

TOWN BOARD

January 13, 2010

A regular meeting and the Organizational Meeting of the Town Board of the Town of Bethlehem was held on the above date at the Town Hall, 445 Delaware Avenue, Delmar, NY. The meeting was called to order by the Supervisor at 6:00 p.m.

PRESENT: Samuel Messina, Supervisor
Joann V. Dawson, Councilwoman
Mark Hennessey, Councilman
Mark Jordan, Councilman
Kyle Kotary, Councilman
Nanci Moquin, Town Clerk
James T. Potter, Esq., Town Attorney

Councilman Jordan lead everyone in the Pledge of Allegiance.

Supervisor Messina thanked the audience for coming. He thanked the staff for coming to all the meetings and supporting the Board. He noted the attendance of the Participation in Government class from the high school and welcomed them.

Supervisor Messina said he looked forward to his new role as Supervisor and welcomed Councilman Jordan as the new councilman on the Board. Councilman Jordan said it was a pleasure to be a member of the Board and he recognized the new Town Clerk, Nanci Moquin.

PUBLIC COMMENT ON AGENDA ITEMS

Supervisor Messina opened the floor to public comment on agenda items.

Bernie MacInerney, a member of the community since 1985, thought the appointment of John Smolinsky as Deputy Supervisor was a great appointment and he congratulated the new members of the Board.

ORGANIZATIONAL MEETING

Supervisor Messina stated in accordance with the Town Law Section 42, the Supervisor appoints John Smolinsky as Deputy Supervisor, which is an unpaid position, for the term expiring December 31, 2010.

Supervisor Messina stated the following: acknowledge that no formal action needs to be taken at the organizational meeting to further approve salaries for employees and other officials. In accordance with the established policies within the employee handbook, and as per the terms of any applicable bargaining unit agreements, the salaries for 2010 have been provided for within the 2010 budget approved by the Town Board November 10, 2009. It is noted that the 1% Cost of Living Allowance (COLA) was withheld from the Town Supervisor, Town Board, Superintendent of Highways, Town Clerk, Receiver of Taxes, Town Justices, Planning and Zoning Board Chairs and members and the Town Attorneys.

Councilman Hennessey asked for Supervisor Messina for the actual salaries for those positions from last year. Supervisor Messina said he would provide that information to Councilman Hennessey but he didn't have the information with him.

Councilman Kotary offered the following information on the 2009 salaries for the elected positions. He said the Receiver of Taxes was \$61,793; Superintendent of Highways was \$95, 337; Town Clerk was \$69,338; Councilpersons were \$14,104 and the Supervisor was \$106, 890. Councilman Jordan asked if those salaries were correct. Supervisor Messina said he wasn't sure and that's why he didn't include a salary schedule.

For an official copy of the minutes, please visit the Town Hall, 445 Delaware Avenue, Delmar, NY or call 518-439-4955.

Councilman Jordan asked if it could be supplied to the Board in print by the next Board meeting so it could be a public record. Supervisor Messina said he would supply the information. Councilman Kotary said the salaries he read were the accurate 2009 salaries for those positions and should be the 2010 salaries as Supervisor Messina mentioned because those officials were not receiving the COLA.

In accordance with Town Law Section 20 and 24 Councilman Hennessey offered a motion to appoint James T. Potter as Town Attorney for the term expiring December 31, 2011, seconded by Councilman Jordan with the following vote:

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

NAYES: none

ABSENT: none

A motion to appoint Joseph Cansler as Commissioner of Public Works for a one (1) year term expiring December 31, 2010 was offered by Councilman Hennessey, seconded by Councilman Kotary with the following vote:

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

NAYES: none

ABSENT: none

A motion to authorize Highway Department salaries according to the approved grade/step schedule for 2010, as follows was offered by Councilwoman Dawson, seconded by Councilman Kotary with the following vote:

