

TOWN BOARD
MAY 24, 2000

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

PRESENT: Sheila Fuller, Supervisor
Doris M. Davis, Councilman
Daniel G. Plummer, Councilman
Susan Burns, Councilman
Catherine T. Picarazzi, Deputy Town Clerk
Bernard Kaplowitz, Esq., Town Attorney
ABSENT: George Lenhardt, Councilman

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SUPERVISOR FULLER: Welcome to a meeting of the Bethlehem Town Board. I ask all of you to join us in the pledge of allegiance.

First item on tonight's agenda is a public hearing, I will ask the clerk to read the call of the hearing.

DEPUTY TOWN CLERK PICARAZZI:

NOTICE OF PUBLIC HEARING

SECTION 8 RENTAL ASSISTANCE PLAN

The Town Board of the Town of Bethlehem will hold a public hearing on Wednesday, May 24, 2000 at 7:30 p.m. at the Town Hall, 445 Delaware Avenue, Delmar, NY for the purpose of receiving comments from the public on the Town's proposed Agency Plan for Section 8 Rental assistance. Copies of the Agency Plan and all supporting documentation are available for review by the public at either of the following locations:

Town of Bethlehem Town Clerk's Office 445 Delaware Avenue Delmar, NY 12054 (518) 439-4955 Ext. 183	Joseph. Mastrianni, Inc. 242 Union Street Schenectady, NY 12305 (518) 372-4739 Ext. 26
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BY ORDER OF THE TOWN BOARD
TOWN OF BETHLEHEM
KATHLEEN A. NEWKIRK, CMC
TOWN CLERK

State of New York)
County of Albany)

Elizabeth Bradt of the Town of Bethlehem, being duly sworn, says that she is the RECEPTIONIST for THE SPOTLIGHT, a weekly newspaper published in the Town of Bethlehem, County of Albany, and that the notice of which the annexed is a true copy, has been regularly published in said THE SPOTLIGHT ONCE A WEEK FOR 1 WEEK consecutively, commencing on the 12th day of April, 2000.

/s/Elizabeth Bradt

Sworn to before me this 12th day of April, 2000.

/s/Mary P. Lee

Notary Public, Albany County

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

STATE OF NEW YORK)
COUNTY OF ALBANY) ss:

CATHERINE T. PICARAZZI, being duly sworn, deposes and says that she is the Deputy Town Clerk of the Town of Bethlehem, Albany County, New York and that I posted on April 12, 2000 a Notice of Public Hearing, a copy of which is hereto attached, on the sign board of the Town maintained pursuant to subdivision six of Section thirty of the Town Law.

/s/Catherine T. Picarazzi
Deputy Town Clerk

Sworn to before me this
12th day of April 2000
/s/Kathleen A. Newkirk
Notary Public

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

AYES: Mrs. Fuller, Mrs. Davis, Ms. Burns, and Mr. Plummer.
NOES: None.
ABSENT: Mr. Lenhardt.

SUPERVISOR FULLER: Mr. Mastriani would you like to address the board?

MR. MASTRIANI: I would like to.

SUPERVISOR FULLER: They all have your plan in front of them.

MR. MASTRIANI: Okay. Well...the document...pardon my back, the documents that we are going to talk about is a new document. Here's the full document and I did provide you with a summary, to spear you going through this.

SUPERVISOR FULLER: A four-page summary. We appreciate that.

MR. MASTRIANI: Okay. It's a new thing that HUD is requiring and actually there are three documents in here. There is the plan that HUD requires. I can tell you it is an attempt at a business plan for a housing agency, and I think HUD realizes not a lot of housing agencies can do that, so they put a template on the Internet. We have to download it and check boxes. So, there is not too much in the plan itself.

The second document that is in this binder is the Administrative Plan, and that tells you how we actually run the program. How we run the waiting list. How we give preferences to people who live or work in the Town of Bethlehem and also the Town of New Scotland, which is part of this program. How we give people public hearings when we think that we have done them in. All of those policies are also in here.

The third document that's in here, is our Family Self-sufficiency Action Plan, and that I am going to talk about that a little bit. That's an exciting thing, and we are just starting that. That is to help people not need us. It's to help people to get off Section 8, get off of welfare and become tax-paying citizens.

Let me just...I think this will take about 5 minutes, okay?

SUPERVISOR FULLER: Fine.

MR. MASTRIANI: Okay. Let me just go through the summary. We did start this in 1985. We have been here 15 years. The Section 8 Program is...maybe the best way to explain it to you, is to just tell you how we do it. We apply to the Federal Government to the Department Housing and Urban Development and they funded the program. It's completely funded by them. We put notices in the paper when we started and since then with the help from Karen Pelletier and some other people, we don't have to put notices because pretty much everybody knows about the program. Someone calls us, let's say, an elderly person calls and says I am living in an apartment, and I would like to know something about Section 8. If we think she is remotely eligible, we send her a preliminary application, she fills it out and we get it back, and she goes on a waiting list. Because there is a waiting list, turn over is about 3 or 4 people per year, and people have to wait generally about 3 years to get assistance under this program. That's not unusual. In some larger cities they don't except people. We have never closed our waiting list. We always keep it open. So we then would, once her turn came we would send her a detailed application. She would send it back to us, and we would review it. If she had Social Security we would download her Social Security information from the Internet. If she had doctor bills, dentist bills, optician bills, we would write directly to those people and get the cost of her services sent back to us and we have a computerized system that does that for us. If she had some other, lets say sources of income, maybe an IRA, or retirement, we would send directly to those people that supply those. When we get that we would that we put it all into our computer program and it tells us how much she has to pay toward her rent and how much the Federal Government; now there are caps on how far we can go with this, as far as the subsidy is concerned. Those are listed in the summary that I have provided. We also go out and inspect their house to make sure that its decent and that there is no holes in the walls, that all the systems work, and that its, as we call it, sanitary decent and safe for her to live in. Then we talk to her landlord and we explain the program to him or her and when everybody is on board, we sign, we don't sign, actually Sheila we present them to your supervisor, contracts with the landlords and then the tenant and the landlord sign a lease and we start the payments. This goes on for one year and we repeat the whole cycle every year. It's like doing someone's income taxes every year. So that's how the Section 8 Program works and right now the Federal Government is supplying about \$320,000 each year for this program to the Town of Bethlehem.

