

TOWN BOARD
JUNE 14, 2000

A public hearing of the Town Board of the Town of Bethlehem was held on the above date at the Town Hall, 445 Delaware Avenue, Delmar, NY. The meeting was called to order by the Supervisor at 7:30 p.m.

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

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SUPERVISOR FULLER: Good evening and welcome to a regular meeting of the Bethlehem Town Board. I invite everyone to join us in the pledge of allegiance.

The first item is a public hearing for a proposed Water District Extension, Elm Avenue East and Wildwood Lane, Dowerskill Village, Selkirk. Ask the Clerk to read the call of the hearing.

TOWN CLERK NEWKIRK:

IN THE MATTER OF EXTENDING WATER DISTRICT
NO. 1 FOR THE TOWN OF BETHLEHEM, ALBANY COUNTY, NEW YORK
PURSUANT TO ARTICLE 12-A OF THE TOWN LAW
ORDER – SET HEARING PROPOSED ELM AVE EAST/ELM AVE
WILDWOOD LANE AND DOWERSKILL PLANNED RESIDENTIAL
DISTRICT #4, SECTION #3

WHEREAS, a map and report have been prepared by C.T. Male and Associates, P.C., engineers, duly licensed by the State of New York and filed in the Office of the Town Clerk of the Town of Bethlehem in such manner and detail as is hereby approved by the Town Board, relating to a proposed extension of Water District No. of said Town, and showing the boundaries of the proposed extension, with a general plan of the proposed water system and a report of the proposed method of operations; and

WHEREAS, the boundaries of the proposed extension to the district are as described in Exhibit "A" attached hereto and made part hereof, containing 320 acres more or less; and The above described area being more fully shown on a map entitled "Water District No. 1, Town of Bethlehem, Albany County, New York, Proposed Water District Extension for Elm Avenue East/Elm Avenue, Wildwood Lane and Dowerskill Planed Residential District #4, Section #3", dated July 15, 1998, revised 3/23/2000, and made by C.T. Male Associates, P.C., Consulting Engineers, Latham, New York.

WHEREAS, the total costs of all said improvements and the maximum amount proposed to be expended therefore is \$766,000, which will be borne by the developer of Dowerskill PRD #4 within said proposed extension and

WHEREAS, the improvements proposed to be made consist of the construction of a new water supply system, and which will be paid by the developer and, therefore no bonds will be issued by the Town of Bethlehem, and

WHEREAS, it is proposed that the cost of making such improvements shall be paid for by the developer and shall be not be assessed, levied and collected by the Town Board from the several lots and parcels of land within the extension in the same manner and at the same time as other charges and,

WHEREAS, said map, plane and report describing said improvements are on file in the Bethlehem Town Clerk's office for public inspection.

NOW, on motion of Mr. Plummer and seconded by Ms. Burns it is hereby ORDERED that the Town Board of the Town of Bethlehem shall meet and hold a public hearing at the Town Hall, 445 Delaware Avenue Delmar, New York, on the 14th day of June, 2000 at 7:30 p.m. on that day to consider said map, plan and report and to hear all

persons interested in the subject thereof concerning the same, and to take such action thereon as is required or authorized by law, and it is further ORDERED, that the Town Clerk be and she hereby is directed to publish and post certified copies of this order at the time and in the manner provided by law.

The adoption of the foregoing order was put to a vote and upon roll call, the vote was as follows:

AYES: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Ms. Burns, Mr. Plummer.

NOES: None.

BY ORDER OF THE TOWN BOARD
TOWN OF BETHLEHEM
Kathleen A. Newkirk, CMC/AAE
Town Clerk

Dated: May 10, 2000.

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State of New York)
County of Albany)

ELIZABETH BRADT of the Town of Bethlehem, being duly sworn, says that she is the RECEPTIONIST for 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 31st day May of 2000.

/s/ Elizabeth Bradt

Sworn to before me this 31st day of May 2000.

/s/ Mary P. Lee

Notary Public, Albany County

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STATE OF NEW YORK)
COUNTY OF ALBANY) ss.:

KATHLEEN A. NEWKIRK, being duly sworn, deposes and says that she is the Town Clerk of the Town of Bethlehem, Albany County, New York and that I posted on May 31, 2000, a Notice of Public Hearing, a copy of which is hereto attached, on the sign board of the Town maintained pursuant to subdivision six of Section thirty of the Town Law.

