

TOWN BOARD
NOVEMBER 10, 1999

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 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: Good evening and welcome to a meeting of the Bethlehem Town Board. Liked to ask all of you to join us in the pledge of allegiance.

TOWN CLERK NEWKIRK:

WHEREAS 2000 Assessment Rolls have been prepared for the Bethlehem Sewer District and it is necessary to hold a Public Hearing with reference thereto, at 7:30 p.m. on Wednesday, the 10th day of November 1999, at the Bethlehem Town Hall, and

BE IT FURTHER RESOLVED, that the Town Clerk be and she hereby is authorized and directed to publish a notice of such hearing in the SPOTLIGHT, a newspaper published in Albany County and having a circulation within the Town of Bethlehem on the 27th day of October, 1999.

All interested persons and citizens will have an opportunity to be heard at the said hearing. The Town of Bethlehem provides reasonable accommodations for the disables. Disabled individuals who need assistance in order to participate should contact David Austin at 438-4131. Advanced notice is requested.

The foregoing Resolution was presented for adoption by Mr. Lenhardt, seconded by Ms. Burns and was duly adopted by the following votes:

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

Public Hearing
2000 Assessment
Rolls

The motion to indent the Notice on the minutes was made by Ms. Burns and seconded by Mr. Johnson. The motion was passed by the following vote:

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

SUPERVISOR FULLER: The assessment rolls have been available for the community. Bruce, would you like to do a brief explanation for the high school students that are here, please.

MR. SECOR: Each year we prepare a set of assessment rolls which is a little bit of a duplication since, basically, most of the information that's in there is also in the regular assessment roll prepared by the Assessor's office. We simply add to that the amount of water used by each home for the water use surcharge. Under the budget proposal we have given to the Town there is no change in the Sewer District tax rate. The tax rate would stay the same as it was last year which it has done now for a number of years in a row and we are proposing about a 3 percent increase in the water use surcharge which is the cost of running the pumping stations, running the wastewater treatment plant to treat the waste water. So, the rolls are here and it shows basically the same information on the tax rolls except it's just in the format required for the sewer rolls.

SUPERVISOR FULLER: Those wishing to speak in favor? Those 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. Lenhardt to close the public hearing at 7:35 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

Supervisor Fuller convened the regular meeting following the close of the public hearing. She asked for a motion to adopt the resolution approving the Assessment Rolls for the year 2000 for the Bethlehem Sewer District. The following resolution was presented:

Resolution for
Assessment Rolls
2000

WHEREAS, assessment rolls for the year 2000 have been prepared by the Town Board for and in connection with the Bethlehem Sewer District, the Special Sewer District No. 1 and the South Albany Sewer District, which said rolls were completed and filed with the Town Clerk of said Town, and

WHEREAS, due notice of the completion of the assessment rolls and of the time and place when and where this Board would meet to hear and consider any objections that might be made to said rolls and for the purpose of reviewing, correcting and amending the same, was duly given by the Town Clerk by publication of due notice in THE SPOTLIGHT, a newspaper published in the County of Albany and the Town Board met at the time and place specified, and the hearing was duly had upon said assessment rolls,

NOW, THEREFORE, BE IT RESOLVED, that said assessment rolls be and they hereby are approved, affirmed and adopted by the Town Board as filed.

The foregoing resolution was presented for adoption by Ms. Burns, was seconded by Mr. Johnson and was duly adopted by the following vote:

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

Noes: None.

Absent: None.

PUBLIC HEARING BEGAN: 7:36 p.m.

SUPERVISOR FULLER: The next public hearing is to amend the Code Stop Intersection at Hawley Court at Greenleaf Drive for northbound traffic. Would you read the call of the hearing, please.

TOWN CLERK NEWKIRK:

NOTICE OF PUBLIC HEARING
TOWN OF BETHLEHEM

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Bethlehem, Albany County, New York on the 10th day of November, 1999 at 7:35 p.m. to consider Local Law No. 7 of 1999, Amending the Code of the Town of Bethlehem as follows:

Public Hearing
Amend Code
stop intersection
Hawley Court at
Greenleaf Drive
Northbound traffic
Local Law

AMEND VEHICLE AND TRAFFIC ARTICLE VI, Section 119-32, Schedule VI, Through Streets, as follows:

ADD: A stop intersection as follows:

Hawley Court at the intersection of Greenleaf Drive for northbound traffic.

All interested persons and 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/AAE
TOWN CLERK

- - -

State of New York)
County of Albany)

CHRISTINE BREEDEN 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 27 day of October 1999.

/s/ Christine Breeden

Sworn to before me this 27th day of October 1999.

/s/ Kathryn Olsen
Notary Public, Albany County

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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 October 27, 1999, 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 November 1999.

/s/ Catherine T. Picarazzi
Notary Public

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The motion was made by Mr. Lenhardt 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, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,

Ms. Burns.
Noes: None.

SUPERVISOR FULLER: We have a recommendation from the Traffic Safety Committee to add a stop intersection at Hawley Court at the intersection of Greenleaf Drive for northbound traffic. Is there anyone wishing to speak in favor? Anyone 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. Lenhardt to close the public hearing at 7:38 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

Supervisor Fuller convened the regular meeting following the close of the public hearing. She asked if the Board wished to adopt the Local Law amending the Code of the Town of Bethlehem, Vehicle and Traffic, to permit a stop intersection at Hawley Court at its intersection at Greenleaf Drive for northbound traffic.

Councilman Johnson commented about Hawley Court and its intersection with East Poplar -- noting there will be a lot more traffic on East Poplar than at Hawley Court -- asking what the rationale was. Lt. Beebe said they have also received a recommendation to put a stop there. Councilman Davis noted it was at both sides. She said the request was from neighbors because of the new East Poplar and its intersecting with Greenleaf Drive. She said there is a connection with Kenwood Avenue and the traffic is going through this neighborhood. Lt. Beebe said the through road has been established. He said additionally the Committee is also recommending either a no outlet or a dead end sign to be placed there. He said that is an advisory sign and it did not have to come before the Board. Councilman Johnson thanked Lt. Beebe.

The motion was made by Mrs. Davis and seconded by Mr. Johnson to approve the adoption of Local Law No. 7 of 1999 amending the Code of the Town of Bethlehem, Vehicle and Traffic, Article VI, Section 119-32, Schedule VI, Through Streets, by adding a stop intersection at Hawley Court at its intersection with Greenleaf Drive for northbound traffic. The motion was passed by the following vote:

Passed Local
Law 7 1999
Stop intersection
Hawley Court
intersection Greenleaf
Drive

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

PUBLIC HEARING BEGAN: 7:43 p.m.

