

**Town Board
August 25, 2010**

A regular meeting of the Town Board of the Town of Bethlehem was held on the above date at the Town Hall, 445 Delaware Avenue, Delmar, NY. The meeting was called to order by the Supervisor at 6:00PM.

PRESENT: Samuel Messina, Supervisor
Joann Dawson, Councilwoman
Mark Hennessey, Councilman
Mark Jordan, Councilman
Kyle Kotary, Councilman
Nanci Moquin, Town Clerk
James T. Potter, Esq., Town Attorney

Supervisor Messina asked the Black Sox Team to lead the Pledge of Allegiance.

Supervisor Messina presented the Black Sox 16U Year Old Senior Babe Ruth team with a proclamation to commemorate the team’s accomplishment. They are now the Mid-Atlantic Regional Champions as of August 2, 2010.

PUBLIC COMMENTS ON AGENDA ITEMS:

Dan Lewis – 164 Orchard St. – Commented on the proposed stop sign at the intersection of Orchard St. and Brockley Dr. He lives a quarter of a mile from the intersection and he drives through the intersection a few times a day. Him and his wife walk in the vicinity of the intersection regularly. They are in favor of the stop sign proposal. He thinks the site lines at the intersection looking either right or left from Brockley Dr. onto Orchard St. are limited and a car needs to pull up into the intersection to see in both directions. He said that makes is difficult for traffic on Orchard and pedestrians in the area. There are a lot of pedestrians and bicyclists in the neighborhood.

Louisa Soleau – 125 Brockley Dr. She said as you approach Orchard from Brockley Dr. she is the last driveway before Orchard and knows the intersection very well. She often avoids the intersection and she goes around the block and get on Orchard from one of the other side streets. She has watched people come around the corner and clip the corner. She thinks there will be an accident eventually. She thinks the visibility is poor. People don’t brake sufficiently when turning from Orchard St. She is in favor of turning the intersection into an all way stop.

6:00 PUBLIC HEARING – PROPOSED LOCAL LAW AMENDING THE CODE OF THE TOWN OF BETHELEHEM, CHAPTER 119, ARTICLE VI, SECTION 119-33, SCHEDULE VII, STOP INTERSECTIONS AT BROCKLEY DR. AND ORCHARD ST.-----

46 Presentation by Alana Moran from Creighton Manning. The Town hired the firm to look
47 at the intersection of Brockley Dr. and Orchard St. for a possible all way stop. They
48 collected traffic data in the field such as turning movement and traffic speed. The
49 collection was done during times when school was in session. The traffic volumes are
50 balanced coming to and from the high school area and the travel speeds average around
51 35 MPH. They looked at the site distance and found it to be slightly limited. They have
52 recommended an all way stop at the intersection.

53

54 A motion to waive reading of the call of the hearing and indent the notice of public
55 hearing, the affidavit publication and posting on the minutes was offered by Councilman
56 Kotary, seconded by Councilman Hennessey and approved with the following vote:

57

58 AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
59 Councilman Jordan and Councilman Kotary

60 Nays: none

61 Absent: none

62

63 NOTICE OF PUBLIC HEARING
64 TOWN OF BETHLEHEM, ALBANY COUNTY

65

66 NOTICE IS HEREBY GIVEN that the Town Board of the Town of Bethlehem, Albany
67 County, New York will hold a public hearing on August 25, 2010 at 6:00 p.m. at the
68 Town Hall, 445 Delaware Avenue, Delmar, NY to consider stop signs at the intersection
69 of Orchard Street and Brockley Drive.

70 All parties in interest and citizens will have an opportunity to be heard at the said hearing.
71 Individuals with disabilities who are in need of an accommodation in order to participate
72 should contact the Town Clerk's office at 439-4955, Ext. 1183. Advanced notice is
73 requested.