/s/ Kathleen A. Newkirk
Town Clerk

Sworn to before me this
31st day of May 2000.

/s/ Catherine T. Picarazzi

Notary Public

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The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to indent the Notice of Public Hearing, Affidavit of Publication and Affidavit of Posting on the minutes of the meeting. The motion was passed by the following vote:

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

Noes: None.

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SUPERVISOR FULLER: Mr. Hoffman is here from C. T. Male.

MR. HOFFMAN: Good evening.

For an official copy of the minutes, please visit the Town Hall, 445 Delaware Avenue, Delmar, NY or call 439-4955, extension 158.

SUPERVISOR FULLER: You do need the mike to be picked up.

MR. HOFFMAN: Good evening. My name is Gary Hoffman from C.T. Male and this is the... just read in the notice the Elm Avenue East/Wildwood Lane, Dowerskill PRD Section 3 Water District Extension. Originally it started out as the extension for Dowerskill project and the other 2 were kind of progressing at the same speed so we kind of combined them all and we're going to do them all as a District in one step. And, in the notice I think you might have said 32.9 acres and it is actually 329 acres. If I heard that right. There's about 180 acres in Dowerskill and the balance are in the adjoining areas.

Let me find out where Elm Avenue is on this map here. Dowerskill area is actually... if I've got this right, is located right in here. We're including a proposed 221 lots that will be in the Dowerskill subdivision and then the additional areas will include about an additional 52 lots... well, actually 32 homes on about 52 parcels. I do have a map here of the proposed district extension and it's shown on the other map. This is the original Dowerskill PRD section 4 which actually goes on the east side... Dowerskill stream actually runs right down here along Elm Avenue East. It will include these parcels along the south side of Elm Avenue East down across the Niagara Mohawk property and that will also include the area along Wildwood Lane. This portion of Wildwood Lane was included in the extension in 1989. It will also include portions along Elm Avenue East kind of north and south of Elm Avenue East as you head in a westerly direction. The Town of Bethlehem main source of supply for Water District 1 is the Vly Reservoir – if I put my glasses on, I'll be able to read my notes – and the Vly Reservoir has a capacity of about 1.2 million gallons. The Town of Bethlehem also has their wells and they have the ability to purchase about 2 million gallons of water a day from the City of Albany – assuming the mudslide keeps their water line intact.

The entire Water District has about 95 hundred customers in Water District No. 1, that's what's there right now and the anticipated increase will be -- I don't know whether we have that number – but as I mentioned before 221 additional lots in Dowerskill and we're anticipating 52 existing lots in the area outside of Dowerskill.

This extension fully built out – and we're assuming Dowerskill itself will probably take some where in the neighborhood of 10 years – will ultimately use about 98,000 gallons of water on the average day. And, also as mentioned, the estimated construction cost for the work yet to be completed... some of it's actually already been... well, I shouldn't say yet to be completed, that was the total cost – some of this has already done as they started work in the first phase of Dowerskill was \$766,000 and that will be entirely paid by... largely by the developer of Dowerskill and a little bit by Mr. Crisafulli who owns the land, I believe, down on Wildwood Lane and actually down in this area.

This construction will actually have some other benefits to the Town, it will connect the pipe that is presently located at Hague Boulevard, here, there's pipe – I don't believe it is installed yet – but Haswell Farms project is located up in this area and we will connect to Haswell Farms. The connection along Elm Avenue has already been made to bring the water into the subdivision and then another connection will be made on Wildwood Lane. And, all these multiple connections actually do a lot to help the flow of the water throughout the Town and it gives more ways for the water to go in the event of something... an emergency or something has to be shut down, there's ways to feed in different directions. Also, there's multiple connections through the Dowerskill project which will allow the water in this area which are the larger pipes to travel across the site into the Haswell Farms project. Any questions?

SUPERVISOR FULLER: Are there any questions from the audience? Okay, thank you.

MR. HOFFMAN: Thank you.

SUPERVISOR FULLER: Is there anyone wishing to speak in favor of the proposed water district extension? Is there anyone wishing to speak in opposition? Okay. May I have a motion to close the public hearing?

The motion was made by Ms. Burns and seconded by Mr. Lenhardt to close the public hearing at 7:54 p.m. The motion was passed by the following vote:

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

Noes: None.