SUPERVISOR FULLER: The next item is a public hearing to amend the Code to add tractor trailers excluded and add Wemple Road from Route 9W to Route 144, River Road. Would you read the notice of the public hearing, please.

TOWN CLERK NEWKIRK:

NOTICE OF PUBLIC HEARING
TOWN OF BETHLEHEM

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Bethlehem, Albany County, New York on the 10th day of November, 1999 at 7:40 p.m. to consider Local Law No. 7 of 1999, Amending the Code of the Town of Bethlehem as follows:

AMEND VEHICLE AND TRAFFIC ARTICLE VI, ADD NEW Schedule 119-43, Tractor Trailers Excluded and following to Schedule 119-43:

Wemple Road from New York State Route 9W to New York State Route 144 (River Road), with an exemption for local delivery.

All interested persons and 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.

Public Hearing
and Local Law
Tractor Trailer
excluded and
add Wemple Road
from Rt. 9W
to Rt. 144

BY ORDER OF THE TOWN BOARD
TOWN OF BETHLEHEM
Kathleen A. Newkirk, CMC/AE
TOWN CLERK

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County of Albany)

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/s/ Christine Breeden

Sworn to before me this 27th day of October 1999.

/s/ Kathryn Olsen
Notary Public, Albany County

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COUNTY OF ALBANY) ss.:

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/s/ Kathleen A. Newkirk
Town Clerk

Sworn to before me this
10th day of November 1999.
/s/ Catherine T. Picarazzi
Notary Public

- - -

The motion was made by Mr. Johnson 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, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

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SUPERVISOR FULLER: Is there anyone here wishing to speak in favor? Anyone wishing to speak in opposition? Are there any residents here that would like to speak on this Wemple Road/9W/144? No.

Okay, may I have a motion to close the public hearing?

COUNCILMAN BURNS: Can I just find out where... how this originated, where it originated from.

LT. BEEBE: Lou Hauf who lives on Wemple Road near the Thruway is the one who originated this request.

SUPERVISOR FULLER: This posting is also providing an exemption for local delivery.

LT. BEEBE: There is one business, Eastern Ingredients, that regularly operates tractor trailers from their facility which is on the east side of the railroad tracks to River Road. I think that's primarily what the exemption is targeting.

COUNCILMAN BURNS: So, will there be a sign put up that says except for local delivery.

LT. BEEBE: Correct.

COUNCILMAN BURNS: How will... will there be enforcement or...

LT. BEEBE: Hopefully.

COUNCILMAN DAVIS: That section of Wemple Road is not ideal for tractor trailers, that's for sure.

LT. BEEBE: Far from it.

COUNCILMAN DAVIS: I mean anyone who has traveled it knows that it's just not a good road for tractor trailers, in fact, I would be surprised that they would want to be on that section of road.

LT. BEEBE: Which was pretty... right, that was very surprising to the Committee that there even was that volume that's been described to us that it just doesn't seem consistent with tractor trailer traffic.

COUNCILMAN DAVIS: Well, I attended that particular meeting of the Traffic Safety Committee and I think it was also in conjunction with the request that had been made for the other end of Wemple Road... there was a request there.

LT. BEEBE: Relative to speed.

COUNCILMAN DAVIS: And, I think that was one of the things that generated Lou's appearance at the meeting and then discussing that.

SUPERVISOR FULLER: May I have a motion to approve...

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to adopt the Local Law amending the Code of the Town of Bethlehem.

TOWN CLERK NEWKIRK: The public hearing was not closed.

COUNCILMAN DAVIS: Consider my motion to close the public hearing.

COUNCILMAN LENHARDT: And, I'll second that.

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to close the public hearing at 7:44 p.m. The motion was passed by the following vote:

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

Kathleen R. Newbick
Town Clerk

Adopt Local Law
8 Tractor
Trailers Excluded
Wemple Road
Rt. 9W to
Rt. 144

Supervisor Fuller convened the regular meeting following the close of the public hearing. She asked if the Board wished to adopt the Local Law adding a new section, Tractor Trailers Excluded, and adding Wemple Road from Route 9W to Route 144, River Road.

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to approve the adoption of Local Law No. 8 of the year 1999, Amending the Code of the Town of Bethlehem, adding new Schedule 119-43, Tractor Trailers Excluded, and adding to schedule from Wemple Road from New York State Route 9W to New York State Route 144, River Road, with an exemption for local delivery. The motion was passed by the following vote:

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

PUBLIC HEARING BEGAN: 7:48 p.m.

SUPERVISOR FULLER: The next one, amend the Code add stop sign on Jordan Boulevard at Winne Road for traffic entering Winne Road by means of the northerly leg of the center median. The night this hearing was set for this evening, I also had mentioned the petition that had come in where the residents are requesting the stop signs are to be placed on Winne Road. All of that is to be included in tonight's public hearing. There are some residents here and we will move to the Clerk to call... to read the Notice of Public Hearing.

Amend Code add stop sign on Jordan Boulevard at Winne Road Local Law 9

TOWN CLERK NEWKIRK:

NOTICE OF PUBLIC HEARING
TOWN OF BETHLEHEM

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Bethlehem, Albany County, New York on the 10th day of November, 1999 at 7:45 p.m. to consider Local Law No. 9 of 1999, Amending the Code of the Town of Bethlehem as follows:

AMEND VEHICLE AND TRAFFIC ARTICLE VI, Section 119-32, Schedule VI, Through Streets as follows:

On Jordan Boulevard at Winne Road for traffic entering Winne Road by means of the northerly leg of the center median.

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

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TOWN OF BETHLEHEM
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- - -

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/s/ Kathleen A. Newkirk
Town Clerk

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10th day of November 1999.
/s/ Catherine T. Picarazzi
Notary Public

- - -

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis 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, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

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SUPERVISOR FULLER: Lieutenant Beebe is here from our Traffic Safety Committee and if you would just bring the Board up-to-date on the... what the Traffic Safety Committee did with this suggestion at your last meeting.

LT. BEEBE: There was some considerable discussion and upon inspection of the intersection, we realized that there was no...

SUPERVISOR FULLER: Tim, can you come to the mikes?

LT. BEEBE: Sure, I'd be happy to. There is no stop sign currently on the leg that is being described. This is somewhat odd intersection with that little island in there and we initially recommended a stop sign be placed there but it also the Engineering Department of the Town take a look at possibly redoing that to configure it as a "T" intersection as opposed to its current configuration. The Committee is not recommending that the stop signs be placed out on Winne Road only because our interpretation of the purpose of a stop sign is not to control speed but to control the flow of... the right-of-way at an intersection and that doesn't appear to be the purpose of the request here. So, we did not recommend to the Board that the signs be put out on Winne.

SUPERVISOR FULLER: Thank you. Any questions from the Board?