74

BY ORDER OF THE TOWN BOARD
TOWN OF BETHLEHEM

75

Nanci Moquin
TOWN CLERK

76

77

78

79

80 Dated: August 6, 2010

81

82 STATE OF NEW YORK) SS:

83 COUNTY OF ALBANY)

84

85 NANCI MOQUIN, being duly sworn, deposes and says that she is the Town
86 Clerk of the Town of Bethlehem, Albany County, New York and the attached Legal
87 Notice was published in the Town's legal newspaper, The Spotlight, on August 11, 2010
88 and that I posted the Notice of Public Hearing on August 11, 2010 on the sign board of
89 the Town maintained pursuant to subdivision six of Section thirty of the Town Law.

90

91

Nanci Moquin
Town Clerk

92

93

94 Sworn to before me this

95 11th day of August, 2010.

96

97 Julie Sagendorph

98 Notary Public

99

100 Supervisor Messina opened the public hearing at 6:15 for comments.

101

102 Meghan Singh – 144 Orchard St. – My house is three houses down from the intersection.
103 I have three little kids and my next door neighbor also has two little kids. We are starting
104 to become a very young neighborhood. There are new families that have moved in that
105 also have young kids. Watching kids going down the street both to Slingerlands
106 Elementary and getting on and off the school buses and all that kind of stuff as well as
107 needing to make that left hand turn on a regular basis because I live in that direction, I am
108 highly, as well as my husband who is home watching the 3 kids, very much in favor of
109 the all way stop at this intersection.

110

111 John Smolinsky – 202 Orchard St. – We are a quarter of a mile from this intersection.
112 We've been there for about thirty years. I think the issues of geometry and vegetation all
113 complicate that intersection. The traffic increases too, all the development that has
114 occurred on Fisher Blvd. and there's more to come, has increased traffic in the
115 neighborhood, increased bus trips etc. An intersection that might have been tolerable 30
116 years ago, really isn't tolerable now. I support the all way stop at the intersection.

117

118 Victoria Stores – 170 Orchard St. – I am in favor of the proposal as are many of the
119 people who have spoken here. I am the neighbor of one of the other speakers and we have
120 been in the area for about 10 years. My son is a fourth grader and he loves to ride his
121 bicycle and we have had some harrowing moments at that intersection. We would greatly
122 welcome a greater degree of safety at that intersection.

123

124 Councilman Hennessey said there was a broad base of support for the proposal and he in
125 favor in moving forward with the proposal.

126

127 A motion to close the public hearing was offered by Councilman Hennessey, seconded by
128 Councilman Kotary and approved with the following motion:

129

130 AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
131 Councilman Jordan and Councilman Kotary

132 Nays: none

133 Absent: none

134

135 A motion to approve the Local Law amending the Code of the Town of Bethlehem,
136 Chapter 119, Article VI, Section 119-33, Schedule VII, Stop Intersections to include stop
137 signs at the intersection of Brockley Dr. and Orchard St. was offered by Councilman
138 Jorad, seconded by Councilman Hennessey and approved with the following vote:

139

140 AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
141 Councilman Jordan and Councilman Kotary

142 Naves: none
143 Absent: none

144

145 **6:00 PUBLIC HEARING – PROPOSED LOCAL LAW AMENDING THE CODE**
146 **OF THE TOWN OF BETHLEHEM, CHAPTER 119, ARTICLE VI, SECTION**
147 **119-33, SCHEDULE VII, STOP INTERSECTIONS AT THORNDALE RD.,**
148 **NORTHWOOD CT. AND SOUTHWOOD DR.**-----
149

150

150 Presentation by Alan Moran from Creighton Manning. The Town hired the firm to look
151 at the intersection of Southwood Dr., Thorndale Rd. and Northwood Ct. This is a four (4)
152 way intersection with no traffic controls in place. The data they collected was as follows:
153 traffic volume, turning movement counts and speed data information. Traffic volume at
154 the intersection is about 40 to 50 vehicles during am and pm peak hours. Traffic speeds
155 were all below the posted speed of 30 mph. They looked at intersection site distances
156 from all approaches. The Thorndale Rd. approach, because of vegetation, requires a
157 person to have to ease forward to see. Southwood Rd. has unusual geometry for the area.
158 It is off center. They have recommended stop signs on the Northwood Dr. and Thorndale
159 Rd. approaches.