Town Clerk

The Supervisor convened the regular meeting following the close of the public hearing. She indicated there will not be a vote on this item because the resolutions that are required to go with the vote need to be prepared and brought before the Board.

The next item was a request for a zone change from AA Residential to CCC Commercial District pertaining to 741 Delaware Avenue, Delmar. Supervisor Fuller said Mr. Mancini, the Attorney representing the lands of Benjamin and Eileen Meyers, has requested this not be considered due to the Meyers's being unable to attend. She said it will have to be rescheduled for another meeting.

The following item was a request from Epoch Senior Living, for an extension of time for the proposed CMI Senior Housing Development Project, Delaware Avenue, Delmar. Supervisor Fuller said the CMI Senior Housing Development Project has been held up basically in the courts. She said once again it has been appealed and until the decision by the court, the developer needs an extension on the time to develop this site. The developer has asked for a date extension from March 10, 2001 to December 31, 2002 for completion of the project.

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to approve the extension of time for completion of the CMI Senior Housing Project, Delaware Avenue, Delmar, NY from March 10, 2001 to December 31, 2002. The motion was passed by the following vote:

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

The next item was a request for a zone change for a commercial district for premises 1397 New Scotland Road, Slingerlands. Supervisor Fuller introduced Mr. John Breeze who addressed the Board regarding his request. He said he owns land in the Town of Bethlehem at 1397 New Scotland Road which surrounds and includes the post office in Slingerlands. He noted he wishes to utilize the land for professional offices and, therefore, the request for a commercial district designation. Mention was made of the Price Chopper Plaza and the traffic generated by this development. He said it makes more sense to change the zoning from residential to a commercial district.

Councilman Lenhardt recused himself from this matter, indicating he will not participate in this.

Question was asked if Mr. Breeze owned the 4 acres and the additional land. Mr. Breeze noted he owns them both. Discussion ensued regarding the location of the farm house on the property and the post office location. Question was also asked if Mr. Breeze was the lessor of the property to the post office. Mr. Breeze said he built the building and it is leased to the United State Postal Services. He said it is a 15 year lease with four 5 year renewals at their option.

Mention was made that the farmhouse may be moved. Mr. Breeze said that is a possibility. He said the building could be moved and turned on the property. He said he has not examined all the feasibilities of this property but the house could be moved. Question was raised as to whether there is a site proposal for this request. Mr. Breeze said he has talked with a number of physicians and that he would like to extend his own office. He said before he goes to the specifics of a site plan he wanted to ascertain whether it would be receptive.

Supervisor Fuller noted she has previously mentioned that until the Slingerlands Bypass goes in, she does not feel any applications should be entertained for a change in zoning. She said obviously the change in zoning for Price Chopper was of benefit to the

entire community. She noted St. Peter's was encouraged to choose a second location from their original proposal.

Mr. Breeze noted he has been looking at the proposed bypass for a long time. He said he was discouraged by a variety of people when he bought this in 1972 because he was told the bypass would come almost instantly. He said he has been there 27 years.

Councilman Davis commented she would find it hard to consider this proposal at this time. Councilman Plummer said he would be supportive in order to encourage business activity – office building, professional office type – and help the tax base. He also mentioned this is definitely a commercial area and it is real to think of a nice commercial development in that area. Mr. Breeze noted also the post office may need to be expanded, noting they have already expanded from the work rooms in the back out into the lobby. He said they are all aware also that the parking lot gets tight.

Councilman Burns said she understands and the character of the lands have changed. She said she feels she does not have enough information at the moment and would rather have something more concrete. She said she would like to have a bigger, broader view of this. She said there are a number of zoning issues and she finds it hard to look at these in a patchwork way. She said she would like to open up the idea that the zoning be revisited and look at this area in a broader view. Mr. Breeze noted he was unaware of the other requests until he read the Spotlight this date.

Attorney Kaplowitz asked how many acres Mr. Breeze owns. Mr. Breeze said just under 5 and ½ acres by the map. Mr. Kaplowitz indicated he asked about the acreage because there is another alternative and that would be a variance from the Zoning Board of Appeals. He said this makes a lot more sense because then information is available to the Board and people might be more receptive if they know what was being planned. He said there is not indication of which commercial district designation was being sought. Mr. Breeze indicated a "CCC" Commercial District. He said what he wanted was an understanding from the Board whether there would be a positive reaction to his proposal.