COUNCILMAN BURNS: How did this originate and was it for the purpose of speed?

LT. BEEBE: That was the purpose of the original request and in addition to the request that I got from Sheila Fuller's office from a Michael Cassidy and Mark Bryant who live on Winne Road.

SUPERVISOR FULLER: Petitions and they are here today.

LT. BEEBE: There was also a petition was circulated.

COUNCILMAN BURNS: How many names are on the petitionings?

LT. BEEBE: It was 98 or something to that effect.

COUNCILMAN BURNS: 98? In favor?

SUPERVISOR FULLER: Yes, 89.

COUNCILMAN JOHNSON: You're dyslexia.

LT. BEEBE: Dyslexia.

SUPERVISOR FULLER: Either you or I am. I will check it.

COUNCILMAN DAVIS: Been a long day, Tim.

SUPERVISOR FULLER: Some of the residents are here from Winne Road. So, if you would like to come up and address the Board. Mark. We need you to come to the microphone for a public hearing everything is recorded.

MR. BRYANT: I've lived on Winne Road, Tim, for 6 years. I've lived on Douglas Road pretty much my whole life prior to that. Growing up in the old part of Bethlehem... old part of Delmar, I guess you'd call it, and then coming to a point where I'm now raising children on streets in Delmar, I'd like to at least point out to the Traffic Safety Board that speed is one factor, the safety of children are another. The Traffic Safety Board might find that there are limited accidents at that intersection. If an accident occurs over my

lifetime with one of my children, I think that's due course for, you know, the Safety Board take into consideration we've had other deaths in the old part of Delmar before of children. I living 3 doors down from that particular intersection and having a lot of kids in my neighborhood, which is getting a little more common today in the old part of Delmar as the older generation pass on to the younger generation have found excessively bad driving on that road by many, many citizens in our Town. Granted many of them are younger people. They're people maybe that aren't thinking driving 45 to 50 miles an hour down Winne Road is a traffic safety hazard. I don't feel that it's being policed enough to the extent that there is enough safety on that road. There is no stop sign on that road for approximately 3/4 of a mile. People get up speeds... excessive speeds and I say excessive, I mean 40 to 50 miles an hour.

My children would like to be able to play out in the road on Winne Road. I think that's one of the great things about living in the old part of Delmar is it should be kind of a quiet and comfortable and safe place to live and I've experienced a lot of near misses, close calls. There's a lot of old trees in the old part of Delmar which are very large and they shadow a lot of the road, leaf piles in the fall which, you know, get to be quite large with all the old trees. And, I mean, my petition that Mike Cassidy and Joanne Buess put together with a lot of support from Joanne petitioning our local neighbors clearly shows to the Board that there are many, many people on my street and in my neighborhood who are genuinely concerned about the safety issue. And, as I said, there's really no reason why over a 3/4 mile stretch of road in that part of Delmar given the fact that we've been through this before with Fernbank... I mean if speed is not an issue, Tim, then why would it be that there are 2 or 3 stop signs in about a 1/4 of a mile distance on Fernbank Road. And, why is it that Fernbank is clearly a safer place to live than Winne Road. And, it creates a situation where the speed is reduced and there are clearly safer roads to live on and safer places to raise your children.

So, we took the time and effort and put in the minds of our local neighborhood what we thought to be near and dear to the safety of our little community there. And, I would ask the Board to please pass putting up stop signs on that particular intersection because I truly feel through the efforts we have proved through our neighborhood there that it's critical that we cover the safety of our neighbors. Thank you.

SUPERVISOR FULLER: Thank you, Mark. Mike.

MR. CASSIDY: Thank you for your time. Just in adding on what Mark said, I've been on Winne Road 5 years prior to that. I lived on Partridge and I would have to say that in the morning with parents driving to and from the Hamagrael School and at 3 o'clock driving to and from the Hamagrael School, Winne Road, as you all know, is the longest access, north and south. And, with kids walking home, kids walking to school and I understand you are doing your surveys and your doing everything technically by the book and I can certainly appreciate that but my goal as a parent here who have 2 kids that are older now and should know better than be in the road, we have Mark, we have people who have younger kids. We have people who have grandchildren and the speed that constitutes that's established on that road doesn't warrant the neighborhood for the speed that it is. And, I think by constituting a stop sign there would alleviate an awful lot of speed that's currently going on there. And, the reason we are forcing this issue is because, as I mentioned to Sheila when I met with her, we've had a lot of very close calls recently within the last 2 weeks where kids have just barely been missed by getting hit by cars. So, our goal is to do something before it is too late and to prevent something from occurring. Thank you for your time.

COUNCILMAN DAVIS: Mr. Cassidy, just a quick question. I know where Mark lives, where do you live?

MR. CASSIDY: I live right across the street. 151 Winne Road.

COUNCILMAN DAVIS: Okay. Thank you.

SUPERVISOR FULLER: Are there any other residents who would like to speak to the request of stop signs be placed on Winne Road? Anyone wishing to speak in opposition? May I have a motion to close the public hearing?

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to close the public hearing.

COUNCILMAN BURNS: I have a question, Sheila. Mark mentioned signs, plural, and here it says stop sign. Is there just one sign?

LT. BEEBE: That's all that the Board... Traffic Safety Board is recommending is the one sign, yes.

COUNCILMAN BURNS: And, was the petition for one sign?

SUPERVISOR FULLER: No, the petition is for signs to be placed on Winne Road, plural. What Traffic Safety is looking at was placing the sign on the...

COUNCILMAN DAVIS: Jordan.

SUPERVISOR FULLER: Jordan on the west... it is a leg of that intersection.

COUNCILMAN DAVIS: The cross street.

SUPERVISOR FULLER: Presently there are stop signs on Jordan, nothing on Winne.

MR. BRYANT: What we would ask for as a community in that neighborhood is a stop sign on the side of Winne Road at the intersection of Jordan. You know, clearly that little ... leg... people slow down... there's wide visibility at that leg... to see traffic... that's not the safety issue at all.

SUPERVISOR FULLER: No, I was aware of what the issue is. I fortunately or unfortunately drive on that road back and forth to Town Hall several times so I am familiar with what the neighborhood is and how many children are in the road. There's also a day care on your road which has a lot of little children which I have observed as well.

MR. BRYANT: That's 4 doors down from that intersection.

COUNCILMAN DAVIS: And, the day care children are playing in the road?

SUPERVISOR FULLER: Supervised but... And, how many children are there?

MRS. BUSS: My children are not playing in the road. They are supervised...

TOWN CLERK NEWKIRK: I need her at the microphone.

MRS. BUSS: ...in my back yard. The only children...

SUPERVISOR FULLER: You need to come to the microphone, please.