160

161 A motion to waive reading of the call of the hearing and indent the notice of public
162 hearing, the affidavit publication and posting on the minutes was offered by Councilman
163 Jordan, seconded by Councilman Hennessey and approved with the following vote:

164

165 AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
166 Councilman Jordan and Councilman Kotary

167 Naves: none

168 Absent: none

169

170

NOTICE OF PUBLIC HEARING
TOWN OF BETHLEHEM, ALBANY COUNTY

171

172

173 NOTICE IS HEREBY GIVEN that the Town Board of the Town of Bethlehem, Albany
174 County, New York will hold a public hearing on August 25, 2010 at 6:00 p.m. at the
175 Town Hall, 445 Delaware Avenue, Delmar, NY to consider stop signs at the intersection
176 of Southwood Drive with Thorndale Rd. & Northwood Ct.

177 All parties in interest and citizens will have an opportunity to be heard at the said hearing.
178 Individuals with disabilities who are in need of an accommodation in order to participate
179 should contact the Town Clerk's office at 439-4955, Ext. 1183. Advanced notice is
180 requested.

181

BY ORDER OF THE TOWN BOARD
TOWN OF BETHLEHEM

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185

Nanci Moquin
TOWN CLERK

186

187 Dated: August 6, 2010

188

189 STATE OF NEW YORK) SS:
190 COUNTY OF ALBANY)

191
192 NANJI MOQUIN, being duly sworn, deposes and says that she is the Town
193 Clerk of the Town of Bethlehem, Albany County, New York and the attached Legal
194 Notice was published in the Town's legal newspaper, The Spotlight, on August 11, 2010
195 and that I posted the Notice of Public Hearing on August 11, 2010 on the sign board of
196 the Town maintained pursuant to subdivision six of Section thirty of the Town Law.

197
198 Nanci Moquin
199 Town Clerk

200
201 Sworn to before me this
202 11th day of August, 2010.

203
204 Julie Sagendorph
205 Notary Public

206
207 A motion to open the public hearing was offered by Councilman Hennessey, seconded by
208 Councilman Jordan and approved with the following vote:

209
210 AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
211 Councilman Jordan and Councilman Kotary

212 Naves: none

213 Absent: none

214
215 Paul Winnkeller – 22 Forest Hill Rd. – I have a question of the contractor. Did you take
216 the counts before..what time did you take the counts?

217
218 Ms. Moran: Traffic counts were conducted during the school year, let me see if I can get
219 the exact date

220
221 Paul Winnkeller – Was that before the deluge – I don't think it was.

222
223 Ms. Moran – April 29th.

224
225 Paul Winnkeller – Last fall about 3 dozen residents in the neighbor wrote the prior
226 Supervisor and asked him to look and we are appreciative, we understand how tight
227 things are in Town government and we appreciate spending Town resources to look at
228 this. We lived there since 1998, we moved right around the time that Devonshire was
229 opened to Western, with it's tremendous development over the last decade. This includes
230 huge construction trucks coming in to build, especially those big houses on Western. And
231 to support those large houses, what comes with them is and endless succession of
232 contractors, mowers, electricians. They really do barrel through that intersection. While
233 the neighborhood supports the stop signs on the side roads, there other techniques that
234 probably we would hope would be considered. There are traffic calming techniques that
235 could help out the corners of Thorndale and Northwood. But we are in favor of the stop
236 signs on the side roads. One comment I have to make as a cyclist and a pedestrian

237 advocate. We have 2 of these situations on the docket today and I think it's an indication
238 of just how interested the Town residents are in shared road systems.

