of \$4.70 per hour.

Stacey Rosenblum  
20 Venture Terrace  
Glenmont, NY 12077

Recreation Instructor I at a rate of \$4.90 per hour.

Nina Teresi  
43 Winne Road  
Delmar, NY 12054

Lifeguard at a rate of \$5.75 per hour.

Michael Kohler  
27 Placid Lane  
Glenmont, NY 12077

Michael Leyden  
54 Brockley Drive  
Delmar, NY 12054

Benjamin M. Faulkner  
93 Winne Road  
Delmar, NY 12054

Todd J. Turner  
54 Darroch Road  
Delmar, NY 12054

Recreation Specialist I at a rate of \$5.75 per hour.

Richard Nestlen  
Box 137  
Feura Bush, NY 12067

Recreation Instructor II at a rate of \$5.25 per hour.

Gloria VanDerPoel  
Route 9W  
Glenmont, NY 12077

Sandy L. Newman  
6 Esplan Street  
Selkirk, NY 12158

Recreation Instructor II at a rate of \$5.65 per hour.

Glenn Peterson  
205 Schoolhouse Road  
Albany, NY 12203

Recreation Instructor II at a rate of \$6.05 per hour.

Craig Walker  
118 Cherry Avenue  
Delmar, NY 12054

Recreation Instructor II at a rate of \$6.25 per hour.

JoAdele Dumper  
514 Huron Road  
Delmar, NY 12054

The motion was made by Mrs. Fuller and seconded by Mr. Gunner that the above named persons be and they hereby are approved for appointment as David Austin, Administrator of Parks & Recreation Department. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

- - -

Councilman Gunner asked if the list of personnel would be available to the public. Supervisor Ringler answered absolutely and said this is the annual part timers and the Board would be here all night if everyone is read. The Supervisor said if anyone wishes to look at them, they are right here.

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Supervisor Ringler next acknowledged receipt of the Conditional Approval of Final Plat for the Paula Estates - Extension #1 from the Planning Board for information purposes.

Acknowledge  
Conditional  
Approval  
Final Plat  
Paula Estate.

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Next Supervisor Ringler acknowledged receipt of the amendment to the Quail Hollow Subdivision from the Planning Board, again, for information purposes.

Acknowledge  
Amendment  
Quail Hollow  
Subdivision

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Supervisor Ringler said next is to accept a resignation of Frances Markel as Telecommunicator effective January 5, 1992, appointment of Thomas Heffernan, Jr. to the position of Telecommunicator, effective January 4, 1992 and appointment of Christopher Hughes to the position of part-time Telecommunicator effective January 4, 1992. Mr. Ringler explained Telecommunicator Markel is going to be going to work in the Highway Department and Mr. Heffernan will be moved up to full time and Mr. Hughes, who is a part time Animal Control Officer will also become a part time Telecommunicator.

Accept  
Resignation  
and  
Appointment  
of  
Telecommunic.

The motion was made by Ms. Galvin and seconded by Mr. Gunner to accept the resignation of Frances Markel as Telecommunicator, appoint Thomas Heffernan, Jr. to the position of Telecommunicator and appoint

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Christopher Hughes as a part time Telecommunicator. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

Transfer  
Funds  
Police  
Department

Supervisor Ringler said the next item is a request from Paul E. Currie, Sr., Chief of Police, for transfer of funds. He read the following memorandum.

MEMORANDUM

#91-128

DATE: December 19, 1991  
TO: MEMBERS OF THE TOWN BOARD  
FROM: PAUL E. CURRIE, SR., CHIEF OF POLICE  
SUBJECT: FUND TRANSFER

We request the transfer of \$12,500.00 from the Animal Control Equipment Account (3510.2), to the Communications Personal Services Account (3020.1). The deficit occurred in the settlement of the Telecommunicators Contract.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to approve the transfer of \$12,500.00 from the Animal Control Account (3510.2) to the Communications Personal Services Account (3020.1). The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