TOWN CLERK NEWKIRK: The record won't be accurate unless you come to the phone and give your name and address, please.

MRS. BUSS: Sure.

TOWN CLERK NEWKIRK: Thank you.

MRS. BUSS: Joanne Buess, 163 Winne Road, Delmar, New York. I've lived on Winne Road approximately 33 years. The neighborhood has grown. It has changed with children. If you are in the neighborhood about 8 o'clock in the morning or 3 o'clock in the afternoon 3:30, they are speeding down to Hamagrael, there's no question about this. They are going very fast. It is a road that has no stop signs so they come from Fernbank over. They come from Rowland Avenue over and use Winne. When I got the 80 some odd names there, the consensus

was that the people are speeding on Winne Road. Now, I don't know if stop signs would serve this, the Traffic Committee -- does it? Stop signs?

LT. BEEBE: We've had studies in the past that have shown that the stop signs do not decrease the speed, as a matter of fact, it increases.

MRS. BUSS: Well, let me ask you then, how can we slow the people down or can't we?

ATTORNEY KAPLOWITZ: Tim, what's the speed limit?

LT. BEEBE: 30 miles an hour.

ATTORNEY KAPLOWITZ: 30?

LT. BEEBE: 30, correct.

SUPERVISOR FULLER: And, the Traffic Safety Committee did do some studies that determine that the average speed was 30 and that was on Sunday mornings. So, we do have all the information before us... Traffic Safety did.

MR. BRYANT: But, does Sunday morning ... like a good representative sample of the speed of the road? Of course not... that's a terrible... if that's what the Traffic Safety Board is using, it almost seems like they are biasing the study.

LT. BEEBE: Let me just clarify that for the record. The study was conducted by a consultant that the Traffic Safety Board hires... it's a Tom Malander who is a traffic engineering technician who also works for DOT as a full time job. He put out a set of... what's called ITT counters which not only count the volume of traffic, the speed of the traffic and it also breaks down the classification of the traffic into cars, motorcycles, pick-up trucks, vans, buses, trucks and tractor trailers. The study was conducted over a 1 week period from Saturday to Saturday. It found that the average speed was 29 miles per hour at that location and the counters were set up on Winne Road 300 feet southeast of Jordan Boulevard. The 85th percentile which is what DOT generally uses when they establish reasonable speeds means that 85 percent of the drivers on the roadway feel comfortable driving at this particular speed based upon the character of the road that they see in front of them. The 85th percentile at that location is 35 miles per hour. Meaning that 35 miles per hour, 85 percent of the traffic feels comfortable driving at that speed. That's generally used as a guideline by the Department of Transportation when establishing speed limits because people generally drive at reasonable speeds. To set it higher or lower you're probably not going to get voluntary compliance with it. So, it's going to require enforcement efforts to get it any lower than that... a lot of enforcement efforts.

I'm... I sympathize with you, Mark, I know it's a very impassioned topic here. The Traffic Safety Board sympathizes with the fact that you have children, that there's a lot of volume of traffic. I mean there were an average of 549 cars per day through that intersection. What we disagree on is whether or not a stop sign is going to solve that issue. And, our studies have shown that... you referred to Fernbank. The Traffic Safety Committee didn't... did not recommend those stop signs be placed out on Fernbank. We were overridden by the Town Board at the time and actually, statistics have... studies have been done afterwards actually show that between the stop signs, the speeds have increased because people traveling through there feel that they are inconvenienced by having to stop so they speed up between the signs to make up the time.

The answer here is to get voluntary compliance or to put the police out there and write a gang of tickets to the people to slow down. But, I honestly, don't believe that a stop sign at that intersection is going to solve this problem. And, that's why we didn't recommend it.

COUNCILMAN BURNS: While you are there, Tim.

LT. BEEBE: Sure.

COUNCILMAN BURNS: Couple things. If the petitioners wanted 2 stop signs on Winne Road and tonight we're to vote on a stop sign on Jordan Boulevard, could you clarify how that... why was it... they asked for 2 on Winne and now there's one on Jordan and where did that come from.

COUNCILMAN DAVIS: He just explained that.

LT. BEEBE: I believe you incorporated it into...

SUPERVISOR FULLER: Yes, I did.

COUNCILMAN DAVIS: I think you just explained it.

SUPERVISOR FULLER: The confusion on this is when this originally was set for public hearing, I think it was our meeting... it's got to be a month ago by now...

TOWN CLERK NEWKIRK: The 13th.

SUPERVISOR FULLER: I had received the petition that day for stop signs on Winne. There's already stop signs on Jordan.

COUNCILMAN BURNS: One.

SUPERVISOR FULLER: Traffic Safety Committee looked at this infamous leg on Jordan meeting Winne which is not what anybody requested. They asked for signs on Winne Road. So, the recommendation was coming to us for to set a public hearing on placing the stop sign on the leg of Jordan... Jordan. The last Traffic Safety Committee meeting, that's been on hold while we study what the intersection... if we can make a change in the intersection. What I am saying is, we need to incorporate the request of the... and by the way, the Traffic Safety Committee is the advisory board to the Town of Bethlehem Board. The Town Board is the one that has to make the decision. The issue tonight for us is to consider placing stop signs on Winne Road.

COUNCILMAN DAVIS: A stop sign on Jordan Boulevard, is the issue. What we have here is a stop sign on Jordan Boulevard.

COUNCILMAN LENHARDT: Yes, the point... We have a potential local law number 9 in front of us that mentions just one stop sign on Jordan Boulevard. That's why I am confused.

SUPERVISOR FULLER: But the...

COUNCILMAN DAVIS: But the request was for stop signs...

SUPERVISOR FULLER: But, the potential problem you have is one that isn't there any longer because it's going... they need to take a look at changing that entire intersection... taking a look at it. Are you familiar with the area there, George?

COUNCILMAN DAVIS: Oh, yea.

COUNCILMAN LENHARDT: Yes, vaguely, but my point is we have a public hearing on one stop sign. Is the suggestion that we table this in anticipation of the entire intersection being...?

SUPERVISOR FULLER: No, you have a public hearing on 2 stop signs, as well as, part of the record on October 13.

COUNCILMAN BURNS: That's not what this says.

COUNCILMAN LENHARDT: That's not what we have in front of us. That's what I am saying. In writing...

COUNCILMAN BURNS: Right, right...

COUNCILMAN LENHARDT: In writing, it says one stop sign.

COUNCILMAN BURNS: Right.

SUPERVISOR FULLER: How was it advertised?

TOWN CLERK NEWKIRK: It was advertised for the one, however, at the beginning of this public hearing you indicated it was to consider the 3 stop signs when you noticed that signs would be considered for Winne Road.

COUNCILMAN LENHARDT: Okay, so then this thing is no good.