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

NAYES: none

ABSENT: none

<u>TITLE</u>	<u>GRADE LEVEL</u>
Highway Foreman II	17
Highway Foreman I	16
Equipment Operator II – Maintenance Mechanic	15
Automotive Mechanic	14
Equipment Operator II	13
Equipment Operator I	12
Laborer II	10
Laborer I	7
Part-time Laborer	\$9.75/hour \$9.25/hour

A motion to authorize Public Works Department salaries according to the approved grade/step schedule for 2010 as follows was offered by Councilman Kotary, seconded by Councilman Hennessey , with the following vote:

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

NAYES: none

ABSENT: none

<u>TITLE</u>	<u>GRADE LEVEL</u>
Deputy Commissioner or Public Works	26

Town Engineer	25
Director of Field Operations	23
Director of Administrative Services	23
Chief Water Treatment Plant Operator	23
Deputy Chief Water Treatment Plant Operator	19
Chief Wastewater Treatment Plant Operator	23
Assistant Chief Wastewater Treatment Plant Operator	18
Foreman II	18
Foreman I	16
Instrumentation Mechanic/Pump Station Mechanic	14
Senior Water Treatment Plant Operator	16
Supervisor of Administration	16
Utility Locator	14
Administrative Asst. I	12
Administrative Aide	10
Senior Wastewater Treatment Plant Operator	16
Water Treatment Plant Operator	13
SCADA Automation Specialist	14
Wastewater Treatment Plant Operator	14
Instrumentation Technician	14
Water Treatment Plant Operator Trainee	9
Senior Water & Sewer Maintenance Person	13
Water & Sewer Maintenance Person	11
Utility Service Helper	7
Procurement Clerk	12

<u>TITLE</u>	<u>GRADE LEVEL</u>
Equipment Operator II - Maintenance Mechanic	15
Equipment Operator II	13
Equipment Operator I	12
Utility Billing Clerk	8
Senior Utility Billing Clerk	11
Clerk-Typist II	8
Clerk-Typist I	6
Temporary Clerk - Typist	-commensurate with duties performed.
Senior Engineer	21
Assistant Engineer	19
Principal Engineering Technician	17

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Senior Engineering Technician	14
Engineering Technician	11
Engineering Aide I	7
Draftsman	7

(Longevity pay to be added to above salary rates in accordance with Town Board policy.)

A motion to authorize the approval of part time employees as follows was offered by Councilman Hennessey, seconded by Councilman Kotary, with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary
 NAYES: none
 ABSENT: none

<u>TITLE</u>	<u>NAME</u>	<u>F-T GRADE</u>
Clerk Typist I	Vadney, Lois	6
Clerk Typist I	McCarroll, Bella	6
Clerk Typist I	Hahn, Patricia	6
Recycling Coord.	Fisher, Sharon	11
Temporary Court Clerk	Hodom, Barbara	

A motion to appoint Susan Leath as Town Historian for the term ending December 31, 2010 was offered by Councilwoman Dawson, seconded by Councilman Hennessey, with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary
 NAYES: none
 ABSENT: none

A motion to approve the appointment of Daniel W. Coffey as a member of the Zoning Board of Appeals with a term expiring on December 31, 2014 was offered by Councilman Jordan, seconded by Councilman Kotary, with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary
 NAYES: none
 ABSENT: none

A motion to approve the appointment of Daniel W. Coffey as Chairman of the Zoning Board of Appeals for a one (1) year term ending on December 31, 2010 was offered by Councilman Jordan, seconded by Councilwoman Dawson, with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary
 NAYES: none
 ABSENT: none

A motion to appoint George Leveille as Chairman of the Planning Board for a one (1) year term ending December 31, 2010 was offered by Councilman Kotary, seconded by Councilwoman Dawson, with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
Councilman Jordan, Councilman Kotary
NAYES: none
ABSENT: none

Supervisor Messina said two (2) vacant positions remain on the Planning Board. The Town Board is considering the options available concerning this position. The posting of these open positions has given the Board applications to consider and they are continuing that review process.