As I have said maybe I didn't say it, but ...my gray hair makes me forget things! But, we give preference to people who live or work in the two towns. Right now on the waiting list we have 33 people, 18 of whom are from either the towns, they would get first preference. The rest of the people on the waiting list will never see assistance, because of the preference system that we have. As I have said earlier, the annual turnover runs about 3 or 4 families per year and the last, or the next person to receive assistance was placed on the waiting list in May of 1997. So it is a long wait.

We can help right now 59 families. We have enough funding to help 59, we have 47 in the program, six that we are working with and two that are targeted, that's another concept that HUD is just introduced and its slowing the program down considerably. We have to put in 3 extremely low-income people before we can put a low-income person in. Now this is what this means...we have a women, who lets say a widow who applies and her income is two or three hundred dollars over the extremely low income limit. She goes on the shelf. The next person we look at is also over and they go on the self. Many of the disabled and elderly are finding themselves in this situation. Then we find one person, who is not over the extremely low income, then we have to find another and another, and then we can pull one person off the shelf. So, that is really slowing the program down and that's why our utilization rate is down a little bit.

As far as the families that are in the program, 60 percent are either elderly or disabled and 30 percent are probably single moms. We have 4 people who are just other types of families and I'm going to talk about the single moms in a little bit. Average income of the people in the program is \$794 per month gross.

We... the 2 other programs, one is called Main Stream, which we got funded last year and it's strictly for the disabled. What it does is, it helps the disabled live in the community. We have 10 slots that are reserved for the disabled and right now I believe we have 6 of those filled and we are moving ahead to get the rest of those filled. They will always be reserved and if you look at our payment record that we provide each month, there will be an 'M' after the tenant ID number and that means it's a mainstream unit. When that is vacated, we will put another disabled person in. So, their will always be that and I think that's a good thing.

The final program that we run is the Family Self-sufficiency Program. We applied for funding for that last year so that we could help 25 families. HUD is very slow lately and we didn't get the contracts on that until April of this year and we will see our first funding in June. We've already hired a person and I believe we have 2 people going into the program and we are now... we've lapped ourselves and we are now applying for next year's funding.

Let me tell you what the Family Self-sufficiency Program does. We will contact everybody on the waiting list including elderly and disabled because we work with those people in this program as well. We'll explain the program. Those that contact us we will go out and see immediately. We do all the work in their house. We will interview them sometimes for 2, 3, 4 hours and find out what their needs are. We may sign a contract with them at that point, we may not. We will go back as often as can to find out exactly what they want to do, build their confidence and as soon as they are ready to join the program, we ask them to sign a 5 year contract with us that they will meet their goals and then we take all the data from the application that we've designed, pop it into our computer and the computer gives us a program for them. So, if they need day care, we say here's the places you can get day care. If they need a GED, here are the places you can get a GED. If they need counseling, drug counseling, if they need budget counseling, whatever they need if they need to go to the community college, if they need some help with scholarships or anything like that, we work with them to get them to a point where they can get a career. We're not interested in quick jobs; we are interested in developing people that are going to have careers. We've had some good success with it in other communities. We've had people buy houses after they finish. We've had people actually ask one of our people to work for them after they started their own business.

The program does establish and this... I will finish very quickly, the program does establish an escrow account so once they get a job and their share of the rent goes up... let's say it goes up \$100 a month... we will put a like amount in a special savings account for them and as long as they continue to meet their goals and to make progress and at the end of the program they can have all the money in that escrow account. And, that's what one of our people did; she used it for a down payment on a house. During the program if they need some funding for... well to get their car fixed because if they have to have a car to get to work, they can't work without a car. We are talking about people who have no family background; no family back up is probably what I should say. So, that program is exciting.

Now, quickly, we intend to run the program pretty much the way it is run right now and that's the way we have run it for the last 15 years. We are proposing one change and that's a home ownership program. HUD will be coming out with a home ownership program shortly. We are going to look into it and if we think it will work in Bethlehem, we'll present it to you. It will be completely funded by HUD and if it looks good to the Town Board then we will get that going as well.

And, I think, you know, that's as quick as I can be.

SUPERVISOR FULLER: Are there any questions from the Town Board?

COUNCILMAN BURNS: I have one question.

MR. MASTRIANI: Yes, ma'am.

COUNCILMAN BURNS: On the very back of this you talk about Resident Advisory Board...

MR. MASTRIANI: Yes. HUD requires Resident Advisory Boards but the regulations themselves are a little unclear. I have a very small program here and it would be difficult to set up a Resident Advisory Board with 40 to 50 people. So, I have said, what I am going to do when I send your plan into HUD... I'm going to say in a letter that it doesn't really make sense to do that and we would prefer to do some kind of a regional Resident Advisory Board or a County wide made up of all the communities that I administer programs for which are 20 in this area. So, if we can draw from that I think it makes more sense to have one Board give us advice on what should be in here? If HUD doesn't accept it...I will do a Resident Advisory Board because it is required, if they tell me to.

COUNCILMAN BURNS: Thank you.

SUPERVISOR FULLER: Are there any other?

COUNCILMAN DAVIS: I remember when this was on our agenda previously, when we set the public hearing. I had a question and I believe Judi answered the question when I contacted her – where the different apartments or different housing locations are in our Town and I was interested for those people who don't know, they are everywhere in our Town.

MR. MASTRIANI: Yes, they are.

COUNCILMAN DAVIS: They're in all parts of our Town.

MR. MASTRIANI: Yes, they are.

COUNCILMAN DAVIS: Which I thought was very interesting. They are from the northern part of our Town to the southern part of our Town. One of the questions that I had though related to that were you said there are currently 47 in the first program you described.

MR. MASTRIANI: Yes.