239

240 Marcia Roth – I did not come here to comment on this tonight but I must. As she pointed
241 out, there is an obstruction there of a tree. I have found when riding my bike around, I
242 ride a recumbent bike, which is a little bit lower. I have lights all over the place and
243 reflective gear so I'm very visible. Unfortunately when you come to an intersection like
244 that, its hard to see sometimes until you're right in the road, what's comes each way
245 because of the trees or the bushes which are very attractive but over the years have come
246 to be a traffic hazard. Especially for someone who is riding an adaptive vehicle. I see all
247 kinds of people out riding bicycles, tricycles, whole families and more people riding
248 bicycles. I think it's critical that the Town start looking at these intersections and finding
249 out if there are obstructions of view. On Willington we had a stop sign put in and the cars
250 do stop but unfortunately they then floor it because it's a straight away down to the end
251 of the street. Several weeks ago we had a much loved dog killed because someone
252 stopped at the intersection and then floored it because they were in a hurry. It could have
253 been a small child in the neighborhood or someone on a bike. If you have cars parked
254 which people do this time of year, in the road, that further obstructs view. I've been in a
255 position where I wanted to get around a truck and I could not, because of the narrowness
256 of the roads, see far enough down past the truck to tell if someone was coming in my
257 direction. I couldn't pull around safely. You could make a noise if you have a bell or a
258 horn but that doesn't guarantee that someone could hear you if the radio is playing. We
259 really need to see how we're going to make our roads safe for people riding bikes,
260 pushing baby carriages or walking dogs. It's more than a traffic sign. We have to make
261 sure that they should not be ramming down past a traffic sign after they've stopped and
262 they should be aware of people on the road sides. It's becoming more dangerous because
263 of the plantings that are over grown. In some cases it's not safe and I don't think that the
264 people who planted them thought they would get that big or a traffic problem. So while I
265 endorse this stop sign, I think it's needed with possibly some adaptations to make it more
266 suitable for a cyclist there should be a next step taken.

267

268 A motion to close the Public Hearing was offered by Councilwoman Dawson, seconded
269 by Councilman Kotary and approved with the following vote:

270

271 AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
272 Councilman Jordan and Councilman Kotary

273 Naves: none

274 Absent: none

275

276 A motion to amend the Code of the Town of Bethlehem, Chapter 119, Article VI, Section
277 119-33, Schedule VII, Stop Intersections at Thorndale Rd. and Northwood Ct, and
278 Southwood Dr. was offered by Councilwoman Dawson, seconded by Councilman
279 Kotary,

280

281 Discussion: Councilwoman Dawson wanted to know if this type of intersection would be
282 approved today if this was a new development. Mr. Morelli said new projects are

283 reviewed by all the Town departments and that intersection would not be approved under
284 today's Town standards. It would be the developer's responsibility to build the
285 intersection to our standards.

286
287 Councilman Kotary thought these 2 public hearings were a great introduction into the
288 presentation by the PaTHs Committee. He agreed with the consultant's recommendation.
289 He believed that safety came first.

290
291 Supervisor Messina said they had considered the other suggestions brought forward and
292 the stop signs were the most cost effective.

293
294 The aforementioned motion was approved with the following vote:

295
296 AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
297 Councilman Jordan and Councilman Kotary

298 Naves: none
299 Absent: none

300
301 **APPROVAL OF TOWN BOARD MINUTES FOR AUGUST 11, 2010-----**

302
303 A motion to approve the minutes of August 11, 2010 as drafted was offered by
304 Councilman Kotary, seconded by Councilman Jordan and approved with the following
305 vote:

306
307 AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
308 Councilman Jordan and Councilman Kotary

309 Naves: none
310 Absent: none

311
312 **OVERVIEW BY A MEMBER OF THE NYS DEPARTMENT OF HEALTH,**
313 **CENTER FOR ENVIRONMENTAL HEALTH, OUTREACH AND EDUCATION**
314 **GROUP ON THE PUBLIC HEALTH ASSESSMENT PROCESS THAT WILL BE**
315 **ADVANCED IN THE COMING MONTHS REGARDING LAFARGE CEMENT**
316 **PLANT IN RAVENA-----**

317
318 Ms. Bettsey Prohonic from the New York State Department of Health, Center for
319 Environmental Health, Outreach and Education Group presented. She wanted to give a
320 brief overview of what they were doing concerning the cement plant in Ravenna. There
321 was a group of community members from both sides of the river near the cement plant
322 with concerns about the emissions from that plant and possible effects on health. They
323 are addressing the concerns with a public health assessment process. It is a way to
324 examine the information that is available now. This is a summary of existing information
325 not new data. They are looking at multiple communities in the area of the plant. They
326 want to make the summary document public either the end of September or the beginning
327 of October. They will be having a series of public meetings to give the public a chance to
328 comment. It will not provide information on cause and effect. They want to have an

329 informative discussion with communities about what they know and don't know about
330 releases. She would welcome comments and will leave contact information for the Board.