COUNCILMAN BURNS: So, tonight we are voting on 3 stop signs.

TOWN CLERK NEWKIRK: If that's what the Town Board chooses.

COUNCILMAN BURNS: That's what's before us.

TOWN CLERK NEWKIRK: That's what Sheila said.

COUNCILMAN LENHARDT: That's what I am saying.

ATTORNEY KAPLOWITZ: Not if you haven't advertised 3 stop signs.

COUNCILMAN BURNS: Okay.

SUPERVISOR FULLER: No, you've advertised... what you've advertised is null and void. That's not happening.

Discussion held between some of the Councilmen and Lt. Beebe.

SUPERVISOR FULLER: To set another public hearing takes you into December 8.

TOWN CLERK NEWKIRK: Yes, you should be able to advertise for December 8.

SUPERVISOR FULLER: For 2 stop signs on Winne Road.

TOWN CLERK NEWKIRK: You should approve this one, if what Bernie is saying that you have to readvertise for Winne Road locations. You could adopt this to put the sign on Jordan Boulevard now and then hold a public hearing December 8th for the other 2 signs.

SUPERVISOR FULLER: It's not a request for the Jordan Boulevard. That's not it... it's not a place for a stop sign. That's already been considered by Traffic Safety.

COUNCILMAN DAVIS: I'm lost.

SUPERVISOR FULLER: Jordan on the leg. There are already stop signs on Jordan and Winne.

COUNCILMAN BURNS: Just one on Jordan right now, right?

SUPERVISOR FULLER: And, one coming from the opposite direction, north and south.

LT. BEEBE: This is where the Committee is recommending. (Indicated on a map to the Board Members the location.)

TOWN CLERK NEWKIRK: This is the one that was advertised, what they recommended.

SUPERVISOR FULLER: But, that was done away with at your last Traffic Safety meeting while you take time to study the intersection in general.

LT. BEEBE: We are waiting for the Engineering Department, right, to take a look at that intersection.

SUPERVISOR FULLER: But this stop sign at this leg does nothing for Winne where it meets Jordan.

COUNCILMAN BURNS: Correct.

LT. BEEBE: Correct. We're not recommending it.

COUNCILMAN DAVIS: Right.

TOWN CLERK NEWKIRK: This was on the book before Traffic Safety. Traffic Safety met after we approved doing this public hearing, that's why.

SUPERVISOR FULLER: I know exactly where all of this is supposed to be.

COUNCILMAN DAVIS: I have a question.

SUPERVISOR FULLER: The question is how do we get through 18 public hearings and discussions on the same good old stop sign issue.

COUNCILMAN DAVIS: Before we actually get to the actual stop sign discussion, Mark do you know... or Mr. Cassidy do you know... has an attempt been made to contact the principal of the Hamagrael School and possibly notify through their weekly bulletin the concern that the residents of that area have with parents traveling to the school and having an appeal to have parents be more prudent... be aware of the inherent problems there to slow down, bottom line. Has that been done, do you know?

MR. BRYANT: No, it hasn't, Doris, and I... you know...

SUPERVISOR FULLER: Doris, if I can interrupt, yes it has. And, it happens repeatedly in that area because it's straight through for Hamagrael Elementary School and they are speeding. And, there are stop signs down at... where Hamagrael is at McGuffey and Albin... at Wisconsin and Albin... at Roweland and Albin.

COUNCILMAN DAVIS: Right.

SUPERVISOR FULLER: All the way through, so it's all the...

COUNCILMAN DAVIS: I'm just wondering if it might not be helpful to your cause to, also... no matter what happens here, to also as a parent group with children in that area, to contact the principal of the school or the Superintendent of Schools and request that kind of an appeal. I don't think it would hurt.

MR. BRYANT: No... it wouldn't hurt... I am a little perplexed at this whole ...

SUPERVISOR FULLER: Mark, you need to come to the mike. We can't record you from...

TOWN CLERK NEWKIRK: It will not appear on the record if it's not on the tape. It has to be verbatim.

MR. BRYANT: That's fine. I'm just a little perplexed, I mean, Tim's study kind of shocks me to be honest with you. I live there, Tim. I watch 16 year old kids drive 60 miles an hour down that road every once in a while. It's not every day but you start on Adams and you drive from Adams to McGuffey with no stop sign, okay. It's a fairly long stretch and there are many parents with a lot on their mind, as much as I respect Doris's comments about the prospects of petitioning the school about this, and these cars are going by at excessive speeds. I mean, Michael will attest to this, Joanne will attest to this. We live there. We physically live right there. And, it is perplexing to me to hear that, you know, your average speeds are what they are because I physically watch cars go by... sure there are cars that go by at 30 miles an hour and then there's a car that goes by at 45 or 50. And, you know, it just a... I mean... I'm... I'm just perplexed at how the study came out because I physically watch cars do this and I physically watch my kids stand at the end of the driveway and cars go vroom right by them, just like that. And, they are not driving 30, they are driving a heck of a lot faster than that. And, it is not every car but the point is that I mean, I want my neighborhood to be a place that the kids can walk across the street to their friend's house and feel safe. So, I'm just honestly shocked by it.

COUNCILMAN DAVIS: If this study takes place with the reconfiguration of that particular location, what might be the ultimate outcome be? I mean, would there be need for stop signs anywhere. I mean, Bruce, can you answer that question?

MR. SECOR: The configuration of the intersection is not the type of intersection we would design today. So what I've asked...

COUNCILMAN DAVIS: But, it looks nice. It looks great. I mean it's pretty.

MR. SECOR: Well, it's picturesque but there is a sweeping turn...

COUNCILMAN DAVIS: Yes.

MR. SECOR: You've got a road going one way and a road coming with a sweeping turn which change names and it's just awkward. And, so we've asked the engineering... I've brought down a map but to be honest with you, the map isn't... isn't to scale and isn't good enough to read it but we are going to go down and relook at that. And, we've got to look at the geometry to see if you create Jordan as the through, it needs to line up and right now the pavement may or may not line up but the right-of-way does not line up the way it should for that type of an intersection. So, we've got to go down and look at that and see what the property line issues are. But, we've got to do an accurate survey to make sure... you just can't assume that the right-of-way is a certain edge from the pavement. Usually it is about 12 or 13 feet from the edge of the pavement to the right-of-way. But, you've got to go down and check deeds and check what we own to make sure we know what we are talking about. So, we'll do that before we come back. And, at the last Traffic Safety Committee -- I have been sitting in for Terry Ritz because he has been so busy and he is working 6 days a week in the field with all the work that is going on -- and we haven't had a chance to do that. So, we will get back to it.