Supervisor Fuller said Councilman Lenhardt has recused himself and Councilman Davis has similar issues and concerns as she has and she also agrees with Councilman Plummer and Councilman Burns. She said the only question is the timing. She said it is important for the Slingerlands Bypass to be underway and noted a developer has also been told the same thing. She said to go in and start doing zoning changes now could not be supported at this time. She said it does not mean that they will not be looking at the land use planning reference resource regarding zoning in the fall and whether that area becomes commercial will be considered due to the residences being surrounded by commercial and the Board is aware of this.

Supervisor Fuller asked if anyone wished to make a motion to refer this item to the Planning Board for review and recommendation. The motion was made by Mr. Plummer and seconded by Ms. Burns to refer the application for a change in zoning for premises located 1397 New Scotland Road, Slingerlands for review and recommendation. The motion failed by the following vote:

Ayes: Mr. Plummer, Ms. Burns.

Noes: Mrs. Fuller, Mrs. Davis.

Abstain: Mr. Lenhardt.

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Councilman Burns noted the Supervisor mentioned taking a look at the land use planning reference resource in the fall and asked if this is something they should formally do or put to a vote. Supervisor Fuller said actually there is a long ways to go before looking at this for the fall. She said the staff needs to take a look at the suggestions that have come in and been presented. She said none of this has been seen by them and noted she suggested the fall because she does not feel it is fair to do anything like this in the summer when a lot of the community is away or preoccupied with summer activities. She did not feel that a vote was needed. Councilman Burns noted she would like that to be a part of all that is being looked at.

The next item was a request for a zone change for a Commercial District for premises 1362 New Scotland Road, Slingerlands. Supervisor Fuller noted this was Mr. and Mrs. Timothy Tice's property. Mr. Tice said obviously after hearing the previous discussion, they also have 5 and ½ acres and are in the same situation but they have issues that are not only safety but issues involving a 30 gallon trash can per week of debris from the Price Chopper. He noted he has returned about 6 shopping carts because the premises is west of his property and when the wind blows everything is blown toward his land. He said originally, Price Chopper said the entry from New Scotland was designated as one way in and one way out. He said it does not work because people are going the wrong way and the Police sit there because of complaints. He said they are looking to change the zoning, not necessarily for offices. He said he has been in touch with a couple businesses that would like to put a class restaurant in there but noted nothing can be done without a zoning change.

Mr. Tice noted the other problem is ingress and egress from his premises. He said presently it takes from 5 to 10 minutes or more to enter New Scotland Road.

Mr. Tice further noted the noise from the Price Chopper vacuum wakes the neighborhood around 3 a.m. and the trash haulers arrive on Wednesday morning between 4:45 and 5:00 a.m. Supervisor Fuller said she would be in touch with Windsor Development and address these issues. Mr. Tice noted the sign that was there has been turned off. He had addressed the issue of the 3 foot high lettered sign with the Building Department and was told it was no problem. He said the canopy was a sign to him and he had attended the Board of Appeals hearing regarding this location and he knew there was no approval for the lights in the canopy.

Mr. Tice said these are the reasons for the request for the zoning change. He said obviously, everybody is a little upset between 140 and the creek. He feels everyone in the area will request a zone change at one time or another.

Question was raised as to how long they have owned the property. Mr. Tice noted it has been in his wife's family since 1955 when it was a 2 lane street, when Hess was a 2 car garage, when the Gold Coin restaurant was a tavern. He said they have the 2 houses and they built a house 24 years ago which is directly behind the restaurant. Question was asked as to whether or not Ross's was there at the time and the answer was yes.

Supervisor Fuller thanked Mr. Tice. Mrs. Tice said the traffic now is actually horrendous. She said it was bad when Price Chopper was built and now it is worse since the landslide. She said it took her 20 minutes to get to work and now it takes an hour. She said it is a bad scenario. The Supervisor said DOT was monitoring the lights.

