

/s/ Kathleen A. Newkirk
Town Clerk

Sworn to before me this
28th day of February, 1992.
/s/ Ruth H. Heere
Notary Public, Albany County

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Supervisor Ringler thanked the Town Clerk. 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 the purpose of the hearing is to amend the Traffic Ordinance based upon a request from the Superintendent of Highways, Gregg Sagendorph. He said many years ago, the Town passed an amendment to the Ordinance to have a no left turn sign at the corner of Oak Road and Cherry Avenue. He said this was due to poor sight line and the Highway Department has taken action to correct this situation. As a result of this action, according to Supervisor Ringler, they are making a recommendation that the no left turn sign is no longer necessary. He said this has been somewhat inconvenient to the neighbors who live in Woodgate and could not come out that way and have to go the other direction. Mr. Ringler noted he has received requests over the years for consideration of removal of this sign. He said he thinks this is a positive move.

Supervisor Ringler said the format for the hearing, is first to let anyone ask any questions and then if there is anyone who wishes to speak in favor or opposition they may do so. He asked if the Board had any questions. There were none. Mr. Ringler then asked if anyone had any questions. There were none.

Supervisor Ringler asked if there was anyone who wished to speak in favor of the proposal. There were none. He then asked if anyone wished to speak in opposition to the proposal. There were none.

The motion was made by Ms. Galvin and seconded by Mr. Gunner to close the public hearing at 7:33 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
Town Clerk

Supervisor Ringler convened the regular meeting following the close of the public hearing. He asked if the Town Board was inclined to take action on the previous public hearing.

At a regular meeting of the Town Board of the Town of Bethlehem, Albany County, NY held on the 11th day of March, 1992 at the Town Hall, 445 Delaware Avenue, Delmar, NY

PRESENT: Mr. Ringler, Mr. Gunner, Ms. Galvin, Mrs. Fuller.
ABSENT: Mr. Webster.

The Town Board of the Town of Bethlehem, Albany County, NY does hereby amend the Traffic Ordinance adopted on the 17th day of July, 1968 and last amended on the 22nd day of January 1992 as follows:

1. Repeal Article VII, Section 1. Traffic entering Cherry Avenue from Oak Road shall make a right turn only and a "No Left Turn" sign shall be erected on Oak Road at its intersection with Cherry Avenue.

The foregoing amendment to the Traffic Ordinance will take effect ten days after publication.

The foregoing amendment to the Traffic Ordinance was presented for adoption by Mrs. Fuller and seconded by Ms. Galvin and was duly adopted by the following vote:

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

Adopt
Amendment
To Traffic
Ordinance
Repeal
No Left
Turn on
Oak Road
To
Cherry Ave.

- - -

WHEREAS, the Town Board has adopted an amendment to the Traffic Ordinance of the Town of Bethlehem and it is necessary that the said amendment be published, according to law,

NOW, THEREFORE, BE IT RESOLVED, that the said amendment be published in THE SPOTLIGHT, a newspaper published in the County of Albany and having a circulation in the Town of Bethlehem on the 18th day of March, 1992.

The foregoing resolution was presented for adoption by Ms. Galvin, was seconded by Mrs. Fuller and was duly adopted by the following vote:

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

Dated: March 11, 1992.

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Councilman Gunner noted he wanted to state he does not approve of action being taken on the night of the public hearing. He further explained his abstention has nothing to do with the merits of the proposed amendment. He noted he likes to wait until the next meeting.

Supervisor Ringler noted the tree has been removed. Councilwoman Galvin congratulated Mr. Secor and/or Mr. Sagendorph on the removal of the tree.

Supervisor Ringler said the next item was to acknowledge receipt of the Certificate of Conditional Approval of Final Plat No. 86-S3-CF, dated 7 February 1992 for the proposed INDIAN HILLS, SECTION 3 Subdivision for informational purposes.

Acknowledge
Receipt of
Final Plat-
Indian
Hills
Section 3

Supervisor Ringler next acknowledged receipt of the 1991 Annual Reports for the Delmar and Elsmere Fire Districts.

Councilman Gunner asked if he had a question in regard to the format of the reports, who this might be directed to. Supervisor Ringler noted Mrs. Kehoe might know. Mrs. Kehoe said she did not know due to the fact she did not have a copy of the reports. Note was made that some districts now use a computer format. Supervisor Ringler said if Mrs. Kehoe cannot answer the questions, the Chairman of the Commissioners of the Fire Districts should be able to answer them.