Councilman Kotary said as well as considering the quality resumes submitted, they are also considering the possibility of reducing the number of members of the Planning Board as a cost saving measure. He agreed with the Supervisor that the Board needed a few more weeks to look at those options.

Councilwoman Dawson acknowledged Kathy McCarthy's service on the Planning Board and thanked her for her years of service.

Supervisor Messina added that Mike Hodom also served for many years on the Zoning Board of Appeals and has contributed not only as a member but as the Chairman. He wanted to recognize both individuals.

A motion to appoint Michael Morelli as Director of Economic Development and Planning for a one (1) year term ending December 31, 2010 was offered by Councilman Hennessey, seconded by Councilman Jordan, with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
Councilman Jordan, Councilman Kotary
NAYES: none
ABSENT: none

In accordance with Public Health Law, a motion to appoint Nanci Moquin as Registrar of Vital Statistics for the period of January 1, 2010 through December 31, 2011 was offered by Councilman Jordan, seconded by Councilman Kotary, with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
Councilman Jordan, Councilman Kotary
NAYES: none
ABSENT: none

The Town Board acknowledges receipt of communication from Town Clerk/ Registrar Nanci Moquin, regarding appointment of Deputy Registrar of Vital Statistics, Colleen Hummel for the period of January 1, 2010 through December 31, 2011.

A motion to adopt a Resolution authorizing the execution of the Official Undertaking of Municipal Officers, as follows, was offered by Councilman Hennessey, seconded by Councilman Jordan with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
Councilman Jordan, Councilman Kotary
NAYES: none
ABSENT: none

RESOLUTION NO. 1

OFFICIAL UNDERTAKING OF MUNICIPAL OFFICIALS

WHEREAS, various sections of New York State Town Law and Public Officers Law require that certain officials execute and Official Undertaking; and

WHEREAS, we, the Town Board of the Town of Bethlehem hereby require the Supervisor, Deputy Supervisor, Town Clerk, Tax Collector, Town Justices, and Highway Superintendent to execute said Official Undertaking as required by said law;

NOW, THEREFORE BE IT RESOLVED that we, the Town Board of the Town of Bethlehem approve the document entitled “Town of Bethlehem Official Undertaking of Municipal Officers” as to its form and manner of execution and the sufficiency of the insurance, and

BE IT FURTHER RESOLVED that said Official Undertaking containing the notarized signatures of those named municipal officials be filed in the Office of the Town Clerk, as well as, the original copies of the insurance policies indicating the sufficiency of the sureties to indemnify the Town against losses which may arise from failure of such officials to properly discharge their duties.

A motion to approve the appointment of the following School Crossing Guards for 2010 was offered by Councilwoman Dawson, seconded by Councilman Kotary with the following vote:

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

NAYES: none

ABSENT: none

School Crossing Guards for 2010:

Lawrence Becker

Isabel D. Glastetter

Karen Glastetter

Jean Krell

William Krell – alternate

Raymond Linstruth – alternate

Bertie C. Reed

Mary Root

Hugh Tuohey

A motion to approve the appointment of Supervisors for the Fire Training Ground for 2010, as follows, was offered by Councilman Hennessey, seconded by Councilwoman Dawson, with the following vote:

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

NAYES: none

ABSENT: none

Supervisors for the Fire Training Ground for 2010:

Joe Michaniw
Dan Ryan
Craig Sleurs
Richard Webster

A motion to adopt the Resolution authorizing membership dues for Town of Bethlehem employees for 2010, as follows, was offered by Councilman Jordan, seconded by Councilwoman Dawson with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary
NAYES: none
ABSENT: none

RESOLUTION No. 2

WHEREAS, the Town Board has held an organizational meeting for the year 2010, according to law,

NOW, THEREFORE, BE IT RESOLVED, that the attached list of membership dues for various Town departments are hereby authorized to be paid.

The list of membership dues is on file.

