

**Town Board
December 8, 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 called the meeting to order and lead the Pledge of Allegiance.

PUBLIC COMMENTS ON AGENDA ITEMS

None

APPROVAL OF TOWN BOARD MINUTES FOR NOVEMBER 23, 2010

A motion to approve the Town Board minutes of 11/23/10 was offered by Councilwoman Dawson, seconded by Councilman Kotary:

Discussion: Supervisor Messina said he had spoken to Mr. Lutz and he told the Supervisor that he had misspoken at the last meeting and a correction was needed to the minutes. The ambulance districts did not want to be a part of the study.

The aforementioned motion was approved with the correction with the following vote:

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

NAYES: none

ABSENT: none

ABSTAIN: Councilman Jordan

REQUEST BY THE SUPERVISOR TO APPOINT JOHN GUASTELLA TO THE 20/20 IMPLEMENTATION COMMITTEE

A motion to appoint John Guastella to the 20/20 Implementation Committee was offered by Councilman Kotary, seconded by Councilman Jordan and approved with the following vote:

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

NAYES: none

ABSENT: none

REQUEST BY TOWN ENGINEER TO APPROVE TERM AGREEMENT WITH INDUSTRIAL INSTRUMENTATION, INC. FOR INSTRUMENTATION AND CONTROL SERVICES AND TO AUTHORIZE SUPERVISOR TO SIGN AGREEMENT

A motion to approve the term agreement with Industrial Instrumentation, Inc. for Instrumentation and Control Services and authorize the Supervisor to sign the agreement was offered by Councilman Hennessey, seconded by Councilman Kotary and approved with the following vote:

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

NAYES: none

ABSENT: none

REQUEST FROM THE ADMINISTRATOR OF THE PARKS AND RECREATION DEPT. FOR APPROVAL OF SEASONAL PERSONNEL

A motion to approve the seasonal personnel on the 12/9/10 list submitted by the Administrator of the Parks and Recreation Dept. was offered by Councilman Jordan, seconded by Councilwoman Dawson and approved with the following vote:

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

NAYES: none

ABSENT: none

NEW BUSINESS

Councilman Hennessey acknowledged the passing thirty years ago of John Lennon, a great musician and advocate for peace.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Marie Capone – She said the Supervisor Messina said somewhere that if the sidewalk plow left snow on the sidewalk that the homeowner should shovel it off. She said she would not because she would be liable if someone fell. Mr. Potter said some municipalities had ordinances that required homeowners to clear their the sidewalk in front of their home. Bethlehem did not have such an ordinance.

Ms. Capone thought Supervisor Messina should publically acknowledge the good work that Deputy Chief Beebe did on the Cherry Arms case. Mr. Potter had advised him not to make any public comments on cases that were pending.

ANNOUCEMENTS

A motion to adjourn into executive session for the purpose of collective bargaining and potential litigation was offered by Councilman Kotary, seconded by Councilwoman Dawson and approved with the following vote:

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

NAYES: none

ABSENT: none

A motion to adjourn the Town Board meeting was offered by Councilman Jordan, seconded by Councilman Kotary and approved with the following vote:

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

NAYES: none

ABSENT: none

The meeting adjourned at 6:15PM.

EXECUTIVE SESSION

A motion was made by Councilman Kotary and seconded by Councilman Hennessey to accept the recommendations of the Human Resources Committee, as described in its December 8, 2010 memorandum, to increase specific titles of occupied positions as follows:

- Recreation Maintenance Person (grade 12) to Recreation Maintenance Person II (grade 13)
- Account Clerk II (grade 11) to Personnel Assistant I (grade 12)
- Senior Planner (grade 17) to Assistant Town Planner (grade 19)

These changes are effective January 1, 2011. However, no salary increases will be associated with these position title changes during 2011, due to budgetary constraints, unless and until the Town Board takes action to approve salary changes.

The vote taken:

Yeas: Supervisor Messina
Councilwoman Dawson
Councilman Hennessey
Councilman Kotary

Nays: Councilman Jordan: It is duly noted that Councilman Jordan voted no because he believed it was appropriate to grant commensurate salary adjustments at this time.

A motion was made by Councilman Kotary and seconded by Councilman Dawson to adjourn the executive session at 7:18 p.m.

The vote taken:

Yeas: Supervisor Messina
Councilwoman Dawson
Councilman Hennessey
Councilman Jordan
Councilman Kotary

Nays: none