Approve
Request from
David Austin
Approval of
Two employees
attendance at
Certified
Pool Operators
Course

Supervisor Ringler said the next item was a request from David Austin, Administrator of Parks & Recreation Dept., for approval of attendance of 2 employees at the Certified Pool Operators course in Troy, NY, with expenses paid. It was explained that this is required for these employees to be able to handle the chlorine and chemicals necessary in the operation of the pools. Councilman Gunner asked if this was the cost of registration. Mr. Austin said he thinks he allowed \$5.00 for lunch for each employee, or something like that.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller that Steven Hummel and Scott Turner be and they hereby are authorized to attend the Certified Pool Operators course in Troy, NY with expenses paid. The motion was passed by the following vote:

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

Acknowledge
Receipt of
Conditional
Approval of
Final Plat
Cedar Ridge,
Section 1

Following, Supervisor Ringler acknowledged receipt of Certificate of Conditional Approval of Final Plat No. 145-S1-CF, dated 7 February 1992, for the proposed CEDAR RIDGE, SECTION 1 from the Planning Board for information purposes.

Request Go
To Bid for
Precast Concrete
Manhole Blocks
and Precast
Reinforced
Concrete
Manhole Sections

Supervisor Ringler said the next item was a request from Michael Cirillo, Department of Public Works, to go to bid for Precast Concrete Manhole Blocks and Precast Reinforced Concrete Manhole Sections and Iron Castings for the year 1992.

The following resolution was offered by Mr. Gunner and seconded by Ms. Galvin:

WHEREAS, the Town desires to advertise for bids for furnishing of Precast Concrete Manhole Blocks and Precast Reinforced Concrete Manhole Sections and Iron Castings for the period May 1, 1992 through April 30, 1993, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue of March 18, 1992 and that bids be received up to 2:00, 2:10, and 2:20 p.m. respectively on the 6th day of April 1992, at which time such bids will be publicly opened and read.

The resolution was adopted by the following vote:

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

Approve
Seasonal
Personnel
Parks &
Recreation
Dept.

Supervisor Ringler said the following item was a request from David Austin, Administrator of Parks & Recreation Dept., for approval of appointment of seasonal personnel.

The motion was made by Mrs. Fuller and seconded by Mr. Gunner that the persons listed on the memorandum dated March 11, 1992 from David Austin, Administrator of Parks & Recreation Dept., on file in the Town Clerk's Office, be and they hereby are appointed to serve at the pleasure of the Town Board. The motion was passed by the following vote:

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

Following, Supervisor Ringler said was a request from Bruce H. Secor, Commissioner of Public Works, to authorize the Supervisor to sign a Consecutive Water System Agreement with the Town of New Scotland. He said this protects the Town of New Scotland from having to pay for additional water testing which is already done by the Town of Bethlehem. Mr. Secor indicated this was correct.

Authorize Supervisor To sign Consecutive Water System Agreement

Councilwoman Galvin had a question in regard to the 1978 agreement and the continuance of the agreement unless terminated by both of the parties involved or water no longer supplied. Mr. Secor explained that the technical requirements are changing.

Agreement with Town of New Scotland

The motion was made by Ms. Galvin and seconded by Mr. Gunner to cancel the original 1978 agreement made between the Town of Bethlehem and the Town of New Scotland. The motion was passed by the following vote:

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

Councilman Gunner had a question in regard to the second agreement, asking if all of the costs will be borne by the recipients of the water of the Town of New Scotland or whether there were any hidden costs. Mr. Secor said to his knowledge there are no hidden costs. Mr. Secor said the Town of Bethlehem does a certain amount of testing and this would be a duplicate testing procedure. Mr. Gunner asked if this was all metered water. Mr. Secor said it was.

The motion was made by Mr. Gunner and seconded by Ms. Galvin to authorize the Supervisor to sign the Consecutive Water System Agreement with the Town of New Scotland. The motion was passed by the following vote:

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

Supervisor Ringler said the following item was a request from Chief of Police, Richard J. LaChappelle, to appoint a full-time Telecommunicator, Christopher Hughes. Mr. Ringler indicated Mr. Hughes is a part time Animal Control Officer at this time.