A motion to approve the Proposed 2010 Department of Public Works Fee Schedule, as per the memorandum from Josh Cansler, Commissioner dated January 6, 2010 was offered by Councilman Hennessey, seconded by Councilman Jordan, with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary
NAYES: none
ABSENT: none

A motion to authorize the Town Superintendent of Highways to make highway purchases in an amount not to exceed \$10,000.00 without prior approval of the Town Board was offered by Councilman Jordan, seconded by Councilwoman Dawson, with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary
NAYES: none
ABSENT: none

In accordance with provision or Section 303 of the Multiple Residence Law, a motion to appoint:

Gil Boucher - Fire Marshal
John E. Brennan - Director of Bethlehem Emergency Management Office

Fire Inspectors

Bill Borger – Selkirk
Steve Dorsey – Delmar
Paul Fuiano – No. Bethlehem
Craig Sleurs – Slingerlands
Bill Webb – Elsmere

was offered by Councilman Kotary, seconded by Councilwoman Dawson, with the following vote:

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

NAYES: none

ABSENT: none

A motion to approve the following as Designated Appraisers for tax certerioris:

Douglas Alvey
Bruce Bauer
Bill Hafner
Soulis & Associates
Caryn Zeh

was offered by Councilman Kotary, seconded by Councilman Jordan, with the following vote:

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

NAYES: none

ABSENT: none

A motion to set the mileage rate of \$.50 per mile (standard IRS mileage rate) for personnel who use their automobiles in the performance of the duties of their offices to be paid on presentation of duly itemized claims for audit by the Comptroller in accordance with Town Law, Section 102, Subdivision 1 was offered by Councilman Hennessey, seconded by Councilman Jordan, with the following vote:

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

NAYES: none

ABSENT: none

A motion to appoint John H. Cunningham, Barbara Hodom and John Capron as Municipal Marriage Officers for the Town of Bethlehem was offered by Councilman Kotary, seconded by Councilman Hennessey, with the following vote:

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

NAYES: none

ABSENT: none

A motion to establish petty cash funds in accordance with Town Law Section 64, Subdivision 1 (a) as follows, was offered by Councilman Jordan, seconded by Councilwoman Dawson, with the following vote:

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

NAYES: none

ABSENT: none

Receiver of Taxes	\$300.00
Town Clerk	\$200.00
Comptroller	\$200.00
Water District No. 1	\$200.00
Town Justice Dept.	\$200.00
Police Department	\$400.00

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Recreation Depart. Office	\$150.00
Parks Pool	\$200.00
Highway Depart.	\$200.00
Sanitation Depart.	\$200.00

A motion to designate Holidays for Town of Bethlehem employees for 2010, as follows, was offered by Councilman Kotary, seconded by Councilman Jordan with the following vote:

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

NAYES: none

ABSENT: none

January 1	New Year's Day
January 18	Martin Luther King, Jr. Day
February 15	President's Day
May 31	Memorial Day
July 5	Independence Day
September 6	Labor Day
October 11	Columbus Day
November 2	Election Day
November 11	Veteran's Day
November 25,26	Thanksgiving Day
December 24	Christmas Day

A motion to amend the approved Holiday list and add December 31, 2010 for the observance of New Year's Day was offered by Councilwoman Dawson, seconded by Councilman Kotary with the following vote:

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

NAYES: none

ABSENT: none

A motion to designate the following banks as the depositories in which all Town officers shall deposit all money coming into their hands by virtue of their offices was offered by Councilman Hennessey, seconded by Councilman Jordan with the following vote:

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

NAYES: none

ABSENT: none

Key Bank, N.A. Albany, NY	M and T Bank Albany, NY	T. D. Bank North Glens Falls, NY
J.P. Morgan-Chase Albany, NY	Citizens Bank Albany, NY	Bank of America Albany, NY
HSBC Bank Albany, NY	Pioneer Savings Bank Troy, NY	First Niagara Bank Albany, NY

The Town Board acknowledged receipt of Notice from the Association of Towns regarding the 2010 Annual Meeting in New York City to be held February 14,15,16, and 17, 2010.

