

TOWN BOARD  
MAY 12, 1993

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 Deputy Supervisor at 7:30 p.m.

PRESENT: Frederick C. Webster, Councilman, Deputy Supervisor  
M. Sheila Galvin, Councilwoman  
Sheila Fuller, Councilwoman  
Bernard Kaplowitz, Esq., Town Attorney  
Kathleen A. Newkirk, Town Clerk

ABSENT: Kenneth J. Ringler, Supervisor  
Charles Gunner, Councilman

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DEP.SUPERVISOR WEBSTER: I would like to welcome everyone to a regular Town Board meeting. There are no public hearings this evening, this is a business meeting. I would like to welcome the students from Bethlehem Central. As Mr. Ringler usually says, it is getting close to the end of the marking period so you are all here, right?

STUDENTS: Yes.

Easement  
40 Mohawk  
Trail

DEP.SUPERVISOR WEBSTER: The first item on the agenda is a recommendation from one of our engineers, John Fenzl, from the Engineering Division, for the approval of an easement encroachment on Lot 40 Mohawk Trail, North Bethlehem.

The motion was made by Mrs. Fuller and seconded by Ms. Galvin to approve the easement regarding encroachment on Lot No. 40 Mohawk Trail, North Bethlehem. The motion was passed by the following vote:

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

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Refund of  
Water Rents

DEP.SUPERVISOR WEBSTER: Next item is a request from Kenneth Hahn, Receiver of Taxes and Assessments for approval of reimbursement of overpayment of water rents in the amount of \$12.25.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to approve the reimbursement of overpayment of water rents for the month of April in the amount of \$12.25. The motion was passed by the following vote:

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

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Approve  
Attendance  
of Officer  
Demarest at  
Glock Firearms  
Training

DEP.SUPERVISOR WEBSTER: The next item is a request from Chief Richard LaChappelle for approval of Officer Demarest to attend the Glock Firearms Transitional Training in Ithaca, NY June 8-11, 1993 with expenses paid. This is a required training and it will be approximate cost of \$265, Chief?

CHIEF LA CHAPPELLE: Correct.

DEP.SUPERVISOR WEBSTER: Plus room and board.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to approve the attendance of Officer Demarest to attend the Glock Firearms Transitional Training at Ithaca, NY on June 8-11, 1993 with expenses paid. The motion was passed by the following vote:

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

DEP.SUPERVISOR WEBSTER: The next item on the agenda is a request from Chief Richard LaChappelle for approval of Detectives Cox and Corbett and Officer Bowdish to attend a regional information sharing on Child Pornography and Pedophiles to be held May 26 with registration fee to be paid, total cost of \$30.

Seminar  
Child  
Pornography  
Police  
Dept.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller that Detectives Cox and Corbett and Officer Bowdish be and they hereby are approved to attend the regional information sharing conference on Child Pornography and Pedophiles to be held May 26, 1993 with registration fee paid. The motion was passed by the following vote:

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

DEP.SUPERVISOR WEBSTER: Next item is also from Chief Richard LaChappelle for approval of Sergeants Corsi and Beebe to attend a one day training program for report writing for supervisors to be held May 14, 1993 in Newburgh, New York at a cost of \$80.

Training  
Program  
for Report  
Writing for  
Supervisors  
Police Dept.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to approve the attendance of Sergeants Corsi and Beebe at a one day training program for Report Writing for Supervisor to be held May 14, 1993 at Newburgh, NY with expenses paid. The motion was passed by the following vote:

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

DEP.SUPERVISOR WEBSTER: Next is just to acknowledge receipt of the quarterly cable tv franchise fees in the amount of \$33,782.

Acknowledge  
Quarterly  
Franchise Fee  
Cablevision

COUNCILWOMAN GALVIN: I would like to ask a question with respect to that. Has that been reviewed by Judi?

DEP.SUPERVISOR WEBSTER: Yes, it has. Judi has reviewed it and she also advised me today that the audit is going to be held up a little bit because of the new changes that came into the cable commission from the federal government but she said it is underway and it will be forth coming but it is going to be a little bit delayed, how much she doesn't know but...