Supervisor Fuller asked if everyone was feeling the same way on this, as well as, the previous item. The Board Members concurred that they were and Councilman Plummer suggested the Planning Board be encouraged to look at the entire area and come up with some recommendations. Councilman Lenhardt said he cannot recuse himself on this, however, he has to be consistent. He said he was the lone vote on the Board opposed to Price Chopper going in and feels he has to be consistent with his previous votes and oppose this request at this time. Supervisor Fuller said she also is in the same position as she was with the previous request. Councilman Davis said she did not feel it would be right for Mr. Tice to expend money and have it denied in the end anyway. She said she was afraid that would happen. Councilman Burns said she would reiterate what she said to Mr. Breeze and noted she understands the change of the character and the commercial aspect of the property location. She said she is still concerned at looking at each of these in a patchwork way.

Mr. Tice asked if they had to submit another application in the fall. Supervisor Fuller said no that the letter is the application and it will be kept. Mr. Tice asked if they will be notified if it is brought back to the Board. The Supervisor said she will notify them but she did not think the bypass will be in by the fall.

Councilman Burns said she would like to put forth a motion that something will be done in the fall. Supervisor Fuller noted it is up to the Town Board. She further said the committee needs to come back in and discuss this area, indicating this would be the landowners who brought forth the suggestions. She said they were supposed to resolve some of the issues. The Supervisor said this needs to go to the Town Planner and the Building Inspector regarding zoning and then be referred back to the Town Board. Councilman Lenhardt addressed the issue that Councilman Burns was a member of the task force also and it was put together right after the LUMAC report was presented. He said at the last meeting the plan was supposed to be carried forward and that was held May 19, 1998. He said it did not go forth, however, at this time it is being reviewed in the Town offices. He further said he does not know where it stands at this time. The Supervisor said it has been a while. Councilman Plummer suggested that the author of the report recently received come in and make a presentation as to the status. He said this may start the whole process all over again. Supervisor Fuller noted that was a fair solution, however, she thinks the staff people need to be involved in that. Councilman Plummer agreed.

Agreement was acknowledged between the Board and the fact that this review was of the southern area of the Town.

Supervisor Fuller inquired as to the status of Councilman Burns's motion regarding the review of zoning for the New Scotland Avenue area and whether Ms. Burns wished to proceed with the motion. Councilman Burns withdrew the motion. Supervisor Fuller thanked Councilman Burns.

The next item was a request for a zone change for a Commercial District designation for premises 1368 New Scotland Road, Slingerlands. Mrs. DiNucci said she wishes the property be turned commercial. She said it is very hard to breath and live Price Chopper, trucks, etc. She said it is terrible. She thanked the Board. Supervisor Fuller asked what prompted the request. Mrs. DiNucci said it was Price Chopper. Supervisor Fuller noted they have been there a while and wondered about the timing. Mrs. DiNucci said they were going to do it before but the girl on the corner proposed doing this a couple years ago and nothing ever happened. The neighbors said this has been discussed among certain neighbors right from the beginning of the approval for Price Chopper. Mr. Tice said when Hess went commercial, now the medical building is down the street, the Blue Cross/Blue Shield building and the insurance company moved in, every year or so another business goes in and they are sitting there. He said their intentions are to get the zoning reclassified.

Supervisor Fuller asked if anyone was changing their position from the other 2 requests. No one changed their position. She said this would remain the same as the previous two.

The next item was a recommendation from David Austin, Administrator, Parks and Recreation Department, for approval of award of bid for regrading of soccer field at Elm Avenue Park. Supervisor Fuller noted this was the low bidder, Jake Burnett Excavating, Albany, NY at a bid price of \$68,644. She said this was the base bid amount and is about \$3,400 less than the amount anticipated.

The motion was made by Ms. Burns and seconded by Mrs. Davis to award the bid for regrading of the soccer field at Elm Avenue Park to Jake Burnett Excavating, Inc., Albany, New York at the low bid price of \$68,644. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Ms. Burns, Mr. Plummer.
Noes: None.

The next item was to adopt a resolution setting the polling locations for the year 2000.