331
332 Councilman Hennessey said there have been some concerns about the emissions from the
333 cement plant and the quantities of those emissions. He asked if the assessment would tell
334 anything new. Ms. Prohonic said they needed a way to proceed forward and advise the
335 public in terms of what needs to be done as far as measurement. The existing information
336 is important to EPA. Councilman Hennessey said the newspapers have reported on the
337 mercury produced by the plant. That element is of great concern. He asked if the existing
338 information would be able to tell the public where those deposits might be. Ms. Prohonic
339 said the information should help them know where to look closer. They have some air
340 modeling data that would give them an idea of areas of impacts. They also have
341 information on impacts. Councilman Hennessey asked if the high school would be looked
342 at. Ms. Prohonic confirmed. She has been before that School Board. Councilman
343 Hennessey was anxious to fine out the results and offered his help. Ms. Prohonic said
344 there is a lot of misinformation and she deals with a lot of fear. She hears from people
345 who think there isn't a problem and ones who think there is an extreme problem. She
346 wants the middle to have a voice.

347
348 Mr. Potter asked if her department was part of any permitting process that is currently
349 pending. She said the assessment wasn't triggered by any action by EPA. This was
350 independent. They do work closely with NYSDEC. Mr. Potter asked if there was an
351 effort to determine if LaFarge was in compliance with their permit issued by NYSDEC.
352 Ms. Prohonic said they would present the information in the report and there will be a
353 way to determine if there were violations or not. This is looking back over fifty years. He
354 asked if there would be an assessment of health issues associated with the level of
355 mercury or other chemicals that have been emitted from the smoke stack. Ms. Prohonic
356 said this first document is a Phase I and then they will go to a Phase II that will be an
357 exposure evaluation. They will look forward to what exposures could have occurred
358 looking at levels. The time frame for Phase II will be 6 months after the end of Phase I in
359 late September, early October. They need public comment.

360
361 Councilman Kotary asked if the information would become part of the permitting process
362 and will they look at the new facility that hopes to reduce emissions as well as the past
363 information. Ms. Prohonic said they will look at the new plant to address what they find
364 in the past information. She said the summary of the hearings DEC held for the permit
365 incorporated a comment about the assessment. She anticipates they will use the
366 information.

367
368 Supervisor Messina said the town could help with accommodations for meetings.

369
370 **PRESENTATION BY PATHS4 BETHLEHEM COMMITTEE ON COMMITTEE**
371 **ACCOMPLISHMENTS, RECOMMENDATIONS AND NEXT STEPS, AND**
372 **BETHLEHEM EVALUATION PROCESS FOR NEW PATHWAY INVESTMENT**
373 **PROCEDURES/USERS GUIDE-----**

374

375 Jason Gallo co-chair of the PaTHs committee, Rob Leslie, co-chair and Senior Planner,
376 Scott Lewendon and Anne Benware presented for the PaTHs Committee. This committee
377 was started as a recommendation from the Comprehensive Plan. They have worked for
378 the past 17 months on tools and recommendations for the Town. The tools can be used as
379 grant money becomes available. Some of the accomplishments of the committee was the
380 passing of the complete streets resolution, support of Town bicycle and pedestrian grant
381 applications, bicycle and pedestrian education. A Bethlehem high school student
382 presented concerns of students before the committee and they received bicycle safety
383 education from one of the members of the committee. They will be using that
384 information on Bike Day in Elm Avenue Park. The committee has identified destinations
385 in the Town and the riding levels of bicyclists in Town. They have developed a 95 mile
386 bicycle/pedestrian priority network. It is envisioned that this network could become a
387 continuous network of usable accommodations. The priority network should be used for
388 bicycle/pedestrians accommodation grant applications, to assist NYSDOT at time of
389 improvements of roadways, during land use review and approval of subdivision and site
390 plans and for use with the evaluation process for new pathway investment guide by only
391 funding those projects along the priority network.