Discussion  
Quarterly  
Franchise  
Fee  
Cablevision

COUNCILWOMAN GALVIN: Do you know whether or not she has reviewed the cash corrections line of \$3,226 which shows under the last item?

DEP.SUPERVISOR WEBSTER: No, I can't answer that.

COUNCILWOMAN GALVIN: Okay, I was wondering what that was because there is a number 1 shown in a footnote as being an NYSCC dues reduction of \$1,478 that I couldn't figure out where that belonged. And, I was unclear as to what the cash correction was whether they just didn't want to pay us based on that or whether they had some sort of basis in fact.

COUNCILWOMAN FULLER: The \$1400 is the cable commission. I had asked Judi about that earlier.

COUNCILWOMAN GALVIN: Right. But, I am not sure what the footnote... it says see note 1 up above under the deductions but that certainly doesn't... the \$3,226 doesn't make it with the \$1,478. I couldn't figure out what that was.

DEP.SUPERVISOR WEBSTER: She did a trend analysis on the cable franchise fees and she does show... it does show here the difference NYSC franchise fees and this is the amount...

COUNCILWOMAN GALVIN: Yes, that shows down here as footnote 1 but what it says see note 1 above.

DEP.SUPERVISOR WEBSTER: It seems to be...Well, it seems to be an average in here.

COUNCILWOMAN GALVIN: But, it doesn't reconcile with \$3,226.

DEP.SUPERVISOR WEBSTER: We could ask Judi.

COUNCILWOMAN GALVIN: Could you ask Judi please. Thank you.

DEP.SUPERVISOR WEBSTER: Sure.

Petty Cash  
Changes  
Parks &  
Recreation  
Dept.

DEP.SUPERVISOR WEBSTER: The next item is a request from David Austin, Administrator of Parks and Recreation, regarding petty cash fund changes and he is requesting that the \$500 petty cash amounts be changed and the pool be allocated \$200, the concession -- which was previously given in the amount of \$200 -- be dropped to zero and the office increased to \$150 for a total of \$350 in petty cash amounts which is a reduction from the \$500 that was authorized at the organizational meeting.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to approve the change in petty cash funds as request by David Austin, Administrator of Parks & Recreation Department, with the total petty fund being \$350 instead of the \$500 allocated at the organizational meeting. The motion was passed by the following vote:

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

Appoint  
Clerk Typist II  
Building  
Dept.

DEP.SUPERVISOR WEBSTER: The next item is a request from John Flanigan, Building Inspector, for the permanent appointment to vacant Clerk Typist II in his Department, which is a Civil Service position with Jo Mary Dragon. Has everyone seen that application?

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to approve the appointment of Jo Mary Dragon, Selkirk, NY to the position of Clerk Typist II, Building Department, effective May 24, 1993. The motion was passed by the following vote:

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

DARE  
Seminar  
Police Dept.

DEP.SUPERVISOR WEBSTER: The next item is a request from Chief Richard LaChappelle for approval of attendance of Officer Rinaldi at a DARE education component instructor seminar to be held in Saratoga Springs and use of a police vehicle and this will be paid from DARE funds.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to approve the attendance of Officer Rinaldi at a Drug Abuse Resistance Education Elementary Component Instructor Seminar to be held May 17-28, 1993 in Saratoga Springs, NY and use of a police vehicle for transportation. The motion was passed by the following vote:

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

DEP.SUPERVISOR WEBSTER: Next is a request from David Austin, Administrator of Parks & Recreation, asking the Town and recommending the Town Board accept the enclosed donation of \$300 from the Bethlehem Lions Club to purchase one wheelchair accessible picnic table for the Elm Avenue Park. Motion to approve perhaps with a letter of thanks to Joe Manzi and Red Goyer of the Bethlehem Lions Club, or has that already been done, David?

Accept  
Donation  
Bethlehem  
Lions Club

MR. AUSTIN: It will be done tomorrow.