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A motion to designate John Flanigan as designee to the 2010 Annual Meeting of the Association of Towns and Councilman Jordan as alternate was offered by Councilman Kotary, seconded by Councilman Hennessey with the following vote:

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

NAYES: none

ABSENT: none

ABSTAIN: Councilman Jordan

A motion to set regular Town Board Meetings for the 2nd and 4th Wednesdays of each month beginning at 6:00 PM at Town Hall was offered by Councilman Kotary, seconded by Councilman Hennessey with the following vote:

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

NAYES: none

ABSENT: none

A motion to set Official Town Hall Hours for regular business at 8:30AM to 4:30PM was offered by Councilman Kotary, seconded by Councilman Jordan with the following vote:

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

NAYES: none

ABSENT: none

A motion to designate The Spotlight as the Official Newspaper of the Town and also designate the Times Union and the Ravena News Herald as additional newspapers for the publication of notices, resolutions and ordinances was offered by Councilman Kotary, seconded by Councilman Jordan with the following vote:

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

NAYES: none

ABSENT: none

A motion to authorize the Supervisor to execute the following leases for 2010, that were reviewed by Mr. Potter, was offered by Councilman Kotary, seconded by Councilman Jordan with the following vote:

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

NAYES: none

ABSENT: none

Water District No. 1 – Town Hall	\$10,000
Sewer District – Town Hall	\$10,000
Sewer District – Town Garage, Adams St. 27 Patton Road (New Salem Treatment Plant residence)	\$30,000

A motion to authorize the Supervisor to execute an Agreement with Callahan Industries – Firearms Training Site – Quarry – 2010 - \$1.00 was offered by Councilman Kotary, seconded by Councilman Jordan with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
Councilman Jordan, Councilman Kotary
NAYES: none
ABSENT: none

A motion to authorize the Supervisor to execute an agreement with Albany Honor Court Program, Inc. – 2010 - \$3,000 was offered by Councilman Kotary, seconded by Councilwoman Dawson with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
Councilman Jordan, Councilman Kotary
NAYES: none
ABSENT: none

A motion to adopt the following resolutions for facsimile signature for checks drawn on accounts at Key Bank, N.A. and J. P. Morgan Chase was offered by Councilman Kotary, seconded by Councilman Jordan with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
Councilman Jordan, Councilman Kotary
NAYES: none
ABSENT: none

RESOLUTION No. 3

RESOLUTION NECESSARY FOR FACSIMILE SIGNATURES

RESOLVED: That checks of this corporation, drawn on Key Bank, N.A., may be signed by the printed facsimile signature of the Supervisor, Samuel E. Messina, of this corporation, with like force and effect as if said facsimile signature had been affixed by such officer or either of them, manually, and that said Bank is hereby authorized, empowered and directed to pay said checks so drawn and to charge the same to the account of this corporation, with like force and effect as if said signature had been affixed by such officer or either of them, manually, and be it

FURTHER RESOLVED: That all of the terms and conditions embodied in the agreement between said Bank and this corporation, as the same appears upon the original signature card of this corporation now in the file of said Bank, shall apply to all checks of this corporation so signed, and be it

FURTHER RESOLVED: That said Bank shall not be liable for and that this corporation does hereby waive any claim which it may have against said Bank, and does hereby agree to defend, indemnify and save harmless said Bank from any liability, loss or damage incurred by it for paying or charging to the account of this corporation any checks to which such facsimile signature may have been affixed without authority, by the unauthorized use of the machinery and equipment by which such facsimile signatures to such checks other than such die, device, machinery or equipment used by this corporation for that purpose.

RESOLUTION No. 4

For an official copy of the minutes, please visit the Town Hall, 445 Delaware Avenue, Delmar, NY or call 518-439-4955.