392

393 The committee developed an evaluation process for new pathway investment. This
394 process is a tool to assist in prioritizing pathway investment projects. The details of the
395 evaluation process are on the Town's WEB site in draft format.

396

397 Recommendations of the committee are both short term and long term goals: Short term
398 goals are to schedule a public meeting for fall 2010 to present the evaluation process and
399 establish PaTHs 4 Bethlehem Committee as a standing committee by resolution. Long
400 term goals are to establish a bicycle and pedestrian program to address engineering,
401 education and enforcement for bicycle and pedestrian mobility.

402

403 The ongoing goals of the committee are to revisit the bicycle and pedestrian priority
404 network map on a yearly basis and to engage various Town constituencies regarding
405 bicycle and pedestrian mobility.

406

407 The Next Steps will be the public meeting in the fall, revision of the evaluation process
408 and priority network and the presentation to the Town Board of the following: the
409 resolution to establish committee as a standing committee, the final evaluation process
410 and the final priority network and to begin work on the implementation of the long term
411 recommendations starting in January 2011.

412

413 Councilman Hennessey thanked the committee for all their hard work. He was supportive
414 of them moving forward and then pursuing funding sources. He thought the work could
415 be transformative in Town.

416

417 Councilman Kotary thought the document was very informative and thanked all the
418 volunteers and the staff for their time and commitment. He was impressed with the
419 documentation and evaluation tool.

420

421 Councilman Jordan, a member of the PaTHs Committee, was amazed by the depth of the
422 expertise on the committee. He encouraged the Town Board to move on their
423 recommendation.

424

425 Supervisor Messina said this work will make us ready to move on new projects. He said
426 cost effectiveness was very important. He want move on the short term
427 recommendations.

428

429 Councilman Jordan offered a motion to implement the two short term recommendations
430 of the PaTHs 4 Bethlehem Committee; to hold a public meeting and establish the PaTHs
431 4 Bethlehem Committee as a standing committee in the Town of Bethlehem, seconded by
432 Councilwoman Dawson and approved with the following vote:

433

434 AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
435 Councilman Jordan and Councilman Kotary

436 Naves: none

437 Absent: none

438

439 **REQUEST FROM THE SUPERVISOR FOR THE TOWN BOARD TO**
440 **CONSIDER ADDITIONAL APPOINTMENTS TO THE 20/20**
441 **IMPLEMENTATION COMMITTEE IN THREE SUBGROUP AREAS:**
442 **ECONOMIC DEVELOPMENT; ECONOMY AND EFFICIENCY;**
443 **COOPERATION AMONG TAXING JURISDICTIONS-----**

444

445 Supervisor Messina had given the Board a listing of the existing members in the various
446 working subgroups in the 20/20 implementation committee that is moving forward. He
447 remembered that other Board members wanted the ability to recommend members to the
448 20/20 Committee. He said they have the opportunity to recommend individuals and they
449 would decide the members of the 20/20 Committee as a Board. He said there was an
450 interest in keeping the membership down to about 2 additional members on each working
451 group.

452

453 Councilman Hennessey said he would like to see the additional positions posted on the
454 WEB site for recruitment. Supervisor Messina said he would do that the next day.
455 Councilman Kotary said the people on the list were outstanding volunteers and he wanted
456 to add to Councilman Hennessey's recommendation that the current committee members
457 be polled to find out the types of expertise that might compliment the group and that
458 could be added to the posting. Councilman Hennessey said one individual was on 2 of
459 the committees and he considered him to be one of the leading experts on local
460 government efficiency. He said that type of expertise was covered. Supervisor Messina
461 said he would email the committee members and try and get feedback from them.