The motion was made by Ms.Galvin and seconded by Mrs. Fuller to approve the acceptance of a donation of \$300 from the Bethlehem Lions Club for the purchase of one wheelchair accessible picnic table for the Elm Avenue Park. The motion was passed by the following vote:

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

DEP.SUPERVISOR WEBSTER: The next item is a request from David Austin for the appointment of Parks & Recreation Department summer personnel, all of whom are Town of Bethlehem residents.

Appoint  
Seasonal  
Personnel  
with one  
correction

MR. AUSTIN: Exception of one.

COUNCILWOMAN GALVIN: Except for the last one, Jamie Supan on page 3.

DEP.SUPERVISOR WEBSTER: Oh, I am sorry, there is one at the very end, yes.

MR. AUSTIN: She is a swim coach we use.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to...

MR. AUSTIN: Fred, I need to recommend one change, on the bottom of page 2, there is a misprint, Alison Ragone should be an Instructor I at \$5.20 per hour, not the way it reads.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to approve the appointment of seasonal personnel as listed on the Memorandum from David Austin, Administrator of Parks & Recreation Department, dated May 12, 1993 with one correction as indicated by Mr. Austin. The motion was passed by the following vote:

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

DEP.SUPERVISOR WEBSTER: The next item is a recommendation from Bruce Secor, Commissioner of Public Works, for award of the bid of Contract 1E, Electrical Work, Wastewater Treatment Plant to the low bidder of LaCorte Electric. This has been approved by the Town Attorney and has also been reviewed and approved by the Sewer District Attorney Tobin.

Award Bid  
Contract 1E  
Electrical  
Work  
Wastewater  
Treatment  
Plant

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to award Contract 1E, Electrical Work, Wastewater Treatment Plant Modifications to the low bidder, LaCorte Electric, Troy, NY at the bid price of \$278,746. The motion was passed by the following vote:

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

DEP.SUPERVISOR WEBSTER: The next item is a request from Town Clerk, Kathy Newkirk, for authorization of attendance at the New York Association of Local Government Records Officers Conference to be

Approve  
Attendance  
NY Assoc.  
Local Records  
Officers Conf.  
Town Clerk

held June 6-9, 1993 in Buffalo, NY and this will be paid through the grant monies. Is that correct, Kathy.

TOWN CLERK NEWKIRK: Yes, it is.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to approve the attendance of Kathleen A. Newkirk, Town Clerk, at the New York Association of Local Government Records Officers Conference to be held June 6-9, 1993, Buffalo, NY with expenses paid from grant monies received. The motion was passed by the following vote:

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

DEP.SUPERVISOR WEBSTER: The next item on the agenda is a recommendation from Jeffrey Dammeyer, Director of our Data Processing. The Data Processing Department has accumulated several pieces of surplus computer hardware, 6 display stations and one modem. This equipment is virtually outdated possessing very little market value. Companies have contacted the department, however, to express interest in purchasing this equipment. I talked to Jeffrey and he did tell me that he has a list of interested purchasers that he usually goes to when he has any outdated equipment and he contacted everyone on his list and had 4 people show interest but only 1 came back and decided that they would be interested in the equipment. So, it would be a motion to declare this surplus and allow him to sell it to CAC Leasing, Inc. for a total of \$725.

Approve sale  
outdated  
computer  
materials  
to CAC  
Leasing, Inc.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to declare the computer hardware, 6 display stations and one modem as surplus equipment and approve the sale of this equipment to CAC Leasing, Inc. for a total of \$725. The motion was passed by the following vote:

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

DEP.SUPERVISOR WEBSTER: The next item is from Supervisor Ringler recommending --

M E M O R A N D U M

TO: TOWN BOARD MEMBERS  
FROM: KENNETH J. RINGLER, JR.  
DATE: May 6, 1993  
SUBJECT: TRAFFIC SAFETY COMMITTEE

After discussions with certain staff members who participate on the Traffic Safety Committee, I would like to recommend that we rotate the Chairmanship of the committee at this point in time.

Appoint  
Lt. Vanderbilt  
as Chairman  
Traffic  
Safety Committee

It is my recommendation that Lt. Richard Vanderbilt be appointed as Chairman of this committee, effective immediately.

The motion was made by Mrs. Fuller and seconded by Ms. Galvin...

ATTORNEY KAPLOWITZ: You have a hand in the back of the room.

