

TOWN BOARD
JULY 12, 2000

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 Deputy Supervisor Lenhardt at 7:30 p.m.

PRESENT: George Lenhardt, Councilman, Deputy Supervisor
Doris M. Davis, Councilman
Daniel G. Plummer, Councilman
Susan Burns, Councilman
Kathleen A. Newkirk, Town Clerk
Bernard Kaplowitz, Esq., Town Attorney

ABSENT: Sheila Fuller, Supervisor

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Deputy Supervisor Lenhardt welcomed everyone to a regular meeting of the Bethlehem Town Board and invited everyone to join in the pledge of allegiance. Mr. Lenhardt noted Supervisor Fuller was on a well deserved vacation. He also noted that the agenda is short.

The first item was a request from David Austin, Administrator, Parks and Recreation Department, for acceptance of donation of five trees from Horticulture Unlimited Landscaping of Selkirk.

The motion was made by Mrs. Davis and seconded by Ms. Burns to accept a donation of five trees from Horticulture Unlimited Landscaping, Selkirk, New York as recommended by Administrator, David Austin, Parks and Recreation Department. The motion was passed by the following vote:

Ayes: Mr. Lenhardt, Mrs. Davis, Ms. Burns, Mr. Plummer.

Noes: None.

Absent: Mrs. Fuller.

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Mention was made that a letter of thanks will be. Administrator Austin said he had sent a letter but the Supervisor will also send one. Mr. Austin was asked where the new trees will be placed. He said four will be at Elm Avenue Park and one at Town Hall, noting they are birch and red leaf sand paper.

The next item was a recommendation from Administrator, David Austin, Parks and Recreation Department, for approval of award of bid for reconstruction of the Selkirk Park tennis courts and the Elm Avenue Park basketball courts.

The motion was made by Mr. Plummer and seconded by Mrs. Davis to approve the award of bid for the reconstruction of the Selkirk Park tennis courts and the Elm Avenue Park basketball courts to the low bidder, Callanan Industries, Albany, New York at the bid price of \$114,397 as recommended by David Austin, Administrator, Parks and Recreation Department. The motion was passed by the following vote:

Ayes: Mr. Lenhardt, Mrs. Davis, Ms. Burns, Mr. Plummer.

Noes: None.

Absent: Mrs. Fuller.

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Deputy Supervisor Lenhardt noted this bid was approximately \$16,000 less than the estimated cost and noted it is always nice to have a bid below expectations. Question

was raised as to how long this will take. Mr. Austin said not that long if the contractor gets going and stays with it.

The following item was a request from David Austin, Administrator, Parks and Recreation Department, for approval of seasonal personnel.

The motion was made by Mr. Plummer and seconded by Ms. Burns to approve the appointment of summer personnel as recommended by Mr. Austin, Administrator, Parks and Recreation Department, in his Memorandum dated July 12, 2000 at the titles and salaries indicated. The motion was passed by the following vote:

Ayes: Mr. Lenhardt, Mrs. Davis, Ms. Burns, Mr. Plummer.

Noes: None.

Absent: Mrs. Fuller.

The next item was to acknowledge receipt of the Conditional Approval of Final Plat for 515 Feura Bush Road, Subdivision Plat Lands of O'Shaughnessy from the Planning Board for information purposes.

The next item was a request from Chief of Police, Richard LaChappelle, to authorize the transfer of funds from Insurance Recovery Account to Collision Repair account for repair of vehicle.

The motion was made by Mr. Plummer and seconded by Mrs. Davis to approve the transfer of \$1,468.43 from the insurance recovery account A2680 to the police account A3120.464 collision repairs to repair a damaged police vehicle. The motion was passed by the following vote:

Ayes: Mr. Lenhardt, Mrs. Davis, Ms. Burns, Mr. Plummer.

Noes: None.

Absent: Mrs. Fuller.

The following item was to approve the Town Board minutes of June 14, 2000.

The motion was made by Mrs. Davis and seconded by Ms. Burns to approve the Town Board minutes of June 14, 2000. The motion was passed by the following vote:

Ayes: Mr. Lenhardt, Mrs. Davis, Ms. Burns, Mr. Plummer.

Noes: None.

Absent: Mrs. Fuller.

Deputy Supervisor Lenhardt asked if anyone wished to address the Board. Mr. Bert Weinberg said he lives on Dumbarton Drive. He said he wanted to bring up a couple items of safety that have concerned him for quite some time. He said at all the schools there are speed limit signs for school days. He said where they live they go by the middle school frequently each day and in all the years he has never seen a police patrol car there to enforce the speed limit. He said he is not talking about the time when school is out, but during daytime hours. He said very few, if any, ever slow down to the 20 miles per hour speed. He said he thought periodic enforcement could help slow the cars down. He said the time could be shortened back to 4 p.m. rather than 6 p.m.

Mr. Weinberg said another safety item is the enforcement of the pedestrian crossways. He said when you cross Delaware Avenue at the post office, you are taking

your life in your hands and noted the same occurs at other crosswalks that are marked in Town. Again, he feels periodic enforcement can help in these situations.

The next item, Mr. Weinberg said, was at the corner of Elsmere and Kenwood Avenues where there is a no right turn sign school days 7 a.m. to 5 p.m., the school days 7 a.m. to 5 p.m. is above the light and at night you cannot see that. He said on several occasions he has seen cars that want to turn right from Kenwood into Elsmere stop because all they can see is the sign no right on red.

Another concern is the use of cell phones while driving, Mr. Weinberg said. He noted there have been 3 instances that were serious within the past year. He gave instances of these experiences. He said he knows a couple municipalities across the country have enacted laws against using cell phones while the car is moving. He said several states are considering legislation and asked if the Town of Bethlehem might consider doing something.

Mr. Weinberg said a minor point is that there is some confusion on the Cherry Avenue Extension because going from Kenwood Avenue to New Scotland Road, the only sign is an end 35 miles per hour. He said the one from New Scotland Road to Kenwood Avenue says 55 miles per hour. He asked if this means that the speed limit is 30 miles per hour and it applies from Kenwood Avenue to New Scotland and 55 miles per hour from New Scotland Road to Kenwood Avenue. He said he thought the intent was for 55 miles per hour both directions. He suggested the end 35 miles per hour sign be taken down and a 55 miles per hour sign be placed in its place. Deputy Supervisor Lenhardt said Cherry Avenue Extension is a State road and it would be up to the State. Mr. Weinberg suggested someone mention this to someone at the State.

Mr. Weinberg thanked the Board.

Deputy Supervisor Lenhardt noted he would pass along his concerns to the Police Department, Chief LaChappelle. He also said the Highway Superintendent might take a look at the no turn on Kenwood Avenue and check the sign.

Councilman Davis noted the Legislature has tried to pass measures regarding cell phone usage and it has not succeeded. Mr. Weinberg suggested maybe the Town can do something. Attorney Kaplowitz said he did not know because there are 2 different interstate things going on. He said he would not think it was within the Town's jurisdiction. He said public safety is within the jurisdiction of the Town. He said generally this would be done at a higher level.

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The motion was made by Mrs. Davis and seconded by Ms. Burns to adjourn the regular Town Board meeting at 7:50 p.m. The motion was passed by the following vote:

Ayes: Mr. Lenhardt, Mrs. Davis, Ms. Burns, Mr. Plummer.

Noes: None.

Absent: Mrs. Fuller.

Town Clerk