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

RESOLVED, that in accordance with Election Law, Article 4, Subdivision 4-104, the Town Board of the Town of Bethlehem, hereby designates the following named locations as polling places for any election to be held in the Town of Bethlehem effective May 1, 2000 through April 30, 2001:

<u>District</u>	<u>Polling Location</u>
1	North Bethlehem Fire House 589 Russell Road, No. Bethlehem
2	Beverwyck 40 Autumn Drive, No. Bethlehem
3	Slingerlands Fire Dept. New Scotland Road, Slingerlands
4	First United Methodist Church 428 Kenwood Avenue, Delmar
5	Elsmere Grade School 247 Delaware Avenue, Elsmere
6	Bethlehem Town Hall 445 Delaware Avenue, Delmar
7	Slingerlands Fire Dept. New Scotland Road, Slingerlands
8	Bethlehem Town Hall 445 Delaware Avenue, Delmar
9	Bethlehem Library 451 Delaware Avenue, Delmar
10	First United Methodist Church 428 Kenwood Avenue, Delmar
11	Educational Services 90 Adams Place, Delmar
12	Elsmere Fire Dept. Poplar Drive, Delmar
13	Elsmere Grade School 247 Delaware Avenue, Delmar
14	Parks & Recreation Building 261 Elm Avenue, Delmar
15	Bethlehem Town Hall 445 Delaware Avenue, Delmar
16	Bethlehem Lutheran Church 85 Elm Avenue, Delmar

<u>District</u>	<u>Polling Location</u>
17	Delmar Fire Dept. Delaware Avenue, Delmar
18	Hamagrael School McGuffy Lane, Delmar
19	Bethlehem Central Middle School 332 Kenwood Avenue, Delmar
20	St. Stephens Church Elsmere Avenue, Delmar
21	Glenmont Grade School Route 9W, Glenmont
22	Selkirk Fire Department #2 Glenmont Road, Glenmont
23	Delmar Fire District Annex Feura Bush Road, Delmar
24	Selkirk Fire Department #2 Glenmont Road, Glenmont
25	Glenmont Grade School Route 9W, Glenmont
26	Bethlehem Volunteer Ambulance Service 1121 Route 9W, Selkirk
27	Parks & Recreation Building 261 Elm Avenue, Delmar
28	Bethlehem Historical Museum 1003 Route 144, Selkirk
29	Selkirk Fire Department #3 Bridge Street, So. Bethlehem
30	Selkirk Fire Department #1 Maple Avenue, Selkirk

The resolution was adopted by the following vote:

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

Noes: None.

Absent: None.

The following item was to acknowledge receipt of Conditional Approval of Final Plat for the Autumn Woods, Section 2, Subdivision from the Planning Board for information purposes.

The next item was to acknowledge receipt of Conditional Approval of Final Plat for the Onesquethaw Estates Subdivision from the Planning Board for information purposes.

The next item was a request from Chief of Police, Richard LaChappelle, for approval of appointment of a Police Officer to Police Sergeant effective June 17, 2000.

Councilman Lenhardt said he had the opportunity recently during police negotiations to sit across from Officer Heffernan and said he is a credit not only to the Police Department of the Town of Bethlehem but also of the Town. He said he would be very happy to move the request by the Chief.

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to approve the appointment of Police Officer Thomas Heffernan to the position of Police Sergeant effective June 17, 2000 at an annual salary of \$50,072. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Ms. Burns, Mr. Plummer.
Noes: None.

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Councilman Davis noted she supports this appointment whole heartedly and thinks this was a very reasonable request. Supervisor Fuller said she has seen Officer Heffernan at the Delaware Avenue site and he is amazing with all the questions, concerns, and comments that are brought to him. She said he remains very professional and he is a well suited person for the position, noting he represents the Town very well.

The next item was a request from Engineering Services Administrator, Michael Cirillo, for acceptance of deeds for the Autumn Woods Subdivision.

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to accept deeds for Autumn Woods Subdivision as recommended by Engineering Services Administrator, Michael Cirillo.

The motion was passed by the following vote:

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

The following item was a request from Michael Cirillo, Engineering Services Administrator, for acceptance of a deed for the O'Shaugnessy one lot subdivision.

The motion was made by Mr. Plummer and seconded by Ms. Burns to accept the deed for the O'Shaugnessy one lot subdivision 515 Feura Bush Road for a sidewalk/bike path easement as requested by Engineering Services Administrator, Michael Cirillo. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Ms. Burns, Mr. Plummer.
Noes: None.

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

The motion was made by Mr. Plummer and seconded by Mrs. Davis to approve the appointment of summer personnel as requested by Administrator, David Austin, Parks and Recreation Department, in his Memorandum dated June 14, 2000 at the titles and rates indicated.

The motion was passed by the following vote:

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

Noes: None.