I would like to mention one other thing on the speed checks and this came up on the discussion of Wellington Road. Statistics are things you have to take very carefully and you have to think about how they are developed. The machine that is doing this counting is probably a very accurate machine but when you are doing a local area, especially for example Wellington, each household may generate 6 or 8 car trips per day. They are only going to their house. So, the average speed may be pulled way down because you have a number of people who are only going that may be within a few hundred feet of where that particular stop sign is. And, it was stated correctly, at that location where those speed tapes were, this is what we found out. Now, you might... if you had a number of machines, put them at 4 or 5 different locations you might get some different numbers but at each location there is going to be a significant number of driveways close to that where people may be going 1 or 2 miles an hour or 5 miles an hour making turns or whatever else. I mean, so, you have to look at those averages and it's not like doing a State Department of Transportation deal where you are on Kenwood Avenue or Elsmere Avenue...

COUNCILMAN DAVIS: On a highway.

MR. SECOR: ...where you're expecting people to move at a fairly uniform rate. This is a residential street.

The other thing that we want... we talked about at the Traffic Safety Committee... the streets in the older part of Town were paved at about 24 feet wide, it's kind of a shared roadway. And, back before there were inline skates or skateboards or anything else, the roads were paved a little wider... a lot of State roads are only 19 or 20 feet wide. We pave 24 feet. And, the idea was that this shared roadway would allow room for someone to walk along the edge or there would be safe enough room for cars to pass and still have pedestrian traffic.

At the Traffic Safety Committee I think it was said very, very well by one of the people there that each user of the roadway has rights and they also have responsibilities and it is that sharing that you

have to go on. Our normal major concern is traffic safety, pedestrian safety. It's safety issues and quality of life, it is not moving cars. Kenwood Avenue, Elsmere Avenue, Delaware Avenue you may have to worry about moving volumes of cars but when you have an average daily car count of 549 cars and it was 545 on Wellington and it was 500 and something else, most of these streets have about 500 some cars a day. That's not a huge number. It's not like a Kenwood Avenue or something. So, whereas, the Traffic Safety Manual is designed most of the time looking to move large volumes... how do we move these cars, that's not our primary concern. Our primary concern is safety. And, that's where it is a real conflict for the Traffic Safety Committee and use of these signs because if you put a sign up on every corner, people will start disregarding them. You have to be... if you go crazy with these stop signs, you are going to defeat the purpose and you are going to give somebody a false sense of security who comes up to an intersection and says, oh, there is a 4 way stop, I'm just going to pull through it because the other guy has to stop. If he has the same or she has the same attitude as you have, you are going to have a terrible collision because someone is relying on a stop sign when someone else may be disregarding it.

So, even though these requests come in sometimes as a... with people are speeding, we've got to use a sign, the real request is we have a safety issue... a safety problem and we're trying to address it and we don't have that many tools to work with. We went through this discussion at the Traffic Safety Committee... we had very good discussion at the Traffic Safety Committee but there is a real conflict in terms of how do you resolve the thing and it comes back to you folks. But, you know, I do need time. We haven't had an opportunity to go back and look at that geometry. That is a problem. If we're going to use Winne as a through street, and Jordan as a cross or change them around, the first they need is to line up and we need to do away with these little ramps because you normally look at ramps... again, if you are moving large volumes of traffic where you need a turning lane or something. We don't need that here. And, it may be we can save the open space, save the green space, preserve the sight distance and correct the geometry of the intersection so it functions better. That we will get back to you with.

MR. BRYANT: If I can just make one more comment, and that is if we compare Wellington and Fernbank and Rowland which are all parallel streets and the stop signs coordinated, say, at various intersections certainly Winne is the one that falls behind. If you compare them evenly right across all those long parallel streets, you know, we are the only one without a stop sign. So, we kind of get sucked into maybe some... as the progression of time goes forward in addition to the fact that the school is at the end of the street, maybe an increase in more traffic over time. But, I would like to see them look at it again.

COUNCILMAN LENHARDT: I have a comment. I'm sorry, go ahead. Okay, along with the study the last few public hearings we've had here, I hear a theme evolving from most of the residents indicating that... and I'm not going to pick on any specific street but... their street all of a sudden is a short cut because we put up a stop sign on another street and the people feel it's slowing them down so they can go this alternate route that perhaps doesn't have a stop sign. I think you should look at strategic locations of some of these stop signs in order to avoid this bypassing that particular section and forcing the traffic over onto another area. It seems to be a common theme in these public hearings.

SUPERVISOR FULLER: Yes.

MR. BURNS: My name is Matt Burns and I live at 63 Hancock Drive in Glenmont. No where near Winne. But, I just like to make a request other than a stop sign, I know it is questionable whether even if a stop sign does get put in if it's going to affect the speed at all, I drive to the high school every morning and I go down Brockley and I feel Brockley and Winne are... you know, can be compared as, you know, one and the same street in relevance to the school. So, and the other morning I was just driving to school and I saw a cop car sitting there and the next morning I saw someone get pulled over for

speeding down that road. And, I have sped down that road before, you know when I oversleep or something I've gone 35 miles an hour down the road, I admit and I will never do it again.

I say stick the cop car there. The times when people are speeding and maybe people won't do it. I know you wanted the issue to be addressed now and even if a stop sign gets put in, it probably won't be for another month or two I bet. And, I say if you put a cop car there tomorrow, then at least the 17 year olds are going to slow down. I don't know about 30 year olds. So, I just like to tell you that.

SUPERVISOR FULLER: I'll have to put you in charge of taking the children to the Hamagrael Elementary School or to Pop Warner Football or to Little League practice, it's a busy area and you are absolutely right. That we are hearing...

MR. BURNS: I think just temporarily it might just do something.

COUNCILMAN DAVIS: Matt, I have a question, do you live on Hancock Drive...

MR. BURNS: Yes.

COUNCILMAN DAVIS: Why do you travel Brockley to the high school?

MR. BURNS: I knew someone was going to say that. I pick somebody up in Slingerlands.

COUNCILMAN DAVIS: Oh, okay. I was just going to say, you're going a long way around and if you are oversleeping you're really going to get there late.

MR. BURNS: So, yea, plus you can't take Delaware to the high school cause there is the light and there's like... have to wait, okay.

COUNCILMAN DAVIS: Okay. I wasn't being personal.

SUPERVISOR FULLER: You're right.

COUNCILMAN DAVIS: I just... I don't know my geography.

MR. BURNS: Yea.

SUPERVISOR FULLER: He's trying to avoid stop signs in the other areas of Town.

MR. BURNS: Thank you.

COUNCILMAN DAVIS: Thank you.

SUPERVISOR FULLER: Thank you. Okay. Can we go back to... a motion to close the...

COUNCILMAN LENHARDT: We had a motion and second to close. We just haven't voted.

