

TOWN BOARD
MAY 12, 1999

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

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

Supervisor Fuller welcomed everyone to a meeting of the Bethlehem Town Board and invited them to join in the pledge of allegiance. She extended a special welcome to the students in attendance.

MIS award
of bid
regarding
surplus
equipment

The first item was a recommendation from Jeffrey Dammeyer, Director of MIS, for award of bid regarding surplus equipment. Supervisor Fuller noted the list included surplus computer equipment. She said there were 2 offers received for some of the equipment and recommendation was to declare the remaining items as scrap and dispose of them.

The motion was made by Mrs. Davis and seconded by Ms. Burns to approve the sale of four (4) modems, four (4) printers, and one (1) remote controller to Axiom Technologies, Inc., Canton, GA at a price of \$940. and declare the remaining items on the list dated April 28, 1999 from Jeffrey Dammeyer, Director of MIS, scrap and dispose of them. The motion was passed by the following vote:

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

Acknowledge
receipt of
Franchise fee
from Time Warner
Cable

The next item was to acknowledge receipt of the Quarterly Franchise Fee from Time Warner Cable for the period January through March 1999 in the amount of \$47,179.

Parks and
Recreation
appoint seasonal
personnel

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

The motion was made by Ms. Burns and seconded by Mr. Lenhardt to approve the appointment of seasonal personnel as recommended by David Austin, Administrator, Parks & Recreation Department, as listed in his Memorandum dated May 12, 1999 at the titles and salaries indicated. The motion was passed by the following vote:

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

Request from
Chief
Lachappelle
acceptance
of donations

The next item was a request from Chief of Police, Richard LaChappelle, for acceptance of donations. Supervisor Fuller said the first item was for a traffic safety radar/speed advisory trailer donated by the Bethlehem Police Officers Union. It was mentioned the gift is to further traffic safety efforts, especially for walkers, joggers and bicyclists, as well as, other pedestrians. She noted there are also donations to the D.A.R.E. fund totaling \$830.

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to accept the following donations:

| | | |
|---|-------|------------|
| Bethlehem Police Officers Union | value | \$4,530 |
| for traffic safety radar/ speed advisory trailer | | |
| D.A.R.E. contributions | | |
| Gloria H. Johnson | | 20 |
| Michael Marmulstein | | 100 |
| Blanchard Post 1040 | | 50 |
| Nancy Farr | | 25 |
| Farm Family Insurance | | 200 |
| Nancy Farr | | 25 |
| Farm Family Insurance | | 300 |
| Robert H. Slonan | | 50 |
| Slingerlands PTA | | <u>100</u> |
| TOTAL: | | \$830 |

The motion was passed by the following vote:

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

Councilman Davis asked if Chief LaChappelle could explain how the trailer would work. The Chief said it is electric and has a radar gun. He said it flashes electronically the speed the vehicle is traveling at and displays the posted speed limit. He noted in this way it can be taken any place in the Town where speed is a problem. He said this is very helpful in advising the drivers of what they are actually doing. He said it has been proven very effective around the country. He said he thought it was a very nice gift on the part of the Union. Supervisor Fuller asked if this was similar to the construction site trailers that are seen. Chief LaChappelle said it is a similar thing except that the radar gun is going to pick up the speed just like the police car radar would and display the speed limit. Councilman Davis said it was a warning. Chief LaChappelle said it just tells the driver what they are doing when they are not aware of how fast they are traveling.

Supervisor Fuller and Councilman Davis thanked Chief LaChappelle. The Supervisor noted she will send letters of thanks to all the donors on behalf of the Board.

The following item was a request from Chief of Police, Richard LaChappelle, for approval of award of the bid for Radio and Communications Center equipment to Motorola, Inc. in the amount of \$134,871. Supervisor Fuller noted this is for the repair and replacement of the communications equipment that was damaged in the October 1998 lightning strike.

Request from
Chief of Police
approval of award
of bid for Radio
Communications
equipment

The motion was made by Mr. Johnson and seconded by Mr. Lenhardt to approve the award of bid for Radio and Communications Center equipment to Motorola, Inc., Clifton Park, NY at a price of \$134,871 as recommended by Chief LaChappelle, Bethlehem Police Department.

Supervisor Fuller asked if there were any questions. Councilman Burns noted that it was further requested that the Board authorize the Supervisor to enter into contractual agreements associated with this equipment and asked what contractual agreements are foreseen. Chief LaChappelle said the two (2) agreements that are known are for the software that is part of the operational system. He said this is an agreement to cooperate with how the system is operated. He said they do not anticipate any big contractual requirements other than routine maintenance. Supervisor Fuller noted that if it was an additional expense it would come back to the Town Board.

The motion was passed by the following vote:

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

Noes: None.

Request Chief
Lachapelle
for acceptance
resignation
School Crossing
Guard

The following item was a request from Chief of Police, Richard LaChappelle, for acceptance of resignation of a School Crossing Guard. Supervisor Fuller noted this was for Patricia M. Erno who has accepted full time employment elsewhere.