RESOLUTION NECESSARY FOR FACSIMILE SIGNATURES

RESOLVED: That checks of this corporation, drawn on J. P. Morgan Chase, may be signed by the printed facsimile signature of the Supervisor, Samuel E. Messina, of this corporation, with like force and effect as if said facsimile signature had been affixed by such officer or either of them, manually, and that said Bank is hereby authorized, empowered and directed to pay said checks so drawn and to charge the same to the account of this corporation, with like force and effect as if said signature had been affixed by such officer or either of them, manually, and be it

FURTHER RESOLVED: That all of the terms and conditions embodied in the agreement between said Bank and this corporation, as the same appears upon the original signature card of this corporation now in the file of said Bank, shall apply to all checks of this corporation so signed, and be it

FURTHER RESOLVED: That said Bank shall not be liable for and that this corporation does hereby waive any claim which it may have against said Bank, and does hereby agree to defend, indemnify and save harmless said Bank from any liability, loss or damage incurred by it for paying or charging to the account of this corporation any checks to which such facsimile signature may have been affixed without authority, by the unauthorized use of the machinery and equipment by which such facsimile signatures to such checks other than such die, device, machinery or equipment used by this corporation for that purpose.

A motion to approve 25 cents per page to be charged for all Freedom of Information requests and other materials that are requested by the general public for copying was offered by Councilman Kotary, seconded by Councilman Jordan with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
Councilman Jordan, Councilman Kotary
NAYES: none
ABSENT: none

A motion to set a \$20 fee for dishonored checks, as authorized by Section 85 of General Municipal Law was offered by Councilman Jordan, seconded by Councilwoman Dawson with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
Councilman Jordan, Councilman Kotary
NAYES: none
ABSENT: none

A motion to authorize the Supervisor to execute an Agreement with the Town's insurance carrier to have a Public Officials Liability Policy, as well as, a Fidelity Bond in effect for the year 2010 was offered by Councilman Kotary, seconded by Councilman Jordan with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey,
Councilman Jordan, Councilman Kotary
NAYES: none
ABSENT: none

A motion to authorize the Supervisor to execute Agreements, to be approved by the Town Board, with the Delmar Volunteer Ambulance Company, the Bethlehem Volunteer Ambulance Company and the Western Turnpike Rescue Squad was offered by Councilman Hennessey, seconded by Councilwoman Dawson with the following vote:

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

NAYES: none

ABSENT: none

A motion to adopt Town of Bethlehem purchasing procedures and guidelines per GML 103, 104, that are on file with the Comptroller's office, was offered by Councilman Kotary, seconded by Councilman Jordan with the following vote:

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

NAYES: none

ABSENT: none

A motion to approve the appointment of Teal, Becker & Chiamonte, CPA's PC to conduct the annual audit for the year ended December 31, 2010 was offered by Councilman Kotary, seconded by Councilman Jordan with the following vote:

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

NAYES: none

ABSENT: none

A motion to recommend to the Youth Court Board to appoint Councilman Mark Jordan to replace former Councilman, now Supervisor, Sam Messina as the Town Board representative was offered by Councilman Kotary, seconded by Councilman Hennessey with the following vote:

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

NAYES: none

ABSENT: none

A motion to recommend to the Youth Court Board that Supervisor Messina stay on the board as is customary for current Town Supervisor was offered by Councilwoman Dawson, seconded by Councilman Kotary with the following vote:

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

NAYES: none

ABSENT: none

ABSTAIN: Supervisor Messina

A motion to recommend to the Senior Projects Board to appoint Councilwoman Joann Dawson as the Town Board representative on their board to replace Councilman, now Supervisor, Sam Messina was offered by Councilman Jordan, seconded by Councilman Kotary with the following vote:

AYES: Supervisor Messina, Councilman Hennessey, Councilman Jordan, Councilman Kotary
NAYES: none
ABSENT: none
ABSTAIN: Councilwoman Dawson