SUPERVISOR FULLER: I'm only going by the person on my left who's in charge. Did we close the public hearing?

TOWN CLERK NEWKIRK: We need to close the public hearing, then we can proceed.

SUPERVISOR FULLER: All those in favor of closing the public hearing?

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

Noes: None.

Kathleen A. Newkirk
Town Clerk

Supervisor Fuller reconvened the regular meeting at the close of the public hearing. She noted she did not think there was any vote to pass this proposed local law. She asked if anything could be done in the interim for the people on Winne Road. She said the legal requirements, by the time the advertising is done and a public hearing held, leaves the possibility of 3 months going by again. Question was raised about using stop lines or stop signs, however, Highway Superintendent Sagendorph said there would be a liability issue. Councilman Lenhardt noted it would be problematic for the police also. Councilman Johnson asked about the use of the portable speed sign. Lt. Beebe said it has just returned from some repairs and it will be put back in service. He said it could be directed to be placed in this area.

Discussion followed pertaining to the intersection and reconfiguration of the intersection. The Board further discussed the future action. Supervisor Fuller asked for action to approve the proposed Local Law amending the Code of the Town of Bethlehem to permit a stop sign on Jordan Boulevard at its intersection with Winne Road. Councilman Johnson and Councilman Lenhardt were in favor of this stop sign. Councilman Burns and Supervisor Fuller voted no. Councilman Davis said she feels this should be consistent with what was done previously and abstained from voting. Therefore, no action was taken in regard to the proposed local law.

Supervisor Fuller asked what the proposed local law would include for the next public hearing. Councilman Davis said she thought the new public hearing should encompass the 3 stop signs.

Reschedule
public hearing
for December 8
to consider
stop sign
Winne Road
both directions
Jordan Blvd
intersection
with Winne Road

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to set a public hearing for December 8, 1999 at 8:00 p.m. to consider a proposed Local Law amending the Code of the Town of Bethlehem to permit a stop sign on Winne Road from both directions and a stop sign on Jordan Boulevard at its intersection with Winne Road. The motion was passed by the following vote:

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

- - -

Supervisor Fuller proceeded to explain that there will be an advertisement for the December 8, 1999 meeting for the 3 stop signs. She said the only difference that occurred was the 2 stop signs on Winne Road did not get included in the advertisement. She asked for the residents to have patience so this matter can be properly resolved. She apologized that the residents would have to return. She also noted the Engineering Department will have time to take a look at the intersection.

The next item was to adopt the Town of Bethlehem Year 2000 Budget. Supervisor Fuller asked for a motion to adopt the budget.

Adopt Bethlehem
Year 2000
Budget

Councilman Lenhardt motioned that the Budget for the Year 2000 for the Town of Bethlehem be adopted. Councilman Davis seconded the motion.

Supervisor Fuller asked if there was any discussion. Councilman Burns said she has some discussion. She said before she votes she wanted to say that she will be voting yes on the budget for the year 2000 noting there are many positive things included in the operation plan. She further said one thing the budget lacks, she thinks, is initiative regarding residential development. She said the main concern she hears in the community is that residential development has gone unchecked. She said the community feels there should be better management and planning. She said she feels there should be the forming of some compatibility and consistency between old and new Delmar. She said there is a need for more commercial activity with the right kind of businesses that conform to the community. She said she has advocated in the past for an Economic Development Office and a person in the office who would be responsible for the activities as mentioned. She said next year she plans to continue that advocacy.

Supervisor Fuller asked if there were any other questions or comments from the Board. There were none.

The motion was passed by the following vote:

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

Councilman Johnson commented nice job to Comptroller Kehoe.

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

Seasonal Personnel
Parks and
Recreation

The motion was made by Mrs. Davis and seconded by Mr. Johnson to approve the appointment of seasonal personnel as requested by David Austin, Administrator, Parks & Recreation Department, as follows:

Recreation Instructor III at a rate of \$9.50 per hour.

Deb Zraggen
42 Herrick Avenue
Delmar, NY 12054.

The motion was passed by the following vote:

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

The following item was a recommendation from Engineering Services Administrator, Michael Cirillo, for acceptance of a blanket easement for Autumn Woods Subdivision. Supervisor Fuller explained the easement is a 21.63 acre parcel of remaining lands of Haddon Field Associates. The land will be conveyed to the Albany County Land Conservancy or a similar nature conservancy organization, according to the Supervisor. She said this is in response to the development of Autumn Woods Subdivision.

Engineering
Services easement
for Autumn Woods
Subdivision
to be conveyed to
Albany County
Land Conservancy

The motion was made Mr. Johnson and seconded by Ms. Burns to approve the acceptance of a blanket easement for Autumn Woods Subdivision as recommended by Michael Cirillo, Engineering Services Administrator. The motion was passed by the following vote:

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

The next item was a recommendation from Michael Cirillo, Engineering Services Administrator, for release of bond for Skycrest PRD, Section 6. Supervisor Fuller noted this is work that was recently completed with regard to Esplande Street, Selkirk.

Engineering
release of bond
for Skycrest PRD
6 regard to
Esplande Street

The motion was made by Mr. Johnson and seconded by Mr. Lenhardt to approve the release of bonding for Skycrest PRD, Section 6 from Key Bank. The motion was passed by the following vote:

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

Supervisor Fuller next acknowledged receipt of the Quarterly Franchise Fee from Time Warner Cable in the amount of \$48,505.59 for

Quarterly
Franchise Fee
Time Warner Cable

the third quarter, July through September 1999. The Supervisor noted the Town of Bethlehem will gladly accept it.

Public Hearing
to be held
November 23
stop sign at
Wellington Road
and Sylvan Ave

The next item was to consider a public hearing for an Amendment to Code of the Town of Bethlehem for stop signs at Wellington Road at Sylvan Avenue. The public hearing will be held November 23, 1999 at 7:50 p.m. Supervisor Fuller said this is being set at this meeting, indicating she went ahead and advertised in the Spotlight so that the time requirement was met. She said this expedited the hearing rather than holding this up until December.

The motion was made by Mrs. Davis and seconded by Ms. Burns to approve setting the public hearing for November 23, 1999 at 7:50 p.m. to consider a proposed local law amending the Code of the Town of Bethlehem to permit stop signs at Wellington Road at Sylvan Avenue. The motion was passed by the following vote:

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

Approve
appointment
Police
Sergeant
effective
December 13, 1999

The next item was a request from Richard LaChappelle, Chief of Police, for approval of appointment of a Police Sergeant effective December 13, 1999. Supervisor Fuller said this is Police Officer James Haker and would be at a salary of \$48,614 annually. She noted Officer Haker resides in Selkirk and is a 21 year veteran of the Police Department. Upon appointment, Officer Haker will be assigned to the Patrol Division as Patrol Supervisor.