Appoint Full Time

Councilwoman Galvin said in the past the applicant information was Tele- received with this request and asked if it would be forthcoming. Chief LaChappelle said he did not have it for Mr. Hughes because he is a part-time Telecommunicator at the present time. Supervisor Ringler said the Board had received the information previously in this instance. Councilman Gunner asked how long Mr. Hughes has been a part-time Telecommunicator. Chief LaChappelle said about 6 weeks.

The motion was made by Mrs. Fuller and seconded by Mr. Gunner that Christopher Hughes be and he hereby is appointed to the position of full-time Telecommunicator, effective March 21, 1992, at an annual salary of \$18,373. The motion was passed by the following vote:

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

Approve Attendance of Det. Wilson and Sgt. Beebe at Basic Video Camera Course

Supervisor Ringler said the next item was a request from Richard J. LaChappelle, Chief of Police, to approve the attendance of Detective Wilson and Sergeant Beebe at a Basic Video Camera Course.

The motion was made by Mr. Gunner and seconded by Ms. Galvin to approve the attendance of Detective Wilson and Sergeant Beebe at the Basic Video Camera Course, March 10-11, 1992 at the Cohoes Police Department with expenses paid and approval of use of a police vehicle for transportation. The motion was passed by the following vote:

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

Approve Attendance of Lt. Vanderbilt and Sgt. Corsi at Training Course - Governor's Traffic Safety Committee

The following request was from Chief Richard J. LaChappelle, according to Supervisor Ringler, for approval of attendance of Lieutenant Vanderbilt and Sergeant Corsi at the training course sponsored by the Governor's Traffic Safety Committee.

The motion was made by Ms. Galvin and seconded by Mr. Gunner to approve the attendance of Lieutenant Vanderbilt and Sergeant Corsi at the training course sponsored by the Governor's Traffic Safety Committee and approve use of a police vehicle for transportation on March 25, 1992. The motion was passed by the following vote:

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

Appoint Probationary Police Officer - Charles E. Rudolph, Jr.

Supervisor Ringler noted the next item was a request from Richard J. LaChappelle, Chief of Police, for the appointment of a Probationary Police Officer.

The Supervisor asked Chief LaChappelle if he had the background information on candidate Charles E. Rudolph, Jr. The Chief acknowledged he did have the information and distributed a copy to each Board Member.

The motion was made by Mrs. Fuller and seconded by Ms. Galvin that Charles E. Rudolph, Jr., be and he hereby is appointed Probationary Police Officer, effective March 21, 1992 at an annual salary of \$25,956. The motion was passed by the following vote:

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

Award Bid Motor Oil - Polsinello Fuels

Supervisor Ringler said the next item was a request from Gregg A. Sagendorph, Superintendent of Highways, for the award of the bid for motor oil for the year 1992.

The motion was made by Mr. Gunner and seconded by Mrs. Fuller to award the bid for Motor Oil for the year 1992 to Polsinello Fuels, Inc., Rensselaer, NY, the lowest bidder, which conformed with the specifications of the Town, for grand total bids of \$5,037.20 for items 1, 2A, 3 & 4 and \$5,037.20 for items 1, 2B, 3 & 4. The motion was passed by the following vote:

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

Following, Supervisor Ringler said was a request from Gregg A. Sagendorph, Superintendent of Highways, to go to bid for Topsoil, Gravel, Washed Crushed Stone, Latex Modified Pavement, Guide Rails and Rental of Heavy Equipment.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller that in accordance with Town Law, the Town Clerk advertise for bids for Topsoil, Gravel, Washed Crushed Stone, Latex Modified Pavement, Guide Rails, and Rental of Heavy Equipment in THE SPOTLIGHT, issue of March 18, 1992 and that bids be received on March 30 at 2:00 p.m., 2:10 p.m. and 2:20 p.m. and March 31, 1992 at 2:00 p.m., 2:10 p.m. and 2:20 p.m. respectively for the individual items. The motion was passed by the following vote:

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

Go To
Bid for
Topsoil
Gravel
Washed
Crush
Stone
Latex
Modified
Pavement
and
Rental
of Heavy
Equipment