462

463 **TOWN HISTORIAN UPDATE ON A PROPOSED SLINGERLANDS HISTORIC**
464 **DISTRICT, AND "BETHLEHEM", A BOOK OF OLD PHOTOGRAPHS AND**
465 **CAPTIONS FOR ARCADIA PUBLISHINGS'S IMAGES ON AMERICA SERIES-**

466

467 Susan Leath, the Town Historian presented. She has been working on two (2) projects in
468 Town. One is exploring the idea of a historic district in Slingerlands on New Scotland
469 Road. This would be nominating the district to the state and national register of historic
470 places. New Scotland Road has many historic homes that are beautifully kept. They
471 would like to recognize that area. This would be a first historic district in the Town of
472 Bethlehem. She is working with property owners on New Scotland Road that would be
473 within the proposed district. They have been talking with many of those property owners
474 and the feed back has been positive. There will be a public information meeting and a
475 representative from the NYS Department of Historic Preservation will be there to answer
476 questions. More than 50% of the property owners must support this or it wouldn't be
477 worth all the work to make the nomination. In the fall they will put together the research
478 to propose the nomination and the Town could hear back in the Spring.
479

480 The second project is a book about Bethlehem. It is Arcadia Press images of America
481 series. It will be a collection of old photographs with captions. She would structure it
482 along the Hamlets. There is no cost to the Town. As the author she will receive a small
483 royalty but she will donate it to the Bethlehem Historical Association.
484

485 Councilman Hennessey thought the historic district was wonderful. He had been in a
486 book store the other day and noticed all the other books put out by Arcadia press and was
487 wondering why the Town of Bethlehem didn't have one.
488

489 Mr. Potter asked if it was up to the Town Board to make the nomination of the historic
490 district. Ms. Leath said when the nomination is written, the Town Board would vote on a
491 resolution in support of the nomination. She thinks the nomination comes from the
492 Historic Preservation Office. Mr. Potter asked if there were limitations of the types of
493 things the property owners could do once there is that designation. Ms. Leath said there
494 isn't any limitations as to what the individual property owners can do, those types of
495 restrictions come at the local level. They can paint their home or do whatever they want
496 to there home. The only thing that Historic preservation can say is that they will be taken
497 off the register.
498

499 Councilman Kotary suggested that the Town be careful in communicating what a historic
500 district is to those home owners. It is a recognition of what is here in Town. It would be
501 nice to be able show the positives to the homeowners.
502

503 Councilman Hennessey said more state money for tax credits could be available in
504 upstate New York for property owners in historic districts.
505

506 **REQUEST FROM TOWN ENGINEER TO ACCEPT RIGHTS-OF-WAY AND**
507 **DRAINAGE EASEMENTS FOR PHASE 2B OF CARRIAGE HILL**
508 **SUBDIVISION**-----
509

510 A motion to accept rights-of-way and drainage easements for phase 2B of Carriage Hill
511 Subdivision was offered by Councilman Hennessey, seconded by Councilman Jordan and
512 approved with the following vote:

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AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan and Councilman Kotary

Nays: none
Absent: none

REQUEST FROM TOWN ENGINEER TO TERMINATE EXISTING DRAINAGE EASEMENT AT 35 BRIDLE PATH, SELKIRK, CARRIAGE HILL SUBDIVISION-----

Mr. Penman said there had been a jurisdictional wetland on the property and there was a proposed structure for the area. The applicant went back to the core and was able to remove the restriction by doing some off site mitigation, so the easement isn't needed.

A motion to terminate existing drainage easement at 35 Bridle Path, Selkirk, Carriage Hill Subdivision was offered by Councilman Hennessey, seconded by Councilman Kotary and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan and Councilman Kotary

Nays: none
Absent: none

REQUEST FROM TOWN ENGINEER TO AUTHORIZE SUPERVISOR MESSINA TO SIGN A TASK ORDER PROPOSAL FROM CLOUGH, HARBOUR & ASSOCIATE FOR CONSULTING SERVICES RELATED TO STRUCTURAL REPAIRS TO THE KENWOD AVENUE WATER TANK-----

The cost would be funded out of the water fund operating budget.