Approve  
Payment of  
Insurance  
Senior  
Services

The Supervisor said the next item is a memorandum from Mrs. Pellettier in the Senior Citizens Services office, indicating that Bethlehem Senior Projects -- the not for profit corporation that has been very successful in raising funds for various funds and programs and vehicles in the Town of Bethlehem -- through their efforts has now received sufficient funds for the replacement of the existing bus which is breaking down on a regular basis with a new van and also for an additional sedan which would be used for transporting cancer patients. This is quite a benefit to the Town, according to Mr. Ringler, once again Senior Services and the support of the community for senior services has been outstanding. He said we have been very fortunate that even with difficult budget times, we have been able to keep our budget for senior services in place but through the work for volunteers and the residents of this Town who are very open with their pockets, have been very helpful to Bethlehem Senior Projects in purchasing vehicles. The Town Board, according to Supervisor Ringler, has to authorize providing the necessary insurance and maintenance to these two vehicles. He said this, although not budgeted for this year, will be offset by the fact that the Town is going to be able to sell the existing bus for \$7500., as he recalls, and that will offset any expenses the Town may have. He said, in addition, as Mrs. Pellettier points out in her memorandum, this is going to help us in another area. He said currently Senior Services does have a station wagon that is used by other Departments when it is available. He said if everyone remembers, at budget time, the Board cut a vehicle out of Parks and Recreation because it was determined that the additional vehicle was only needed during the summer months. In this particular case, this vehicle that will be purchased by Mrs. Pellettier will free up the station wagon to a great deal of the time in the summer time because that is the quiet time in Senior Services and the busy time in Parks and Recreation. He said he thinks this will be an efficient use of the vehicles. The Supervisor said he would entertain a motion at this

point in time to authorize Senior Services to go ahead with this proposal and quite frankly, thank the residents of this Town for their support in this project.

The motion was made by Ms. Galvin and seconded by Mr. Gunner that the Town provide insurance for the proposed sedan and continue to insure the replacement for the handicapped vehicle. The motion was passed by the following vote:

Ayes: Mr.Ringler, Mr.Gunner, Ms.Galvin, Mrs.Fuller.  
Noes: None.  
Absent: Mr. Webster.

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Supervisor Ringler thanked Mrs. Pellettier.

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The following item on the agenda according to Supervisor Ringler is a request from Chuck Wickham, Town Fire Officers Association, for transfer of funds. Supervisor Ringler said he had some bad news for him because he plans to recommend to the Town Board that we do not allow this transfer. He said we transfer funds to our reserve funds when cash is on hand in the various funds to do so. As Mr. Secor has separate funds, sewer and water, his resources are not a problem but as we all know, during the past year the general fund is the area where we have had to be very careful in our spending and he does not believe at this point in time that it would be prudent to make this recommendation to transfer this fund. This is nice to do in years when there is a lot of cash on hand, according to Mr. Ringler, and indicated he did not get to tell Mr. Wickham this information before he met him in the hall and he is aware of it. Unless the Board disagrees with the Supervisor, there is no action to be taken.

Transfer  
Town  
Fire  
Officers  
Association

Councilman Gunner said he was going to question the equipment account anyhow. He said he would question that pretty heavily, if we don't need the equipment or that I was concerned. Supervisor Ringler said you have to understand that he would not let them spend anything this year so the appropriation is still there but it is his fault that the money is still in the account. In line with the budget constraints this year, Mr. Wickham would come down every week wanting to buy equipment, according to Mr. Ringler, and he kept saying do you really need it. Councilman Gunner said we have a difficult year coming up too and Mr. Ringler agreed exactly. Supervisor Ringler asked if there were any questions on this item. There were none.

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Supervisor Ringler said next is a request from Bruce Secor, Commissioner of Public Works, for approval to go to bid for Sewer Cleaner. The Supervisor noted we could advertise on January 8, 1992 and open bids on January 23, 1992 at 2:00 p.m.

Request  
Go To Bid  
Sewer  
Cleaner

The motion was made by Ms. Galvin and seconded by Mr. Gunner that the Town Clerk advertise for bids in THE SPOTLIGHT issue of January 8, 1992 for Sewer Cleaner and that bids be received for Sewer Cleaner on January 23, 1992 at 2:00 p.m. The bids will be opened and read at the Town Hall on this date. The motion was passed by the following vote:

Ayes: Mr.Ringler, Mr.Gunner, Ms.Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

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Supervisor Ringler said the next item is to accept resignation of Marjorie C. Pregent, Clerk Typist I, Highway Department, effective January 17, 1992 and approve the appointment of Frances C. Markel, Feura Bush, NY to the position of Clerk Typist I in the Highway Department, effective January 6, 1992 at an annual salary of \$17,541.00.

Accept  
Resignation  
and Appoint  
Clerk Typist  
Highway

216

The motion was made by Mr. Gunner and seconded by Mrs. Fuller to accept with regret the resignation of Marjorie C. Pregent, Clerk Typist I, Highway Department and appoint Frances C. Markel, Feura Bush, NY to the position of Clerk Typist I, Highway Department, at an annual salary of \$17,541.00, effective January 6, 1992. The motion was passed by the following vote:

Ayes: Mr.Ringer, Mr.Gunner, Ms.Galvin, Mrs.Fuller.  
Noes: None.  
Absent: Mr.Webster.