Supervisor Ringler said the next item was a request for approval to sign an Agreement with the Bethlehem Central School District for the use of school facilities and equipment in the event of a disaster.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to authorize the Supervisor to sign the Agreement with the Bethlehem Central School District for the use of school facilities and equipment in the event of a disaster. The motion was passed by the following vote:

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

Approval
To sign
Agreement
with
Bethlehem
Central
School
District
for use
of School
Facilities
in event
of a
disaster

Following, Supervisor Ringler said was a report from Bruce Secor, Commissioner of Public Works, in regard to requests for water service in the Town of New Scotland. He noted there was also a request from Mrs. Harnau for water service in the Town of New Scotland. Supervisor Ringler reviewed the memorandum from Mr. Secor, explaining the present situation and mentioned the Albany County Health Department position in regard to these water connections. Mr. Secor noted the County considers any lines with 5 or more connections to be an illegal water district.

Requests
for water
Service
Harnau -
Town of
New
Scotland

Supervisor Ringler asked Mr. Secor to give a brief explanation of this report. Mr. Secor reviewed each overhead slide, indicating location of all water connections to the Town of Bethlehem service and pointing out the location of Mrs. Harnau's property. Locations included Crowridge Road, Bullock Road, New Salem South Road, Route 85A with a couple lines running easterly and westerly on Route 85A. Mr. Secor noted for the Board's information, locations of private service lines and areas that, to his knowledge, do not have water service. Mr. Secor mentioned that anyone serviced with water outside the Town of Bethlehem has to pay the out-of-district rates for water usage. Mr. Secor addressed the issue that there are locations where he hopes the Town of New Scotland considers establishing a water district and take over some of the services that are now serviced through the Town of Bethlehem lines.

Mr. Secor again noted that the Town of Bethlehem is committed to providing water service to structures located within 150 feet of the water main. He said he is in the process of preparing on a larger scale, a map showing an inventory of all of the parcels served, with colors indicating those that are beyond the 150 feet. He said those shown on the map are a concentration of the private service lines which have multiple services.

Supervisor Ringler asked why this area was not included in the Font Grove Water area when New Scotland established the water district. Mr. Secor said then Supervisor Wallace met with the residents and tried to indicate the advantages of joining the water district but the residents greatly resisted this proposal. As a result, Mr. Secor indicated they were left out of the water district extension. Mr. Secor noted this was an unfinished piece of business to be followed up with the Town of New Scotland.

Mr. Secor said his basic question for the Town Board addresses anyone who comes in, who is beyond the 150 feet from the transmission lines, is told to approach the Town Board and ask permission based on whatever merits there may be for their particular issue. He said he is asking the Town Board to affirm that and the second thing is based upon the interpretation from the County, anything that has more than 5 hook-ups is considered an illegal district. He said in this regard, the Town of Bethlehem should notify the Town of New Scotland to do something about it. The Board concurred with Mr. Secor.

Supervisor Ringler suggested that these requests not be brought to the Board when there is more than 5. The Board agreed with the Supervisor. He further indicated there is no need for the Board to get involved with this since it is not legal. Mr. Secor said the issue that comes beyond this then, is if the Town of New Scotland tries to form a water district, how much vacant land is going to be included in the water district which will later become additional customers.

Mr. Secor said there are two issues that were always talked about in regard to water. He said one is the source of supply that is available and the ability to get it to the customer. He said right now there is a 6, 10 and 16 inch water main on New Scotland Road. He said the 6 inch line was installed at the turn of the century and needs to be taken out of service and done away with. He said the 10 and 16 inch are fine but they are aging. He said there needs to be another 12 or 16 inch line to be put in to replace the old 6 inch. He said if the Town of New Scotland will participate in that, then there will be mutual help to each party. He said with the 10 and 16 inch main the Town receives just the water that is available to supply the flows that are needed here. He said without some additional system improvement, the Town does not have the excess capacity to trade off or barter with New Scotland. He said we are 100 percent committed as it is. Mr. Secor further noted we do not have the transmission capacity to negotiate with the Town of New Scotland and, therefore, that is why he keeps coming back to the Board.