COUNCILMAN DAVIS: But, you have 59.

MR. MASTRIANI: Right.

COUNCILMAN DAVIS: That are potentially there.

MR. MASTRIANI: Yes.

COUNCILMAN DAVIS: How long do you expect it will take before you get the 59... you have a capacity. You explained that it takes time but how long would you expect that... ever?

MR. MASTRIANI: Well, that's a good question and let me tell you what we did. The thing that was slowing us down was income targeting and that just started last October. It is kind of new, and this is where we had to put in 3 extremely low-income people. If we couldn't find 3 extremely low income people, people sat on the shelf and to get 1 person in, we might have to certify 3 or 4 different families and then we could put someone in. I wrote to HUD earlier this week and said...my words exactly "you are brutalizing the elderly and the disabled with this income targeting and I want it reduced for the programs that I administer". They reduced it to 50%. We are going to try that and if that doesn't work, we are going to try to get another reduction, because there is no reason, you have funding, it should be used. We feel...of course it cuts into our fees too, but that is not the issue. The issue is, the funding is there and it should be used.

COUNCILMAN DAVIS: All right, thank you.

SUPERVISOR FULLER: Thank you.

MR. MASTRIANI: Thank you.

SUPERVISOR FULLER: Now as part of the public hearing, we need those willing to speak in favor and those willing to speak in opposition. Is there anyone wishing to speak in favor? Thank you Karen.

MRS. PELLITIER: I am Karen Pelletier and I am the Director of Senior Services with the town. The Town of Bethlehem has worked very hard over the past 15 years or so to develop options for the seniors in the community. This is one of the nicest options, because it allows the elderly to remain, many times in apartments that they have lived in your years and years and years. As Mr. Mastriani has explained, the Section 8 Program is an existing rental assistance program. I will use an example of one elderly lady, who we had known, I probably have known for 20 years now. She retired many, many years ago. Her retirement and her widowed income, as inflation increased through the years, did not allow her to support herself. So each year she would dip a little more into her nest egg of assets to remain in the apartment, one of the little old apartments around the community that she has lived for years and years. Eventually, her assets became more and more depleted, her income was low enough so she did qualify for this program and after waiting on the interest list she was accepted into the program. After being accepted into the program her rent then became 30% of what it was before. She was then allowed to live much more comfortably and have more income to have better nutrition, to maybe to go out on some social programs with us, something she has never been able to do in the last you know last years before. So it is an option. Its not the right option for everyone, but it provides one different option and a very nice one for our older residents. Also, for young families struggling.

I highly recommend the program. Mr. Mastriani's office is wonderful to work with and we work well together. His pamphlets are on the...in all of our pamphlets racks around the community and in the Town of New Scotland's as well. Thank you.

SUPERVISOR FULLER: Thank you Karen. Anyone else wishing to speak in favor? Anyone one wishing to speak in opposition? May I have a motion to close the public hearing?

The motion was made by Mrs. Davis and seconded by Mr. Plummer to close the public hearing at 7:55 p.m. Motion was carried by the following votes:

AYES: Mrs. Fuller, Mrs. Davis, Ms. Burns, and Mr. Plummer.
NOES: None.
ABSENT: Mr. Lenhardt.

Deputy Town Clerk

Supervisor Fuller convened the regular Town Board Meeting following the close of the public hearing.

The following resolution was presented:

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RESOLUTION ADOPTING AN ADMINISTRATIVE PLAN ESTABLISHING
LOCAL POLICIES FOR ADMINISTERING THE TOWN OF BETHLEHEM
SECTION 8 PROGRAMS.

WHEREAS, the Town of Bethlehem operates a Section 8 Housing Assistance Payments Program funded by the U.S. department of Housing and Urban Development, and,

WHEREAS, the Town of Bethlehem is required by the U.S. Department of Housing and Urban Development to prepare and adopt a written Administrative Plan that establishes local policies for administration of the Section 8 Housing Assistance Payments Program in accordance with regulations of the U.S. Department of Housing and Urban Development, and,

WHEREAS, the Town Board of the Town of Bethlehem has caused a written Administrative Plan to be prepared establishing local policies for administration of the Section 8 Housing Assistance Payments Program in accordance with regulations of the U.S. Department of Housing and Urban Development, and after reviewing such written plan has adopted said plan,

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Bethlehem hereby adopts the Administrative Plan for operation of the Town of Bethlehem's Section 8 Housing Assistance Payments Program attached to this resolution, and

BE IT FURTHER RESOLVED that a copy of this resolution and the attached Administrative Plan be forwarded to the Buffalo Office of the U.S. Department of Housing and Urban Development within five days of the date of adoption of this resolution.

The foregoing resolution was presented for adoption by Ms. Burns seconded by Mrs. Davis and by the following vote:

AYES: Mrs. Fuller, Mrs. Davis, Ms. Burns, Mr. Plummer.
NOES: None.
ABSENT: Mr. Lenhardt.

BY ORDER OF THE TOWN BOARD
TOWN OF BETHLEHEM
/S /Catherine T. Picarazzi
Deputy Town Clerk

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SUPERVISOR FULLER: The next item on the agenda is the 7:45 p.m. public hearing to consider proposed Local Law regarding Time Limit Parking in the area of Bethlehem Central High School.

DEPUTY TOWN CLERK PICARAZZI:

NOTICE PUBLIC HEARING
TOWN OF BETHLEHEM

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Bethlehem, Albany County, New York will hold a public hearing on May 24, 2000 at 7:45 p.m. at the Town Hall, 445 Delaware Avenue, Delmar, NY, to consider a proposed Local Law amending the code of the Town of Bethlehem as follows:

A local law to amend Chapter 119, Vehicle and Traffic, Article VI, Section 119-40, Schedule XIV, Time Limit Parking as follows:

The Town Board hereby finds that the parking of vehicles on the following streets has become a problem and the inconvenience and safety of the residents on these streets has been seriously affected.