The following item was a request from Comptroller, Judith Kehoe, to authorize participation in the New York State Environmental Facilities Corporation Dry Cleaning Funding Program. Supervisor Fuller explained this is authorization to participate in a program. She said it is the Roxy United Cleaners and they cannot be funded unless the Town passes a requested resolution. She said she thinks they are to be admired to even attempt to get into all of this, noting it is a great deal of paperwork for them. She said it is complying with the new State air pollution regulations.

The following resolution was presented for adoption:

RESOLUTION AUTHORIZING PARTICIPATION IN THE
FINANCIAL ASSISTANCE TO BUSINESS PROGRAM
AND THE FILING OF AN APPLICATION WITH THE
NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION

Introduced: June 14, 2000

Adopted: June 14, 2000

Recitals

WHEREAS, pursuant to the Clean Water/Clean Air Bond Act of 1996, being Chapter 413 of the Laws of New York of 1996, the New York State Environmental Facilities Corporation (the "Corporation") through the Financial Assistance to Business Program (the "FAB Program") is authorized to provide state assistance to villages, towns and cities with a population of less than one million, for small business environmental compliance assistance projects which enhance the quality of the air or waters of the State through compliance with environmental laws and regulations, or to remedy or prevent environmental deficiencies; and

WHEREAS, THE GOVERNING BODY OF THE town of Bethlehem (hereinafter, the "Municipality"), after due consideration, has determined that participation in the FAB Program is desirable and in the public interest;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE MUNICIPALITY AS FOLLOWS:

1. The filing of an application, or applications with the Corporation for financial assistance under the FAB Program in the form required by the Corporation is hereby authorized, including all understandings and assurances contained in said application.
2. The individual holding the following office is directed and authorized as the official representative of the Municipality to identify entities that will participate in the FAB Program, to execute and deliver said application(s), to execute and deliver any other documents necessary for participation in the FAB Program, to provide such additional information as may be required, and to take all actions on behalf of the Municipality as may be required in order to effectuate the intent and purpose of this resolution: Sheila Fuller, Town Supervisor.
3. The Corporation is hereby authorized, on behalf of the Municipality to deliver payments made pursuant to the FAB Program directly to the entities identified above, or such further entities as may from time to time be named by the individual identified in paragraph 2 above.
4. A certified copy of this resolution shall be prepared and delivered to the Corporation as part of said application.
5. This resolution shall take effective immediately.

Moved: Councilman Davis.

Seconded: Councilman Burns.

Roll call: Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Ms. Burns, Mr. Plummer.\

Noes: None.

Carried

IN WITNESS WHEREOF, I hereunto set my hand and the seal of the Town of Bethlehem, Albany County, New York, this 14th day of June, 2000.

/s/ Kathleen A. Newkirk

Clerk

The next item was a request from Commissioner of Public Works, Bruce Secor, to appoint Jonathan Hough from part time Building Maintenance Helper to full time and to approve the hiring of a second full time maintenance worker. Supervisor Fuller asked Mr. Secor to give a brief overview. Mr. Secor said his Memorandum outlined what is going on. He said he would like to put in a replacement for one person who resigned and make the current part time person a full time position. He said the duties in the building are such that they have had a number of part time people which has added up to a full time second person but the scheduling has been difficult. For this reason, he is recommending the money that was allocated for part time be put together and make it a full time position. He said this will give better coverage in the building and they will schedule the full time people to have a 7 day a week coverage. He said there is more work to be done and he thinks this is the better way to handle this. Mr. Secor further noted he did not have a recommendation for the second full time person, however, they are still interviewing for the position.

The motion was made by Mrs. Davis and seconded by Mr. Plummer to approve the appointment of Jonathan Hough to the full time position from part time and approve the conversion of the part time positions to one (1) full time position of Building Maintenance Helper. The motion was passed by the following vote:

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

Noes: None.

The next item was to approve the April 12, 2000 Town Board minutes. Discussion ensued regarding a previous question by Councilman Burns. Ms. Burns noted she did not speak with Deputy Town Clerk Picarazzi although she left a message. No action was taken pending clarification of Councilman Burns's question.

Supervisor Fuller asked if anyone wished to address the Board. There was no one.

The motion was made by Mrs. Davis and seconded by Ms. Burns to adjourn the regular Town Board meeting at 9:03 p.m. The motion was passed by the following vote:

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

Noes: None.

Town Clerk