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Supervisor Ringler said the next item is a request from Martin J. Cross, Superintendent of Highways for transfer of funds. He read the following letter.

TO: Bethlehem Town Board  
FROM: Martin J. Cross, Superintendent of Highways  
DATE: December 19, 1991  
SUBJECT: Transfer of Funds

Transfer  
Funds  
Highway

FROM: A.5132.2 Highway Garage - Equipment \$1,200.00  
TO: A.5010.4 Highway Administration-Contractual 1,200.00

To cover the bond service fees associated with the salt storage facilities.

FROM: A.1990.4 Contingency \$35,000.00  
TO: A.8160.4 Sanitation - Contractual 35,000.00

To cover the fees of the consulting engineers for the Solid Waste Study and the sale of recyclable goods by the Town.

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The motion was made by Ms. Galvin and seconded by Mrs. Fuller to authorize the transfer of \$1,200 from Account No. A5132.2, Highway Garage - Equipment to Account No. A5010.4, Highway Administration - Contractual and \$35,000. from Account No. A1990.4, Contingency to Account No. A8160.4, Sanitation - Contractual. The motion was passed by the following vote:

Ayes: Mr.Ringler, Mr.Gunner, Ms.Galvin, Mrs.Fuller.  
Noes: None.  
Absent: Mr.Webster.

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Approve  
Go To Bid  
1992  
Mid-size  
Sedan

Supervisor Ringler said next is a request from Superintendent of Highways, Martin Cross, to go to bid for the purchase of 1992 mid-size passenger cars for various departments within the Town. This could be advertised on January 2, 1992 and open bids on January 13, 1992 at 2:00 p.m. Councilwoman Galvin asked if these were cars that were previously discussed. Supervisor Ringler said these are cars that are in the budget and we can some times get a better deal by going to bid on these cars than we can on the State contract. He said if the bids come back and we can get them better off the State contract, we buy them off the State contract. Councilman Gunner asked they are all necessary. Supervisor Ringler said we are not actually purchasing the vehicles at this point in time, we are just going to bid to see what the prices are for when we do purchase them. Councilman Gunner said okay.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller that the Town Clerk advertise for bids in THE SPOTLIGHT issue of January 2, 1992 for 1992 Mid-Size Sedan Passenger Cars and that bids be received for 1992 Mid-Size Sedan Passenger Cars on January 13, 1992 at 2:00 p.m. The bids will be opened and read at the Town Hall on this date. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

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Supervisor Ringler said next he would like to accept the resignation of Rodger Fryer as a Member of the Board of Assessment Review with regret. The motion was made by Ms. Galvin and seconded by Mrs. Fuller to accept with regret the resignation of Rodger Fryer as a Member of the Board of Assessment Review. The motion was passed by the following vote:

Accept  
Resignation  
Rodger  
Fryer  
Board of  
Assessment  
Review

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

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Next was a request from Paul Currie, Chief of Police, according to Supervisor Ringler, for appointment of Christopher A. Pauley as a Probationary Police Officer. The Supervisor noted that Mr. Pauley had been interviewed by our Police Department last year and was all set to be appointed when we put the hiring freeze on and he has been working in another Police Department at this point in time. Mr. Ringler said our new Chief also is in favor of this appoint, knows this young man very well and will be, I believe, from everything that was said an outstanding asset to our Police Department. He has already been on duty so there is going to be a savings to the Town on his training and so forth, it will be transfer.

Appoint  
Probationary  
Police  
Officer

The motion was made by Ms. Galvin and seconded by Mr. Gunner that Christopher A. Pauley, Slingerlands, NY be and he hereby is appointed Probationary Police Officer, effective January 6, 1992, at a starting salary of \$24,956.00 as per the current union contract. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

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Supervisor Ringler said the Organizational Meeting for the Town of Bethlehem will be taking place on January 2, 1992 at 12 noon, swearing in of elected officials and the appointments of the various employees and so forth will take place in the Court Room on that day and everyone is welcome to attend.

The Supervisor asked if there was anything else to be brought to the attention of the Board. There was nothing.

Supervisor Ringler noted Mr. Maher was in attendance at the meeting, noting this is probably his last official night as an employee of the Town, although he has got some vacation to use up so we will be paying him for a while but he is going on to the County to help straighten them out as he has done with us. Supervisor Ringler thanked Mr. Maher and extended best wishes to him as he takes on his new venture.

The motion was made by Ms. Galvin and seconded by Mr. Gunner to adjourn the Town Board meeting at 8:48 p.m. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.  
Noes: None.  
Absent: Mr. Webster.

Supervisor Ringler wished everyone a very Happy New Year.

*Kathleen A. Newkirk*  
Town Clerk