It shall be in violation of the Code of the town of Bethlehem, Vehicle and Traffic Section, for motorists to park on both sides of the following streets for more than one hour on school days between the hours of 7:30 a.m. to 2:30 p.m. in addition to the streets already listed in Section 119-40 as follows:

All of Wakefield Court both sides.

All of Grantwood Road both sides.
All of Summit Road both sides.
All of Dana Court both sides.
All of Bradstreet Court both sides.
All of Crimsonleaf Drive both sides.
All of Wallace Drive both sides.
Frederick Place, both sides from Brockley Drive to Charles Blvd.

The Superintendent of Highways shall post such restriction by appropriate signage to provide adequate notice to operators of motor vehicles and the Superintendent of Highways shall and hereby is authorized to vary the requirements of Section 221,6(5) of the Uniform Manual of Traffic Control devices.

All citizens will have an opportunity to be heard at the said hearing.

The Town of Bethlehem provides reasonable accommodation for the disabled. Disabled individuals who need assistance in order to participate should contact David Austin at 439-4131. Advanced notice is requested.

BY ORDER OF THE TOWN BOARD
TOWN OF BETHLEHEM
KATHLEEN NEWKIRK, CMC
TOWN CLERK

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STATE OF NEW YORK)
COUNTY OF ALBANY)

ELIZABETH BRADT of the Town of Bethlehem, being duly sworn, says that she is the RECEPTIONIS for THE SPOTLIGHT a weekly newspaper published in Albany County, and that the notice of which the annexed is a true copy, has been regularly published in said SPOTLIGHT once a week for one week consecutively, commencing on the 17th day of May, 2000. /s/Elizabeth Bradt

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

Sworn to me before this 17th day of May, 2000.
/s/Mary P. Lee
Notary Public

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

KATHLEEN A. NEWKIRK, being duly sworn, deposes and says that she is the Town Clerk of the Town of Bethlehem, Albany County, New York and that I posted on the 10th of May, 2000 a Notice of Public Hearing, a copy of which is hereto attached, on the sign board of the Town maintained pursuant to subdivision six of Section thirty of the Town Law.

/s/Kathleen A. Newkirk
Town Clerk

Sworn to before me this
10th day of May, 2000.
/s/ Catherine T. Picarazzi
Notary

The motion was made by Ms. Burns and seconded by Mr. Plummer to indent the Notice of Public Hearing, Affidavit of Publication and Affidavit of Posting of the minutes of the meeting. The motion was passed by the following vote:

AYES: Mrs. Fuller, Mrs. Davis, Ms. Burns and Mr. Plummer
NOES: None.
ABSENT: Mr. Lenhardt.

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SUPERVISOR FULLER: Are there any residents here this evening from the neighborhood? If you would like the sign we are voting on tonight to put up in the neighborhood will be at the entrance and exit. It is here in front of me, I think. This will be at the beginning...at the entrance and exit of each of your streets. It still is limiting the parking. What is solved is getting the several signs out of there. I think it was Doris Davis who mentioned the visual pollution, sign pollution. The purpose of the public hearing is to adopt this policy. All those wishing to speak in favor.

RESIDENCE: (not a mic) On behalf of all the residents, we would like to thank the town for doing so much...unfortunately the school board, or the school, Dr. Hunter, Dr. Loomis, had done very little. I will say that in the past week they have done a little bit. Dr. Loomis says they have finally opened up parking for the students. Which is what should have occurred years and years ago. They told us they had no problem. All of a sudden now they think it's a problem.

Wakefield has gotten much worse over the past couple of weeks. Out of respect for the town and police, that's over burden right now with what they have to deal with. We really haven't done anything...I was just at a PTA meeting; one of the neighbors on Wakefield said that at 2:22, 2:30; two cars were drag racing down Wakefield. Hopefully this will help. Wakefield has become almost impossible on most days and god forbid if you get behind a garbage truck or you meet it head on. Thank you.

DEPUTY TOWN CLERK: Can we have your name for the record?

RESIDENT: Joan Smith.

SUPERVISOR FULLER: Is there anyone else wishing to speak in favor? Is there anyone speaking in opposition?

GORDON SCHMIDT: Hi, I am Gordon Schmidt. I think the issue that we should be looking at here, is the fact that parking, children parking is not going to stop by continuing moving the area that they can park. I...people are already walking, you know, 20 minutes to get back to school. All that is happening is we are moving the

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problem from neighborhood to neighborhood to a farther out radius. I don't see by extending this its really going to change anything other then getting different residents coming here and saying we have problems on our street.

I think it's...a better idea would be to look at the issue more and I think it's also hurting the perhaps, the education of the children because if you are walking a half an hour to get to the school and you are driving, that means time that could be spend sleeping, getting enough sleep so you will do well in your classes is not done. I don't see the problem disappearing. I don't know if all of these kids need to be driving. I don't think that most of them need to, but I don't see them stopping because of this. I think that is certainly a major issue that by moving this back we are not really stopping problems we are merely putting it elsewhere. I think a more lasting situation needs to be sort of resolved, then to simply say well lets move on to the next neighborhood so that in another town board meetings we can then argue about that and have that place be banned. I don't think its really going to be effective in anyway in sort of solving the problem. I think a more lasting solution should be come up with...I don't think just sort of passing the buck the next neighborhood is really going to help. The kids seem to want to drive so much that they are willing to walk 20 minutes and now its just 25 minutes. Soon it's going to be 30 minutes, then 40 minutes. I don't think that is helping the education of the children. I don't think that is helping the residents any. Its sort of passing the buck and I think we need a more of a lasting solution, in my opinion. Thank you.

SUPERVISOR FULLER: I couldn't agree with you more. Thank you. We, actually its not a case of passing the buck here. The purpose of this sign is to eliminate all the signs that are out there every 50 feet is it, Gregg.

MR. SAGENDORPH: 150 feet.

SUPERVISOR FULLER: 150. It seems like every 50 when you are out there.

MRS. DAVIS: Too many. Many to many.

