

TOWN BOARD
MARCH 13, 1996

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

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

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SUPERVISOR FULLER: Welcome to a regular meeting of the Bethlehem Town Board. The first order of business this evening is... actually we have 3 public hearings. The first one is on a peddling and soliciting code for our Town and 15 minutes later is when we can start the next public hearing. So, I would ask the Clerk to read the call of the first hearing, please.

TOWN CLERK NEWKIRK:

NOTICE OF 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 March 13, 1996 at 7:30 p.m. to consider proposed Local Law No. 3 of 1996, Amending Chapter 86, Peddling and Soliciting, of the Code of the Town of Bethlehem.

All parties in interest 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
TOWN CLERK

Public Hearing
on Local Law
No. 3 Amending
Chapter 86
Peddling and
soliciting

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State of New York)
County of Albany)

MARY AHLSTROM of the Town of Bethlehem, being duly sworn, says that she is the Assistant Publisher of 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 28 day of February 1996.

/s/ Mary A. Ahlstrom

Sworn to before me this 4th day of March 1996.
/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 February 28, 1996, 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
5th day of March 1996.
/s/ Catherine T. Picarazzi
Notary Public

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

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SUPERVISOR FULLER: Mr. Flanigan, if you would highlight some of the changes in our peddling and soliciting law.

MR. FLANIGAN: Yes. Some of the major changes and this has come about over some problems we have had over the years with solicitors coming into town and just going door-to-door and not being to up front and scaring a lot of people, especially at the night hours and things like that just knocking on doors.

SUPERVISOR FULLER: Especially the senior citizens.

MR. FLANIGAN: Correct and they really... some of them have been taken quite badly with the solicitors. So, what has been done, is that we have come up with what we feel is better than what we have. I don't know whether you could have the best in the world, I don't know if that is possible but we are trying. And, we have really done this trying to keep some points that we have run into over the years and we really put one definition for the solicitor. And, it takes into consideration about anyone who would go knock on somebody's door. And, just a good example of that is sometimes someone comes in and hires someone to put the blacktop coating on driveways and while I am in the area... he is down knocking on doors saying as long as I am here for \$100 I will do your driveway. Well, the next time it rains, the driveway is out in the street. It just does those things and they are doing those without permits so we don't have any recourse to be able to get at them or to know they are out there.

Another point that was made one of the major changes in here is we have... the procedure the Town Clerk would have to issue these permits is just about the same as it was, at least we would have a running list of what it was. The one point I would make is, we would go to \$75. per solicitor -- there were some cases last year where one organization would come in for \$75 and bring 7 or 8 people into town and be out there soliciting and they would be passing the permit around and we wouldn't know who they were. There was quite a few complaints and that became a problem. So, now it is per person which makes it a little bit tougher for doing it, \$75. a piece, you bring 6 in, you got to pay the fee. And, then we have some sort of identification with them and they know that somebody knows they are out there because it is not to uncommon for the police, especially in the better weather, to find someone out knocking on doors and gets complaints. This way they go and find out about them. The one last year brought 6 people in here, housed them out in Broadway in Albany and brought them out here to knock on doors selling used magazines which was quite a consideration for a while before we caught onto them. And, it was never the same person every time we were out there checking on them so that way it would make it any person rather than just one permit for an organization.

There are some other points in here that we did. We also put in here that the hours of solicitation are really a problem at this point. We put it down, the refusal of a solicitor to leave private premises after request by the owner or lawful occupant or the solicitation of persons other than between the hours of 9 a.m. and 6 p.m. or sundown, whichever is later. We put that or sundown because of the summer months as the time gets longer we have the ice cream gentlemen who

have permits going out and around and if we said between 9 a.m. and 6 p.m., we would... they would have to stop that rather than at sundown and they do a lot of business after sundown.

We have also put in here, again, which was in before we just brought it out a little bit heavier, is that you can't go around the schools during school hours. It would have to be after 4 o'clock in the afternoon before you can go in the areas of the schools so that they aren't setting up out there getting the children as they come out of school.

And, a major point which is still part of... we just enhanced it a little bit, is create or maintain any booth or stand or place any barrels, boxes, crates or other obstructions upon any street side or public place for the purpose of conducting business -- what we usually call the flower people or people selling antiques on the store corners... the street corners without permits. We will not allow that at all. Mainly because they usually come in and we will run into this as we get towards Mother's Day and Easter that would have the people coming and setting on the street corners who are completely in competition with our local merchants who have their street front stores, pay taxes and have signs and run a legitimate business come in trying to get the.. you know, the cream off the top for those few days. But, it does become a hazard. It also creates quite a hazard in the street for this while they are parking. They usually don't pay any attention to where they are. They try to get on the busy street corners. You have seen the roses different places if you drive around to different places in the area that you see these and that would be prohibitive.