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to accept the resignation of School Crossing Guard, Patricia M. Erno, Delmar, NY. The motion was passed by the following vote:

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

Noes: None.

Request Chief
Lachapelle
for approval
of appointment
School Crossing
Guard

The following item was a request from Richard LaChappelle, Chief of Police, for approval of appointment of a School Crossing Guard. Supervisor Fuller said this is for Karen L. Glastetter of Delmar, NY to the position at a per-diem rate of \$28.71, effective May 13, 1999. The Supervisor asked Chief LaChappelle how many hours were involved. Chief LaChappelle noted it was about one (1) hour in the morning and one (1) hour in the afternoon.

The motion was made by Mr. Johnson and seconded by Mr. Lenhardt to approve the appointment of Karen L. Glastetter, Delmar, NY to the position of School Crossing Guard at a per-diem rate of \$28.71, effective May 13, 1999. The motion was passed by the following vote:

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

Noes: None.

Approval of
of Town Board
Minutes of
April 14, 1999

The following item was to approve the Town Board minutes of April 14, 1999.

The motion was made by Mr. Johnson and seconded by Ms. Burns to approve the Town Board minutes of April 14, 1999 as submitted. The motion was passed by the following vote:

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

Noes: None.

Citizens for
Pedestrian
Safety
awarded the
J. C. Penney
Golden Rule
Award.

Supervisor Fuller noted that late this afternoon she received information that the Citizens for Pedestrian Safety, Fran Stevens and Lynn Finley were awarded the J.C. Penney Golden Rule Award. The Supervisor noted she did not have a lot of details. She noted a Theresa Smith called her office to notify her of the award. She congratulated the Citizens for Pedestrian Safety and Mrs. Stevens and Mrs. Finley. She said we will probably hear more about this award at the next meeting. Supervisor Fuller noted J.C. Penney contributed \$250 for their efforts.

Councilman Davis said as a liaison between the Board and the Committee, they have worked very, very hard and deserve this award. She said they have been very dedicated to pedestrian safety and the cause for the residents, including the young people. She said she thinks we should all acknowledge what they have done because the Committee is looking out for everyone.

Supervisor Fuller asked if anyone wished to address the Board.

Mrs. Marie Capone said the announcement of the award to these people was on Channel 6 news tonight.

Councilman Burns said she had a clarification. She said at the last meeting, Attorney Kaplowitz talked about the status of the suit filed by Town Justice Munnelly against the Town and just to clarify, she said Mr. Kaplowitz said the County Attorney had agreed with the position of the Town. She said this is not true, that he agreed with the position of Town Justice Munnelly and she wanted to clarify that.

Councilman
Burns clarification
on the
suit filed
by Town Justice
Munnelly

Town Attorney Kaplowitz said he would disagree. He said the papers he read from the County Attorney asked that the petition of Mr. Munnelly be dismissed and thrown out. He offered to provide them to Councilman Burns and stated she was more than welcome to see them. Councilman Burns said she has seen them. Mr. Kaplowitz noted he did not agree on the reasons but the result was the same -- that the case be dismissed for different reasons, reasons of their own. He said they took a completely different perspective and they started with the Town Clerk's letter to the Board of Elections so that was the starting place. He, again, offered to provide Councilman Burns with the papers. Councilman Burns said her understanding was that the County Attorney agreed with Justice Munnelly. Mr. Kaplowitz said he did not see how anybody could reach that conclusion.

Mrs. Capone asked Mr. Kaplowitz when he passed his petition if it said that it was for 2 years or 4 years. Attorney Kaplowitz said it did say. Mrs. Capone asked what it said. Attorney Kaplowitz said it said for 2 years. Mrs. Capone said then it is for 2 years. Attorney Kaplowitz noted that is not what the judge said.

Mrs. Capone said okay and noted there is a new judge. Attorney Kaplowitz said it is more complicated than that, it is not that simple.

Mrs. Capone said there is a new justice named Terri Egan and she has known her since she was a little, little kid and she said she submitted her name for grand marshal of the parade this year. She said she wrote to the American Legion about it.

Supervisor Fuller asked the students if this was the last opportunity for the marking period. The students indicated there were 2 meetings.

Supervisor Fuller asked for a motion to adjourn to Executive Session to discuss personnel matters and litigation.

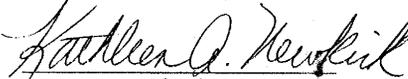
Adjourn to
executive session
No formal action
taken

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to meeting in Executive Session following the close of the regular Town Board meeting to discuss personnel matters and litigation. The motion was passed by the following vote:

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

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to adjourn the regular Town Board meeting at 7:39 p.m. The motion was passed by the following vote:

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


Town Clerk

EXECUTIVE SESSION

There was no formal action taken at the Executive Session.