Councilman Gunner indicated he understands what Mr. Secor is saying and from the indication of the rest of the Board, the Town is being nicked and dined every time we get these requests, indicating he did not mean to be negative. He noted there are two more on the agenda this evening. Mr. Gunner said he thinks the Board is willing to cooperate and help New Scotland, but the Town of Bethlehem cannot install a whole water system for them. He said this appears to be headed in this direction. Mr. Gunner noted he thought it would be beneficial to have some kind of a study committee where the Town of New Scotland and Bethlehem can work to set necessary water districts which should be established from these private water lines. He noted the Town of Bethlehem will have to let New Scotland know that these grantings are going to reach a point where they will be refused and no more allowed to be added. Mr. Gunner said he thinks there should be a discussion and put the metes and bounds on all of this if it has not been done previously. Councilwoman Fuller said this could be done to avoid the piece meal approach to this water problem.

Supervisor Ringler asked Mr. Secor if a water district is going to be formed here, who would make the decision and whether the Town of Bethlehem has anything to say about the metes and bounds of the district. Mr. Secor said to be honest, he does not know. He said he would think there would be some negotiating ability. He said the problem is that there is a 3 inch plastic line. Supervisor Ringler said he still is concerned about where the control goes and whether the Town will be allowed to have some input. He feels the Board is going to have to insist on that. Mr. Ringler said there are a lot of factors that have to be thought about when some decisions are made. One, Mr. Ringler noted, is the fact that the Town does not have the approval on the water supply facilities. He said there is another issue, the development of large vacant land on a large scale. Supervisor Ringler said until there is some infrastructure and roads by the State of New York around the Town, we are going to lose some control.

Councilman Gunner noted the Board has the ability to read the minutes from previous situations in the copies distributed by Mr. Secor. Mr. Gunner said the Town Attorney at that time said all right if you approve it now but somewhere down the line, it is going to be

difficult -- when are you going to say no to someone, will it be too late. Mr. Gunner said it is not necessarily the point that the Board wants to deny anyone water, the Board wants to, hopefully, help them stay within the possibilities that will not affect the Town's distribution system. He said there has been help over the years and the Board would like to work with New Scotland to mutually help each other. Supervisor Ringler said he also knows the Town of New Scotland is also looking at some potential water sources from within their own Town. Supervisor Ringler said he thought Mr. Gunner's suggestion of a joint group to sit down and look at the overall picture is a very good one. He said the first thing to be looked at is the possibility of correcting some of the current issues that are a problem for Mr. Secor and also to look at a possible long term solution.

Councilwoman Galvin said if she remembered correctly from the past, that in the event a district is created and the line run past vacant land, there is a certain amount of obligation to service that vacant land in the event of development, at least within a certain number of feet. Mr. Secor said it depends on how the district is originally drawn and the sizing of facilities. He said if there is a conservative sizing of the facility, it can only support a certain density of development over a certain length. The initial size of the water district is not as of great a concern as are the extensions, Mr. Secor said. He said whenever another tap is added to the current 10 inch main, it reduces the amount of water to the Bethlehem citizens. He said this is what concerns him the most. He said it is his job to report this situation to the Board and this is a critical issue that the Town must keep control of.

Mr. Secor suggested he draft something to the Town of New Scotland and forward the report to them including the information received from the County to make some recommendations to them. He said basically, this is restating policy. He said Supervisor Corrigan wrote a letter previously stating nothing could be done outside 150 feet without a district being formed. He said the Board has pretty much stuck to this, indicating the only things serviced are existing facilities. He said he believes this to be a very humanitarian approach but he wants to reaffirm the marching orders that he has. Mr. Secor said he will draft something up and bring it to the Board and get a statement back to New Scotland.

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Mention was made that there was also a request for water service from Mrs. Harnau.

The issue of water service to Mrs. Harnau was tabled on a motion made by Mr. Gunner and seconded by Mrs. Fuller. The motion was passed by the following vote:

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

Request
for
Water
Service -
Harnau
Tabled

The following two items, according to Supervisor Ringler were requests for water service which had been tabled and he asked if the Board saw any reason to remove them from the table until the report is received from Mr. Secor. The Board concurred with the Supervisor.