So, basically, that is what it is and I feel that it is a plus to it and plus the fines have been increased to \$250. the first time you catch someone doing it without a permit. And, that might be just a deterrent to stop some of these people. And, I am not saying we are going to get them all because it is about impossible to do but it might be a deterrent to do it. And, it has a few more teeth in it than it had before. And, I would go for the proposal.

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

COUNCILMAN LENHARDT: I just had one, John. Does this ordinance deal at all with telephone solicitation?

MR. FLANIGAN: Yes, it does, George. That is going to be tough to regulate...

COUNCILMAN LENHARDT: I know, I realize that.

MR. FLANIGAN: But, telephone solicitation is there. I don't know how we are going to deal with the credit card people and things like that... we all get those but sometimes somebody will go and get a list from some person that they have sold something to -- i.e. siding or roofing... and they will give them a list and then they will go out and start doing it by phone. It is tough to do but if we can get on to some of them and if people were to complain and we can find out who they were, we could probably go and get onto that. But, it is not going to be easy on telephone solicitation but it does include telephone solicitation.

COUNCILMAN LENHARDT: Good.

MR. FLANIGAN: Which is... a lot of times there is a lot of scare tactics there. Some of the things we find on the people going out soliciting, they will go and especially with the seniors, they will go out and get your roof... or your chimney looks like it needs to be pointed, I will do it for \$500. So, okay \$500. and then the next day another guy comes by and says well, you have got to do the soffit looks like it is falling apart, another \$500. Then we found out a few years ago on one of these cases like this, we were running around, it was all in the family. The guy kept... they had 5 or 6 in the family and they kept coming out hitting on the same lady. Thank God for the bank one day and the bank has been very cooperative on this with the Police Department. That they know that you see the same senior in there withdrawing a lot of money over a period of

time, they call them, that's how the police were able to get this one. But, it is a problem for us and we seem to be very vulnerable out here. Thank you.

SUPERVISOR FULLER: Thank you. Is there anyone wishing to speak in favor of the adoption of the new chapter on peddling and soliciting for the Town of Bethlehem?

MR. MADDEN: Can we ask a question?

SUPERVISOR FULLER: Sure.

MR. MADDEN: My name is Jack Madden. I live over in Penn Lane in Glenmont. How would this affect like the Girl Scouts selling cookies and kids selling candy at schools and things like that.

SUPERVISOR FULLER: It doesn't have any impact on the Girl Scouts, Little League. They are all non-profit groups.

COUNCILMAN PUTNEY: Non-profits are exempt.

MR. FLANIGAN: No, they are exempted. That, American Legion, Girl Scout, Little League, they are all exempt.

MR. MADDEN: Okay. Thank you.

MR. FLANIGAN: We usually know who they are.

MISS CAPONE: Does this ordinance have anything with repeat offenders? Because you are saying you picked up one family, can you extend it -- if you pick up one member of the family doing it under XYZ corporation, it is the corporation and that family member so that the next time another family member comes out under that corporate name you can pick them up?

MR. FLANIGAN: It says any person. Each person is liable.

COUNCILMAN PUTNEY: Each person is licensed.

ATTORNEY KAPLOWITZ: If you caught the same person twice, the fine goes up. Other than that there isn't...

MISS CAPONE: But, couldn't you tag it the corporation and/or the person because like with these blacktoppers that he is talking about, if it is a family you are going to get Louie one week, and Vinnie the next week.

ATTORNEY KAPLOWITZ: Well, if it is the corporation that you try to hang, each time you hang them you could increase the fine just like the individual. But, if you are talking about 2 different people with no corporate entity, then I don't think you can.

MISS CAPONE: But, if you drag the corporation, then you can get them under the repeat. If you only do the individual...

ATTORNEY KAPLOWITZ: Right.

MISS CAPONE: You have to pick up that individual again. But, if you tag the corporation, you can get it under the repeater.

LT. VANDERBILT: In our experience in the Police Department, usually these aren't corporations but individuals just loosely formed...

ATTORNEY KAPLOWITZ: The definition of person is one or more persons of either sex, a firm, a partnership, a corporation or any individual representative. So it could be the corporation if that is who comes in and makes out the application.