End of the Organizational Meeting

A motion to approve the minutes of December 23, 2009 was offered by Councilman Hennessey, seconded by Supervisor Messina. It was acknowledged that Councilman Kotary and Councilwoman Dawson were both absent from that meeting and Councilman Jordan was not a member of the Board at that time. Mr. Potter said the official record keeper of the minutes is the Town Clerk, as a formality the Town Board has historically adopted the minutes to signify their agreement with the minutes. No action is required for the adoption of the minutes. The Town Board precedence of approving the minutes will remain but in this case they decided to accept the following vote:

AYES: Supervisor Messina, Councilman Hennessey
NAYES: none
ABSTAIN: Councilwoman Dawson, Councilman Kotary, Councilman Jordan

A motion to approve the request from the Chief of Police to accept a DARE donation from Nancy Farr in the amount of \$50.00 was offered by Councilman Kotary, seconded by Councilman Jordan with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary
NAYES: none
ABSENT: none

A motion to approve the request from the Administrator of the Parks and Recreation Dept. for the approval of seasonal personnel was offered by Councilman Kotary, seconded by Councilman Jordan with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary
NAYES: none
ABSENT: none

A motion to approve the Superintendent of Highways request to sign the following resolution to file application for the Household Hazardous Waste assistance program was offered by Councilman Kotary, seconded by Councilman Hennessey with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary
NAYES: none
ABSENT: none

RESOLUTION NO. 5

HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM RESOLUTION

A Resolution Authorizing the Filing of an Application for a State Assistance from the Household Hazardous Waste (HHW) State Assistance Program and Signing of the Associated State Contract, Under the Appropriate Laws of New York State.

WHEREAS, the State of New York provides financial aid for Household Hazardous Waste Programs; and

WHEREAS the Town of Bethlehem, 445 Delaware Avenue, Delmar, NY 12054, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

NOW, THEREFORE, BE IT RESOLVED BY The Town Board of the Town of Bethlehem:

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That the Supervisor of the Town of Bethlehem, or his designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE;
3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the State share of such costs.
4. That five (5) Certified Copies of this Resolution be prepared and sent to the NYSDEC together with a complete application.
5. That this resolution shall take effect immediately.

There was no new business was brought forth by the Town Board.

Public comment on non-agenda items

Kate Powers, Lyons Avenue, Delmar. She is a member of the Planning Board but is speaking as a resident. She supported the appointment of John Smolinsky, George Leveille and Dan Coffey. She said they were capable and hard working. She wanted to raise an issue about the selection of appointees to Town positions, especially paid positions. She looked at the potential appointees tonight and past appointees to key paid Town positions in the past, she noticed very few woman and even fewer minorities. There aren't any woman on the Zoning Board of Appeals and after tonight the Planning Board has only two (2) woman. Both Chairman and counsels for those Boards are non-minority men and the overwhelming majority of the highest paid positions in the Town are also non-minority men. She knows the current appointees and staff are well qualified and dedicated. She looks at this new year as a fresh start for the Town. A recent article in the Times Union mentioned the negative financial and societal impact on the Town due to the lack of diversity. She was asking the Town Board to formally adopt a system that would address diversity in appointments to Town staff to insure that the Town has participation from all people.

Linda Jasinski said hearing the comment before her, she hoped the Town Board would pick the best qualified person for positions. She didn't think gender or ethnicity should

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be a determining factor. She asked the price of the lease for 27 Patton Rd.. Supervisor Messina said it is a Town owned facility but he would provide her with more information.

A motion to adjourn into execute session on a potential litigation matter was offered by Councilman Kotary, seconded by Councilman Hennessey with the following vote:

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

NAYES: none

ABSENT: none

The regular meeting adjourned at 6:51

EXECUTIVE SESSION

The motion was made by Councilman Kotary and seconded by Councilman Jordan to approve an agreement with Family and Children's Services of the Capital Region, Employee Assistance Program, to provide diversity awareness training to all Town of Bethlehem employees. The motion was passed by the following vote:

Ayes: Councilman Kotary, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan

Nays: None

Abstain: Mr. Messina

Absent: None"