Supervisor Ringler recognized Mr. Tony Stellato, representing New Salem Saab garage to be located on Route 85, who requested time to address the Board. The motion was made by Mr. Gunner and seconded by Mrs. Fuller to remove the request for water service for the proposed New Salem Saab garage from the table. The motion was passed by the following vote:

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

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Mr. Stellato said he appreciates the fact that there are a lot of complexities to the problem of water along Route 85. He asked that the Board consider this with fresh eyes because they are simply requesting this because of the proposed location of the building. He said he feels this is a planning issue rather than a water service issue. He said this proposal has frontage on New Scotland Road and relocation of the building would entitle water service to this use. Mr. Stellato said he did not know if the owner would agree to moving the building forward. He said they are only requesting the extension of the service to the proposed location of the building, 300 feet back from New Scotland Road.

Supervisor Ringler thanked Mr. Stellato. A discussion followed concerning the site layout and where cars will be parked. The discussion involved some conditions that the Town of New Scotland have addressed with the owners. The Board also reviewed the site in regard to the landscaping.

Supervisor Ringler noted that in this instance, if the owners located the building within the 150 feet, the Town would be required by law to provide the service. He said beyond that it is at the discretion of the Board. He said originally the proposal called for an 8 inch pipe but this has been reduced to 2 inches. The question, according to Mr. Ringler, still comes down to whether the Board still feels they want to table this until the other requests and the big issue is resolved or should consideration be given to granting this request.

The motion was made by Mrs. Fuller and seconded by Mr. Gunner that the request for water service from the New Salem Saab Garage be tabled. The motion was passed by the following vote:

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

Request
 For Water
 Service -
 New Salem
 Saab Garage
 Tabled for
 Second time

Supervisor Ringler next acknowledged Mr. Dunne who was in attendance and asked if he would like to address the Board. The Supervisor noted that Mr. Secor had invited Mr. Dunne to attend this meeting.

Mr. Dunne said he did not realize this had been discussed at the previous meeting. Supervisor Ringler said the Board tabled the request at that time. Mr. Ringler said the Board, as can be seen, is reluctant to make any changes outside of that. Mr. Dunne said he did not know if he could change the Board's mind but the reason for this request was because it is an emergency situation. He asked if the Board was familiar with the situation. Supervisor Ringler said he thought they were. Mr. Dunne said the line broke three times this winter and he feels that if it is fixed, it should be fixed properly. He said in light of this, he called Mr. Secor. He noted he could be within the 150 feet if he built a two-car garage and a breezeway to the house. The request was forwarded on the recommendation of Mr. Secor, Mr. Dunne said.

Mr. Dunne said he did not think there was anything that could be done due to the Board's tabling of the request. Councilman Gunner said the tabling of an item means that there has been no decision made. He further noted it is not just the one piece of property, as has been discussed. Mr. Dunne asked if he was to construct the two car garage and breezeway, would the garage be used as the measuring point to the water line. Mr. Secor said in the past, it has been the rule that if any portion of the building is within 150 feet, it qualifies for water service. Attorney Kaplowitz said this is what has been done in the past and he sees no reason to change this.

Mr. Dunne asked how the decision had read in regard to the hook-up to the water main. Mr. Secor noted it reads from the water line itself, is how the decision read. Councilman Gunner asked Mr. Dunne if he had to apply for a building permit from the Town of New Scotland. Mr. Dunne said this was correct. Mr. Gunner said he

thought that when the application is made for the building permit, Mr. Dunne should indicate that he had tried to work with the Town of Bethlehem and get this thing settled out.

Supervisor Ringler thanked Mr. Dunne.

Supervisor Ringler said the next item was to approve the Town Board minutes of February 12, 1992.

Approve
Town Bd.
Minutes -
Feb. 12, 1992

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to approve the Town Board minutes of February 12, 1992. The motion was passed by the following vote:

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

Supervisor Ringler said the next item on the agenda was a request from Kathleen A. Newkirk, Town Clerk, for consideration of adoption of a resolution regarding the Social Security Tax Deductions from the Election Day workers check.

The motion was made by Mr. Gunner and seconded by Ms. Galvin to adopt the resolution pertaining to the F.I.C.A. deductions from the Election Day workers check. The motion was passed by the following vote:

Adopt
Resolution
To rescind
withholdin
of FICA
Tax from
Election
Day
Workers'
Pay

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

Mention was made that this resolution be forwarded to the appropriate Congressional representatives to encourage them to support the repeal of this law.