The motion was made by Mr. Johnson and seconded by Mr. Lenhardt to approve the appointment of Officer James Haker, Selkirk, NY to the position of Police Sergeant effective December 13, 1999 at an annual salary of \$48,614.

Councilman Burns had questions. She asked if this was a temporary position and whether a test will be held. Chief LaChappelle said it is a permanent position. Ms. Burns asked what the process was for promotion. Chief LaChappelle said it was an interview for the position indicating there is a formal process for this appointment. Councilman Burns asked if there are enough funds in the budget. Chief LaChappelle said it was a budgeted position.

Councilman Burns asked why the appointment date of December 13th. Chief LaChappelle said the replacement officer will not be done with his transition training until the second or third week of December, but they are bidding the 2000 schedule. He said the appointment was asked for so that they could name someone so that everybody could bid the schedule. Ms. Burns said she thought she got it. She thanked the Chief.

The motion was passed by the following vote:

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

Request from
Chief of Police
appoint Lieutenant
Lou Corsi

The following item was a request from Chief of Police, Richard LaChappelle, for approval of appointment of Police Lieutenant effective December 13, 1999. Supervisor Fuller said this would be Sergeant Lou Corsi at the annual salary of \$57,672. She noted Sgt. Corsi resides in Selkirk and is a 14 year veteran of the Police Department with 6 additional years experience in law enforcement with other agencies. Upon his appointment, Sgt. Corsi will assume command of Headquarters Division.

The motion was made by Mr. Johnson and seconded by Mr. Lenhardt to approve the appointment of Sergeant Lou Corsi of Selkirk to the

position of Police Lieutenant at an annual salary of \$57,672, effective December 13, 1999.

Councilman Burns asked the same questions including whether this was a permanent position. Chief LaChappelle said it is and is a provisional appointment. He said while waiting for the former Lieutenant to retire, the list expired. He further noted he is appointed provisionally contingent upon the permanent appointment after passing the test. Councilman Burns asked about the funds for this position. Chief LaChappelle said they were budgeted.

The motion was passed by the following vote:

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

Councilman Johnson noted they are fine officers. Supervisor Fuller congratulated both officers.

The following item was a request from Comptroller Judith Kehoe for authorization to apply to the Justice Court Assistance Program. Supervisor Fuller noted this is a positive item and if we can get funding we might as well apply for it. She said notice was received regarding funding availability for a new justice court assistance program. She said the funding could provide up to \$20,000 to enhance Justice Court's ability to provide suitable and sufficient services to their respective communities. She noted Comptroller Kehoe has met with the Town Justices, Court Clerk and herself. She said it was determined that they wished to apply for funding to cover the Justice Department portion of the cost relative to the planned upgrade of the Town's entire computer network.

Comptroller
request
authorization
apply Justice
Court Assistance
Program

The motion was made by Ms. Burns and seconded by Mr. Johnson to authorize the application for the Justice Court Assistance Program.

Supervisor Fuller asked if there were any questions. Councilman Davis said she did not have a question, however, she was impressed and received a call from Mrs. Hodom, Court Clerk, inquiring about the actual existence of this particular legislation. She said she was impressed to know the network out there provided information about the availability of such legislation. She said there was a bill and it did pass.

The motion was passed by the following vote:

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

The next item was a request from the Supervisors of the Municipal Training Facility for approval to go to bid for one (1) Flammable Liquid Training Simulator for use at the Town Fire Training Facility, Glenmont. Supervisor Fuller said she takes full responsibility for this item which was added to the agenda. She said this is basically to go to bid with advertisement on November 17, 1999 and bid opening at 2:00 p.m. on December 15, 1999. She noted this was discussed when the budget was put together.

Request from
Supervisors
of Municipal
Training Facility
for approval to
go to bid
1 flammable
liquid training
simulator

The following resolution was offered by Mr. Mr. Johnson and seconded by Ms. Burns:

WHEREAS, the Town desires to advertise for bids for the purchase of one (1) Flammable Liquid Training Simulator for use at the Town Fire Training Facility in Glenmont, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 17th day of November, 1999 and that bids be received up to 2:00 p.m. on the 15th day of

December, 1999 at which time the bids will be publicly opened and read.

The resolution was adopted by the following vote:

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

Acknowledge
Final Plat
Approval for
Longview Subdivision

The following item was to acknowledge receipt of Final Plat Approval from the Planning Board for the Longview Subdivision, Weisheit and Wemple Roads, Glenmont for information purposes.

Acknowledge
conditional approval
from Planning
Banahan Subdivision
Old Quarry Road
Selkirk

The next item was to acknowledge receipt of Conditional Approval from the Planning Board for the Banahan Subdivision, Old Quarry Road, Selkirk for information purposes.

Acknowledge
Conditional approval
of
Final Plat
Cherryvale
Subdivision
McCormack Road

The next item was to acknowledge receipt of Conditional Approval of Final Plat from the Planning Board for the Cherryvale Subdivision, McCormack Road, Slingerlands for information purposes.

Final Plat
Dudley Subdivision

The following item was to acknowledge receipt of Final Plat Approval from the Planning Board for the Dudley Subdivision, Route 9W and Neil Boulevard, Selkirk for information purposes.

Supervisor Fuller asked if anyone wished to address the Board. No one spoke.

- - -

Supervisor Fuller asked for a motion to recess to Executive Session to discuss a personnel and litigation matter.

Adjourn
meeting
Executive
Session

The motion was made by Mrs. Davis and seconded by Mr. Johnson to recess to Executive Session to discuss a personnel and litigation matter. The motion was passed by the following vote:

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

RECONVENED: 10:03 p.m.

Supervisor Fuller reconvened the regular Town Board meeting following the close of the Executive Session.

The motion was made by Mrs. Davis and seconded by Mr. Johnson to reconvene the regular Town Board meeting at 10:03 p.m. The motion was passed by the following vote:

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

- - -

Terminate
Sanitation
employee
Rupert Road
landfill

The Supervisor asked for a motion to terminate an employee of the Sanitation Department at the Rupert Road landfill, for misconduct in his official duties. She noted the employee was Donald VanAlstyne.

The motion was made by Ms. Burns and seconded by Mr. Johnson to approve the termination of Donald VanAlstyne, employee of the

Sanitation Department at the Rupert Road landfill. The motion was passed by the following vote:

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

The Supervisor asked for a motion to adjourn the regular Town Board meeting.

The motion was made by Ms. Davis and seconded by Mr. Johnson to adjourn the regular Town Board meeting at 10:05 p.m. The motion was passed by the following vote:

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

Adjourn Town
Board Meeting


Town Clerk