SUPERVISOR FULLER: We have covered the entire neighborhood around the high school. What did happen is the students did move from neighborhood to neighborhood. So rather then, continue to put up 10 additional signs, we are putting up one at the entrance and exit. The long-range solution to the parking problem at the high school, I have spoken with the school district repeatedly for the last four years. I do believe they are beginning to look at some options now.

RESIDENT: (did not come to mic) When I talked to Dr. Loomis last week, they have looked at the Elm Ave lot...really close to 20 minutes to walk (unable to hear)

SUPERVISOR FULLER: The Line Drive?

RESIDENT: Line Drive (inaudible) I don't understand...we are taking away your study time...but now we have two lots to chose from for parking...

MR. SCHMIDT: (not at mic) I am not saying...

SUPERVISOR FULLER: I think if you are going to be discussing this in the back of the room, you need to come to the microphone, this is a public hearing and it needs to be recorded.

Is there anyone else wishing to speak in opposition? Is there anyone else wishing to speak in favor? May I have a motion to close the public hearing?

The motion was made by Mrs. Davis and seconded by Mr. Plummer to close the public hearing at 8:16 p.m. The motion was carried by the following vote:

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

NOES: None.

ABSENT: Mr. Lenhardt

Deputy Town Clerk

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The Supervisor reconvened the regular Town Board meeting following the close of the public hearing.

The motion was made by M. Plummer and seconded by Ms. Burns to adopt the Local Law Number 6 amending Chapter 119, Vehicle and Traffic, Article VI, Section 119-40, Schedule XIV, Time Limit Parking as follows:

It shall be a violation fo the Code of the Town of Bethlehem, Vehicle and Traffic Section, for motorists to park on both sides of the following streets for more than one hour on school days between the hours of 7:30 a.m. to 2:30 p.m. in addition to the streets already listed in Section 119-40 as follows:

All of Wakefield Court both sides.
All of Grantwood Road both sides.
All of Summit Road both sides.
All of Dana Court both sides.
All of Bradford Street both sides.
All of Crimsonleaf Drive both sides.
All of Wallace Drive both sides.
Frederick Place, both sides from Brockley Drive to Charles Boulevard.

The Superintendent of Highways shall and hereby is authorized to vary the requirements of Section 221.6(5) of the Uniform Manual of Traffic Control devices.

The motion was carried by the following vote:

AYES: Mrs. Fuller, Mrs. Davis, Ms. Burns, Mr. Plummer.
NOES: None.
ABSENT: Mr. Lenhardt.

Councilman Davis commented, the residents have appreciated the signs and she thanked everyone involved. Supervisor Fuller also thanked the residents.

SUPERVISOR FULLER: The last public hearing at 8:00 p.m. was to consider a proposed Local Law regarding prohibited parking at all times at Elm Avenue.

DEPUTY TOWN CLERK PICARAZZI:

NOTICE PUBLIC HEARING
TOWN OF BETHLEHEM

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Bethlehem, Albany County, New York will hold a public hearing on May 24, 2000 at 8:00 p.m. at the Town Hall, 445 Delaware Avenue, Delmar, NY, to consider a proposed Local Law amending the code of the Town of Bethlehem as follows:

To address a hazardous traffic situation on Elm Avenue (County Route 52) in the area of Stewart's Shoppe as follows:

Add section 119-36, Schedule X: Prohibited Parking at all Times. Elm Avenue (County Route 52) from the westerly side starting with the intersection with Delaware Avenue southerly to the driveway of #13 Elm avenue and from the easterly side starting with the intersection with Delaware Avenue southerly to the driveway of #16 Elm Avenue.

All citizens will have an opportunity to be heard at the said hearing.

The Town of Bethlehem provides reasonable accommodations for the disabled. Disabled individuals who need assistance in order to participate should contact David Austin at 439-4131. Advanced notice is requested.

BY ORDER OF THE TOWN BOARD
TOWN OF BETHLEHEM
KATHLEEN A. NEWKIRK, CMC

- - -

STATE OF NEW YORK)
COUNTY OF ALBANY)

ELIZABETH BRADT of the Town of Bethlehem, being duly sworn, says that she is the RECEPTIONIS for THE SPOTLIGHT a weekly newspaper published in Albany County, and that the notice of which the annexed is a true copy, has been regularly published in said SPOTLIGHT once a week for one week consecutively, commencing on the 17th day of May, 2000.

/s/Elizabeth Bradt

Sworn to me before this 17th day of May, 2000.

/s/Mary P. Lee

Notary Public

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

KATHLEEN A. NEWKIRK, being duly sworn, deposes and says that she is the Town Clerk of the Town of Bethlehem, Albany County, New York and that I posted on 17th day of May, 2000 a Notice of Public Hearing, a copy of which is hereto attached, on the sign board of the Town maintained pursuant to subdivision six of Section thirty of the Town Law.

/s/Kathleen A. Newkirk
Town Clerk

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The motion was made by Mr. Plummer and seconded by Mrs. Davis to indent the public hearing. The motion was carried by the following vote:

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

NOES: None.

ABSENT: Mr. Lenhardt.

SUPERVISOR FULLER: Lt. Beebe is here. The Police Department requested this addition.

LT. BEEBE: Good evening. The reason this request is being put in is because the situation we have observed up there. Partially relation to the car carriers parking along Elm Avenue. It is particularly hazardous when school is coming in and going out. In some cases the children have been observed walking in the street to go around the car carriers that are blocking the sidewalk there. Also it restricts traffic to nearly one lane up there, so it is a hazardous situation that needs to be addressed. That's pretty much the long and short of it.

SUPERVISOR FULLER: Thank you.

LT. BEEBE: Sure.

SUPERVISOR FULLER: Is there anyone wishing to speak in favor? Is there anyone wishing in opposition?

MS. BURNS: I just have a question for Tim. Are there ...on any of the other three streets, is they're parking restricted...

LT. BEEBE: (did not come to mic) not currently. But we have observed...that's not to say we may not now...be restricted on Elm Avenue...problem out to Delaware. I think Delaware just has a volume of traffic...the majority of truck traffic is coming straight through...the likely hood of ...