DEP.SUPERVISOR WEBSTER: Where? Oh, Marie.

MRS. CAPONE: Aren't you supposed to have a letter of resignation first?

DEP.SUPERVISOR WEBSTER: Well, I think that Mr. Wickham is on... the last sentence in the letter is --

At this point in time, Mr. Wickham, the current chairman who has done an outstanding job, will continue to serve as a member representing the Engineering Department.

MRS. CAPONE: Yes, but he is supposed to resign his position before you appoint somebody else. And, at the same time, when the Committee was formed in 1987, it... the people in the committee elected their chairman, not the Town Board.

DEP.SUPERVISOR WEBSTER: Well, I think it is the Supervisor's discretion that he can appoint a Chairman of any committee he appoints. He can select the chairman if he wishes to.

MRS. CAPONE: Bob Hendrick when he started it, it was amongst us to elect a chairman, it was not the Town Board.

DEP.SUPERVISOR WEBSTER: I have a request from the Supervisor do I have a motion?

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to appoint Lt. Richard Vanderbilt to the position of Chairman of the Traffic Safety Committee as per the recommendation of Supervisor Kenneth J. Ringler, Jr. The motion was passed by the following vote:

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

DEP.SUPERVISOR WEBSTER: The next is a recommendation from Supervisor Ringler for adoption of a resolution pertaining to the proposed Ravena Free Library to be forwarded to John Faso.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller regarding the following resolution:

RESOLUTION

WHEREAS, The Ravena Free Library wishes to create a Library District and,  
WHEREAS, The portion of this Library District will include the part of the Town of Bethlehem which falls within the Ravena-Coeymans-Selkirk School District boundary lines and,  
WHEREAS, This legislation provides a referendum be held in September on this issue and,  
WHEREAS, This legislation will allow each town to vote separately as to whether or not they wish to participate, now,  
THEREFORE, THE TOWN BOARD OF THE TOWN OF BETHLEHEM SUPPORTS PASSAGE OF LEGISLATION TO ALLOW A REFERENDUM ON THE FUTURE OF THIS LIBRARY DISTRICT TO BE HELD.

Resolution  
Ravena Free  
Library

Kenneth J. Ringler, Jr.  
Supervisor

Frederick Webster  
Councilman

M. Sheila Galvin  
Councilwoman

Sheila Fuller  
Councilwoman

Charles Gunner  
Councilman

Dated: May 12, 1993

The resolution was adopted by the following vote:

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

DEP.SUPERVISOR WEBSTER: The next item is a recommendation from Gregg Sagendorph, Superintendent of Highways.

May 10, 1993

Bethlehem Town Board  
445 Delaware Avenue  
Delmar, NY 12054

Dear Board Member:

Approve  
disposal  
of vehicles  
at auction  
Highway Dept.

I respectfully request the permission of the Town Board to dispose of the following vehicles at an auction held by Northway Auto Exchange, Inc. of Clifton Park, NY.

- 1 - International Dump truck
- 1 - Plymouth Caravelle
- 1 - Chevrolet Caprice
- 1 Cushman Truckster

All of these vehicles have been replaced by new 1993 vehicles purchased from State Contract.

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The motion was made by Ms. Galvin and seconded by Mrs. Fuller to approve the Highway Superintendent disposing of the following vehicles at auction at Northway Auto Exchange, Inc., Clifton Park, NY:

- 1 - International Dump truck
- 1 - Plymouth Caravelle
- 1 - Chevrolet Caprice
- 1 Cushman Truckster.

The motion was passed by the following vote:

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

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DEP.SUPERVISOR WEBSTER: The last item on the agenda was to be a discussion concerning the reduction of tipping fees for the ANSWERS contract but just this afternoon received another letter requesting another change. The Supervisor hasn't seen it, counsel has not seen it, so the last item will be withdrawn from the agenda.

Anything else to come before the Board? There was nothing.

Entertain a motion.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to adjourn the regular Town Board meeting at 7:40 p.m. The motion was passed by the following vote:

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

Thank you for attending.

*Kathleen A. Newkirk*  
Town Clerk