Supervisor Ringler said the following resolution was presented in honor of former Town Justice Roger Fritts. The Supervisor noted this was not put on the public agenda previously due to the fact the surprise party held the previous weekend was in his honor.

R E S O L U T I O N

WHEREAS, The Town of Bethlehem has been fortunate to have had a number of fine Justices, but none more appreciated than Roger Fritts, Town Justice for the past 14 years, and

Adopt
Resolution
Honoring
former
Justice
Roger Fritt

WHEREAS: Justice Fritts has during his tenure displayed the legal expertise and versatility to handle the wide variety of assignments required of his position from felony arraignments at all hours of the day and night to the many trials for traffic violations, to small claim actions and a few memorable weddings and,

WHEREAS: Each of these allowed us to appreciate his compassion, fine sense of humor, wit and perceptiveness in discerning true fact from fiction and,

WHEREAS: Those who have been privileged to be associated with him can testify to his fair and even-handed approach to the dispensation of justice for those who came before him,

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD AND THE CITIZENS OF THE TOWN OF BETHLEHEM THANK ROGER FRITTS FOR HIS SERVICE TO THE COMMUNITY AND WISH HIM HAPPINESS AND SUCCESS IN HIS FUTURE ENDEAVORS.

Frederick Webster, Councilman
M. Sheila Galvin, Councilwoman
Kenneth J. Ringler, Jr. Supervisor

Charles Gunner, Councilman
Sheila Fuller, Councilwoman

Dated: March 6, 1992

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to adopt the foregoing Resolution in honor of Roger Fritts. The motion was passed by the following vote:

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

Councilman Gunner said he feels this was well deserved and his concern regards the fact that Mr. Webster has not signed this document. Supervisor Ringler said this will be signed when Mr. Webster returns from his vacation in Florida.

Request for
Adoption of
Resolution
regarding
restoration to
State Budget
for funding
Dept. of State's
Planning and
Land Use
Advisory Unit

Supervisor Ringler said the next order of business was a request from Martin Barr, Chairman of the Planning Board, for adoption of a resolution regarding the restoration to the State budget of funding for the Department of State's Planning and Land Use Advisory Unit. He noted the State is again trying to reduce the assistance that they provide to local government. There is an importance, Supervisor Ringler said, to this in regard to training and feels the encouragement should be given to the State to restore these funds.

The motion was made by Mrs. Fuller and seconded by Mr. Gunner to adopt the Resolution regarding Restoration to the State budget, monies for the Department of State's Planning and Land Use Advisory Unit. The motion was passed by the following vote:

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

Accept four
deed documents
Adams Woods

Supervisor Ringler said the following item was a request from Bruce Secor, Commissioner of Public Works for acceptance of four (4) deed documents for the Adams Woods Development.

The motion was made by Ms. Galvin and seconded by Mr. Gunner that the easement documents presented by Feura Bush Associates and Micheli Contracting Corporation for the Adams Woods Subdivision, as approved by the Department of Public Works, Engineering Division, be and they hereby are accepted, pending approval of 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.

Approve
request from
Kathleen
Newkirk
to attend
NYS Town
Clerks' Assoc.
Conference
with expenses
paid

Supervisor Ringler noted the following item was a request from Town Clerk, Kathleen A. Newkirk, for approval of attendance at the 10th Annual NYS Town Clerks Association Conference.

The motion was made by Ms. Galvin and seconded by Mr. Gunner that Kathleen A. Newkirk, Town Clerk, be and she hereby is authorized to attend the NYS Town Clerk's Association 10th Annual Conference to be held April 26-29, 1992 at the Desmond Americana, Albany, NY with expenses paid. The motion was passed by the following vote:

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

Supervisor Ringler noted he wished to hold an Executive Session to discuss pending litigation. The motion was made by Ms. Galvin and seconded by Mrs. Fuller that an Executive Session be held following the regular Town Board meeting to discuss pending litigation. The motion was passed by the following vote:

Executive
Session

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

The Supervisor asked if there was anything else to come before the Board. There was nothing. Supervisor Ringler acknowledged the attendance of some students from the Participation in Government class from Bethlehem Central High School.

The motion was made by Ms. Galvin and seconded by Mr. Gunner to adjourn the Town Board meeting at 8:22 p.m. The motion was passed by the following vote:

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


Town Clerk