The motion was made by Mr. Plummer and seconded by Mrs. Davis to close the public hearing at 8:26 p.m. The motion was carried by the following vote:

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

NOES: None.

ABSENT: Mr. Lenhardt.

Catherine Picarazzi

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Supervisor Fuller reconvened the regular Town Board meeting following the close of the public hearing.

The motion was made by Mrs. Davis and seconded by Ms. Burns to adopt Local Law Number 7 Section 119-36, Schedule X; Prohibited Parking at All Times, at Elm Avenue (County Route 52) from the westerly side starting with the intersection with Delaware Avenue southerly to the driveway of #13 Elm Avenue and from the easterly side starting with the intersection with Delaware Avenue southerly to the driveway of #16 Elm Avenue. The motion was carried by the following vote:

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

NOES: None.

ABSENT: Mr. Lenhardt.

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The following item was a public forum to address the Time Warner Cable matters in preparation for the upcoming franchise renewal negotiations.

Comptroller Kehoe explained, the current franchise agreement between the Town of Bethlehem and Time Warner expires August 1, 2001 and this renewal process has to be started now. The Negotiating Committee has been approved at the May 10, 2000 Board meeting. She would like to hear any concerns the residents have. She has kept a list over the last few years and she will still accept letters.

Councilman Davis wanted to know if the amount that was going to be dedicated to the cable access channel 18 increased. She also understands residents will absorb this increase. Comptroller Kehoe answered, the technology does change rapidly. The increase is on her list of concerns with the cable company.

Councilman Davis questioned what a reasonable increase would be.

Comptroller Kehoe replied, she would like to meet with the committee before making a recommendation.

Supervisor Fuller stated, she did receive a letter from a resident and she will turn this over to the Comptroller.

Comptroller Kehoe explained, this process would be going on at least until the end of this year. There is still time to receive comments from the residents.

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The next agenda item was a request from the Comptroller for the adoption of a Safety Policy and the appointment of a Safety Committee per PERMA.

Comptroller Kehoe explained, the town current workmen's compensation carrier is PERMA, (Public Employers Risk Management Association). She was very pleased with the company. There has been an informal safety function, where departments that work with more hazardous materials such as the Highway Department, have been taking care of these issues themselves. PERMA has requested that the town formalize the process by starting with a resolution and having a committee.

Comptroller Kehoe also stated, a PERMA representative would help start up this committee. Some of the issues the committee would address include formalizing transitional (light) duty, tasks appropriate for minors, and discussing immunization guidelines. The committee would also review quarterly activity reports, to identify potential problem areas that need to be addressed before they become a widespread issue.

Councilman Burns suggested in the policy, the second paragraph, second sentence and the third sentence, to include after Town Supervisor, "and Town Board".

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

The motion was made by Mr. Plummer and seconded by Mrs. Davis to approve the adoption the Safety Policy with the corrections as suggested by Councilman Burns, as recommended by the Comptroller. The motion was carried by the following vote:

AYES: Mrs. Fuller, Mrs. David, Ms. Burns, Mr. Plummer.
NOES: None.
ABSENT: Mr. Lenhardt

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A motion was made by Mr. Plummer and seconded by Mrs. Davis to approve the following employees to the Safety Committee as recommended by Comptroller Kehoe:

Rick Webster – Comptroller’s Office
Gregg Sagendorph – Highway Department
Lt. Timothy Beebe – Police Department
Bruce Secor – Department of Public Works
Karen Pelletier – Senior Department
James Reagan – Parks & Recreation Department

The motion was carried by the following vote:

AYES: Mrs. Fuller, Mrs. David, Ms. Burns, Mr. Plummer.
NOES: None.
ABSENT: Mr. Lenhardt

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The following item was a request from Engineering Division, Department of Public Works, for approval of award of bid for Precast Reinforced Concrete Manhole Sections to Fort Miller Company, Schuylerville, N.Y.

Motion was made by Mrs. Davis and seconded by Mr. Plummer to approve the award of bid as recommended by Terrence Ritz, Engineering Division, Department of Public Works, for Precast Reinforced Concrete Manhole Sections to Fort Miller Company, Schuylerville, N.Y. at the bid prices submitted. The motion was carried by the following vote:

AYES: Mrs. Fuller, Mrs. Davis, Ms. Burns, Mr. Plummer.
NOES: None.
ABSENT: Mr. Lenhardt.

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The next item was a request from Engineering Division, Department of Public Works for approval of award of bid for Iron Castings-Frames and Covers to Neenah Foundry, Albany, N.Y. and Capitol Highway Materials, Baldwin, N.Y.

Motion was made by Ms. Burns and seconded by Mrs. Davis to award the bid to Neenah Foundry, Albany, N.Y. and Capitol Highway Materials, Baldwin, N.Y. for Iron Castings-Frames and Covers as requested from Terrence Ritz, Engineering Division, Department of Public Works, for the items indicated at the submitted prices. Motion was carried by the following votes:

AYES: Mrs. Fuller, Mrs. Davis, Ms. Burns, Mr. Plummer.
NOES: None.
ABSENT: Mr. Lenhardt.

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The following agenda item was a recommendation by Engineering Division, Department of Public Works for acceptance of a deed for Devonshire Hills, Section 2.

Motion was made by Mrs. Davis and seconded by Ms. Burns to approve the acceptance of a deed for Devonshire Hills, Section 2 from Sonmar Development Corp, as recommended by Michael Cirillo, Engineering Division Department of Public Works. The motion was passed by the following votes:

AYES: Mrs. Fuller, Mrs. Davis, Ms. Burns, Mr. Plummer.
NOES: None.
ABSENT: Mr. Lenhardt.

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The next item was a recommendation by the Engineering Division, Department of Public Works for acceptance of a deed from Andrew Chainyk, of 407 Krumkill Road.

Motion was made by Mr. Plummer and seconded by Mrs. Davis to approve the acceptance of a deed from Andrew Chainyk, 407 Krumkill Road, Slingerlands, NY for a multi-purpose easement, as recommended by Michael Cirillo, Engineering Division, Department of Public Works. The motion was passed by the following votes:

AYES: Mrs. Fuller, Mrs. Davis, Ms. Burns, Mr. Plummer.
NOES: None.
ABSENT: Mr. Lenhardt.