A motion to authorize Supervisor Messina to sign a task order proposal from Clough, Harbour & Associate for consulting services related to structural repairs to the Kenwood Avenue water tank was offered by Councilman Hennessey, seconded by Councilman Kotary

Discussion: Councilman Jordan asked if the fee was for the repair. Mr. Penman said it was for the engineering design. It was to prepare a bid package. Councilman Jordan wanted to know what was wrong with the water tank. Mr. Penman said the Town has a lease agreement with Verizon for towers on the Kenwood Avenue water tank. They make structural inspections of the water tank and found that a few of the piers of the foundation are severely deteriorated. It shouldn't go through another winter in this condition. They recommend shoring up the two (2) piers. He said the tank is stable and part of the service is to monitor the condition to make sure it doesn't become unstable. It is a safety issue.

The aforementioned motion was approved with the following vote:

559

560 AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
561 Councilman Jordan and Councilman Kotary

562 Naves: none

563 Absent: none

564

565 **REQUEST BY TOWN ENGINEER TO EXECUTE A STATEMENT OF INTENT**
566 **FOR FUNDING OF THE TOWN’S MEMBERSHIP IN THE STORMWATER**
567 **COALITION OF ALBANY COUNTY AND TO DESIGNATE**
568 **REPRESENTATIVES TO THE COALITION BOARD OF DIRECTORS-----**

569

570 A motion for the Supervisor to execute a Statement of Intent for funding of the Town’s
571 membership in the Stormwater Coalition of Albany County was offered by Councilman
572 Kotary, seconded by Councilman Jordan and approved with the following vote:

573

574 AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
575 Councilman Jordan and Councilman Kotary

576 Naves: none

577 Absent: none

578

579 A motion to designate Deputy Commissioner of Public Works, Eric Deyoe as
580 representative and the Town Engineer, Paul Penman as alternate to the Coalition Board of
581 Directors was offered by Councilman Hennessey, seconded by Councilman Jordan and
582 approved with the following vote:

583

584 AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
585 Councilman Jordan and Councilman Kotary

586 Naves: none

587 Absent: none

588

589 **NEW BUSINESS-----**

590

591 Councilman Hennessey said the policy for the release of agenda items has been reviewed
592 by many and the Supervisor has said it will be on the next agenda for consideration.

593

594 **PUBLIC COMMENTS ON NON-AGENDA ITEMS-----**

595

596 Marcia Roth – She helped write the states disability act. She doesn’t think an
597 accommodation for a disabled person is out of line. Shed had asked for the modification
598 for the fence approval procedure. She said people who care for family members with
599 disabilities sometimes need fencing to keep them from wandering off. She said fences are
600 not the total solution. She said 6 foot fences in the front yard are expensive and not many
601 people will want them. Children with autism are sometimes put on medication and
602 exercise if beneficial to those. We need bike paths so people with autism or elderly can
603 ride safely. She wants regular procedures of the Town to make accommodations for

604 people with disabilities. She liked the bike committee. She wanted a town committee to
605 see how the Town can become more accessible.

606

607 Linda Jasinski – She said the property owners in the proposed district should be told
608 about problems they might encounter being in a historic district.

609

610 **ANNOUNCEMENTS-----**

611

612 A motion to adjourn to executive session for collective negotiations and potential
613 litigation was offered by Councilman Hennessey, seconded by Councilman Kotary and
614 approved with the following vote:

615

616 **AYES:** Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
617 Councilman Jordan and Councilman Kotary

618 Nays: none

619 Absent: none

620

621 A motion to adjourn the Town Board meeting was offered by Councilwoman Dawson,
622 seconded by Councilman Hennessey and approved with the following vote:

623

624 **AYES:** Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
625 Councilman Jordan and Councilman Kotary

626 Nays: none

627 Absent: none

628

629 The meeting closed at 8:15pm.