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The next agenda item was a recommendation by the Engineering Division, Department of Public Works for acceptance of a deed from Dorothy Anderson, 93 Gullane Drive, Slingerlands, NY.

Motion was made by Ms. Burns and seconded by Mr. Plummer to approve the acceptance of a deed from Dorothy Anderson, 93 Gullane Drive, Slingerlands, NY for a drainage easement as recommended by Michael Cirillo, Engineering Division, Department of Public Works. The motion was passed by the following votes:

AYES: Mrs. Fuller, Mrs. Davis, Ms. Burns, Mr. Plummer.
NOES: None.
ABSENT: Mr. Lenhardt.

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The following item was a request from Administrator of Parks and Recreation Department to go to bid for reconstruction of basketball courts at Elm Avenue Park and tennis courts at Selkirk Park. Could advertise on June 7, 2000 and open bids on June 30, 2000 at 2:00 p.m.

Mr. Austin informed, the work on the basketball courts at Elm Avenue will start after Labor Day and the work on the tennis courts should start mid-July.

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

WHEREAS, the Town desires to advertise for bids for the, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 7th day of June, 2000 and that bids be received up to 2:00 p.m. on the day of June 30, 2000 at which time the bids will be publicly opened and read.

The resolution was adopted by the following vote:

AYES: Mrs. Fuller, Mrs. Davis, Ms. Burns, Mr. Plummer.
NOES: None.
ABSENT: Mr. Lenhardt.

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The following item was a request from the Administrator of Parks and Recreation Department for approval of seasonal personnel.

Motion was made by Ms. Burns and seconded by Mrs. Davis to approve seasonal personnel as request by David Austin, Administrator of Parks and Recreation as follows:

Sr. Attendant at a rate of \$7.75 per hours.

James A. Rossman
1734 Route 9W, Lot 7
Selkirk, NY 12158

Laborers at a rate of \$8.40 per hour.

Darlene M. Bell
40 Rockefeller Road
Delmar, NY 12054

Margaret Flansburg
1379 Delaware Turnpike
Delmar, NY 12054

Camp Counselor at a rate of \$6.50 per hour.

Christina M. Fahrenkopf
72 Babcock Terrace
Selkirk, NY 12158

Camp Counselor at a rate of \$6.25 per hour.

Elizabeth K. Backer
10 Lyons Avenue, Delmar, NY 12054

Recreation Instructor I at a rate of \$5.40 per hour.

Alison S. Laufer
36 St. Clair Drive
Delmar, NY 12054

Recreation Instructor I at a rate of \$5.15 per hour.

Erin E. Sheevers
19 Wakefield Court
Delmar, NY 12054

Recreation Instructor I at a rate of \$5.90 per hour.

Ellen M. Bandel
34 Caldwell Blvd.
Slingerlands, NY 12158

Recreation Instructor II at a rate of \$7.25 per hour.

Jennifer J. Geyer
8 Herber Avenue
Delmar, NY 12054

Recreation Instructor III at a rate of \$10.75 per hour (Gymnastics Coach).

Robin L. Taft
28B Knights Bridge
Guilderland, NY 12084

Lifeguard at a rate of \$7.80 per hour.

Kara L. Koenig
30 Somerset Drive
Glenmont, NY 12077

The motion was passed by the following votes:

AYES: Mrs. Fuller, Mrs. Davis, Ms. Burns, Mr. Plummer.
NOES: None.
ABSENT: Mr. Lenhardt.

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

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The next item was a request from the Commissioner of Public Works to go to bid for the replacement of a 12" water main in North Bethlehem. Could advertise June 7, 2000 and open bids on June 20, 2000 at 2:00 p.m.

Question was asked if this project would impact the traffic. The answer was no, they will bore under Blessing Road.

The following resolution was offered by Ms. Burns and seconded by Mrs. Davis:

WHEREAS, the Town desires to advertise for bids for the, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 7th day of June, 2000 and that bids be received up to 2:00 p.m. on the day of June 20, 2000 at which time the bids will be publicly opened and read.

The resolution was adopted by the following vote:

- AYES: Mrs. Fuller, Mrs. Davis, Ms. Burns, Mr. Plummer.
- NOES: None.
- ABSENT: Mr. Lenhardt.

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The following agenda item was a request from Commissioner of Public Works to purchase property adjacent to Rupert Road Landfill.

Mr. Secor explained the reason for purchasing 13 acres adjacent to the Rupert Road Landfill was to use it as a buffer. Recently 36 acres was purchased on the other side of the railroad tracks and this is being done so that homes cannot be built near the landfill. Mr. Secor explained, years ago the town purchased the railroad right-of-way, which runs adjacent to the Rupert Road Landfill. This property is unused land owned by Callahan's Industries and they are asking \$2,3000 per acre, which was their purchase price.

Mr. Secor stated, he was approached by the Department of Environmental Conservation Trout Unlimited, for a fishing access easement along this piece of property we are looking to purchase that runs along the Onesquethaw Creek and are putting together a proposal.

Mr. Secor also stated he is waiting to hear from FEMA for money so that repairs can be made to the bank along the creek that was done by a hurricane.

Question was asked about any expansions of the landfill. Mr. Secor response was there are no plans to expand.

Comptroller Kehoe stated there for this purchase in the 2000 budget. She requested an increase in the DPW code A-1490.215 of \$30,000, with a corresponding decrease in Contingency, code A-1990.448.

Motion was made by Mrs. Davis and seconded by Mr. Plummer to approve the request from Bruce Secor, Commissioner of Public Works, to purchase 13.1 acres for \$30,146.00 adjacent to Rupert Road Landfill, to use as a buffer and to approve a budget transfer of \$30.000 from the DPW code A-1490.215 as requested by the Comptroller to pay for this purchase. Motion was carried by the following vote:

- AYES: Mrs. Fuller, Mrs. Davis, Ms. Burns, Mr. Plummer.
- NOES: None.
- ABSENT: Mr. Lenhardt.

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The next item was a request from the Superintendent of Highways for permission to dispose of vehicles at auction.

Motion was made by Ms. Burns and seconded by Mr. Plummer to approve as requested by Gregg Sagendorph, Superintendent of Highways to dispose of the following vehicles at auction.

- 1995 Chevrolet Caprice from the Police Department
- 1995 Chevrolet Caprice from the Police Department
- 1992 Ford Collins Bus from Senior Projects

The motion was passed by the following vote:

AYES: Mrs. Fuller, Mrs. Davis, Ms. Burns, Mr. Plummer.
NOES: None.
ABSENT: Mr. Lenhardt.

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The following item was a recommendation from the Town Planner to hire a consultant for review of Bethlehem Town Center (Nigro Dev.), to be located on Route 9W, Glenmont, NY.

Mr. Lipnicky explained, the Planning and Public Works Departments have conducted interviews for a consultant to assist the Town in its SEQR/DEIS review of the proposed Bethlehem Town Center project on Rt. 9W. He is recommending Vollmer Associates, Albany, NY.

Questioned was asked as to how much will be in the escrow account. Mr. Lipnicky said he is working on the account. The account will be set up before any work is done. The fee schedule does not account for developer fees for the scoping process, which means any work during the scoping process the town would be responsible for the fees. He doesn't expect a lot of work on the scoping process.

Question was asked if there was a set fee. Mr. Lipnicky stated the last DEIS escrow was set up for \$50,000. It is very difficult to set an exact fee because there are a lot of factors involved.

Mr. Dempf from Vollmer Associates stated, it depends on the level of detail. The scoping document prepared was very comprehensive. A budget has been established for four items, geology, traffic, air and noise for about \$38,000. This has yet to be given to Mr. Lipnicky.

Question was asked, if NIGRO Development is aware of the figures. Mr. Lipnicky said, not until a final decision is made. It could be limited to the four items Mr. Dempf referred to and done on an as needed basis. It was asked if it was understood that the developer was paying for the cost. Mr. Lipnicky stated this was correct and a letter has been received concerning this agreement.

Mr. Dempf stated work will start immediately and then it's up to the developer as far how long it takes.

Motion was made by Mrs. Davis and seconded by Mr. Plummer to hire Vollmer Associates from Albany, New York as consultant for the SEQR/DEIS review for the Bethlehem Town Center project as recommended by Mr. Lipnicky, Town Planner. The motion was passed by the following vote:

AYES: Mrs. Fuller, Mrs. Davis, Ms. Burns, Mr. Plummer.
NOES: None.
ABSENT: Mr. Lenhardt.

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The last item on the agenda was to approve the Town Board minutes of April 12, 2000 and April 26, 2000.

Councilman Burns felt the minutes of April 12, 2000 were incomplete. She stated there were comments missing in the public hearing that she made.

The motion was made by Ms. Burns and seconded by Mr. Plummer to table the April 12, 2000 minutes as requested by Councilman Burns so they can be reviewed. Motion was carried by the following vote:

AYES: Mrs. Fuller, Mrs. Davis, Ms. Burns, Mr. Plummer.
NOES: None.
ABSENT: Mr. Lenhardt.

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The motion was made by Mrs. Davis and seconded by Mr. Plummer to approve the April 26, 2000 minutes. Motion was carried by the following vote:

AYES: Mrs. Fuller, Mrs. Davis, Ms. Burns, Mr. Plummer.
NOES: None.
ABSENT: Mr. Lenhardt.

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Councilman Davis thanked the Highway Department for the sidewalk haven for the walkers at the intersection of Elm Avenue and Delaware Avenue that was recently completed.

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Mrs. Capone stated she felt the Town has done a superb job in handling the landslide on Delaware Avenue near the Albany line.

Supervisor Fuller said, the landslide happened May 16, 2000 and Bob Burnett from NYS DOT was here tonight to give an update. There had been 3 public meetings here at town hall over the past weekend to keep the residents informed, she said.

Supervisor Fuller also mentioned that the cooperation from the Town's Department heads had been wonderful. The Police Department, Bruce Secor, John Flanigan and Gregg Sagendorph who arrived at the scene Tuesday afternoon and who had stayed with this emergency, 200 percent. This team effort would not have been successful without them. NYS DOT had been there, round the clock. The community has been sticking together through this devastation.

She also felt that we have to take care of our neighbors. These neighbors live across the street from the landslide. Supervisor Fuller made a public plea to avoid this area. The priority is public safety.

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PRESENTATION FROM BOB BURNETT, NYS DOT: (presentation included slides)

Mr. Burnett explained the various aerial slides he showed of the landslide. He stated, there is a lot of information through the media and, The SPOTLIGHT had pictures that show the extent of the slide. The landslide was still moving, but it was moving more slowly than it was at the beginning. At 4:00 a.m. this day, May 24, 2000 another 4 foot slid about 80 feet toward the Albany Medical Building

Mr. Burnett informed the reason why Delaware Avenue was closed, was because the slide was still moving towards Delaware Avenue and safety was a concern. The slide needs to stop before it crosses the road and that is what they are trying to do.

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

He described the plan of attack. The first step being to stop the slide from crossing Delaware Avenue safe. The second was to stable the slope of the landslide and the third was to make Delaware Avenue.

He also said that an expert from Portland, Oregon has been hired.

He finished with questions from the residents. The following were answers to the residents:

- The Albany Medical Building is in good shape, long term.
- The Hoffman Car Wash, long term is not in good shape. They are closer to the slide.

Supervisor Fuller thanked Mr. Burnett.

Motion to adjourn the meeting at 8:55 p.m. was made by Mrs. Davis and seconded by Mr. Plummer. Motion was carried by the following votes:

- AYES: Mrs. Fuller, Mrs. Davis, Ms. Burns, Mr. Plummer.
- NOES: None.
- ABSENT: Mr. Lenhardt.

Deputy Town Clerk