MISS CAPONE: What about dbas?

ATTORNEY KAPLOWITZ: That would be a person, partnership, corporation, individual representative or agent thereof. I think that covers everything.

MISS CAPONE: Because wouldn't you want to put the dba separate in there so that they don't sit there and say well the dba technically isn't a representative of a corporation.

ATTORNEY KAPLOWITZ: Well, if you are talking about any individual or any individual representative...

MR. FLANIGAN: It is also any person who himself or through an agent or employee.

ATTORNEY KAPLOWITZ: Every time you do a dba you are doing... it is an individual person who is filing the dba. By saying person, you cover that, I think. I think you would be covering it all. And, it includes partnership, corporation.

MISS CAPONE: Because most of these seem to be dbas.

ATTORNEY KAPLOWITZ: I don't know. I have no... I don't think that's true. We ran into trouble... I don't want to mention names... but with certain groups.

MISS CAPONE: Most of them that I have seen have been dbas.

ATTORNEY KAPLOWITZ: Every spring we have a problem with a religious group or two that shows up and starts selling the flowers and candy in the parking lots and all that.

MISS CAPONE: But, the contractors that Mr. Flanigan were mentioning, were mostly dbas.

ATTORNEY KAPLOWITZ: You aren't going to know until they come in and make out an application, if they do. Then you know what you are dealing it... if they don't...

MR. FLANIGAN: Usually when we get on them, they leave town right away.

ATTORNEY KAPLOWITZ: The few times that I have been involved, you call them on it and they disappear in a hurry usually. This is not a criminal statute in that it is going to punish people who try to defraud someone... an elderly citizen or anyone else, it is very difficult to draw a line between the person who comes in and says I will fix your roof for \$500, if someone else comes in and says I will do it for \$200. that doesn't mean there has been a crime committed by the person charging \$500.

MISS CAPONE: But, if you had some kind of a registry you could see where they are more... you could almost target where they are more apt to go.

ATTORNEY KAPLOWITZ: We will have one by making them come in and apply for a license, that is how we will get a registry.

MISS CAPONE: Now, I am saying, if you have like a registry of where they are targeting... like if you are getting a roofer that keeps targeting in one section of town, then you will know that you are more likely to have the police watch that area of town because that is more susceptible or like the elderly. And, maybe you should have more education for the elderly about the consumer fraud laws.

ATTORNEY KAPLOWITZ: That is a whole different problem.

MR. FLANIGAN: I do speak to the seniors at least twice a year about these problems.

MISS CAPONE: I think it is something that should be done once a month with the seniors.

SUPERVISOR FULLER: Thank you. I know that Karen does and I know that the police have come in to speak to the seniors on just this problem.

Anyone wishing to speak in favor? There were none. Anyone wishing to speak in opposition? There were none. May I have a motion to close the public hearing?

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

Ayes: Mrs. Fuller, Mr. Putney, Mr. Lenhardt, Mrs. Davis,
Mr. Johnson.

Noes: None.

Kathleen A. Newkirk
Town Clerk

Supervisor Fuller asked for a motion to adopt Local Law No. 3 of 1996, amending Town Code Peddling and Soliciting.

The motion was made by Mr. Putney and seconded by Mrs. Davis to adopt Local Law No. 3 of 1996 amending the Code of the Town of Bethlehem, Chapter 86, Peddling and Soliciting. The motion was passed by the following vote:

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

Adopted
Local Law
No. 3 of
1996 amending
the Code
Chapter 86
Peddling and
Soliciting

Hearing began: 7:45 p.m.

Local law
No. 4 1996
amending
Town Code
Stop inter-
sections and
through streets
for Manor Drive
Jefferson Road
Public Hearing

SUPERVISOR FULLER: The next item this evening is another public hearing, Local Law No. 4 of 1996 amending the Town Code, Stop Intersections and Through Streets for Manor Drive and Jefferson Road, Glenmont, located in Bicentennial Woods. Ask the Clerk to read the call of the hearing.

TOWN CLERK NEWKIRK:

NOTICE OF 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 March 13, 1996 at 7:45 p.m. at the Town Hall, 445 Delaware Avenue, Delmar, NY to consider proposed Local Law No. 4 of 1996, amending Chapter 119, Chapter 33, Stop Intersections and Section 32, Through Streets, pertaining to Manor Drive and Jefferson Road, Glenmont.

All parties in interest 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
TOWN CLERK

- - -

State of New York)
County of Albany)

MARY AHLSTROM of the Town of Bethlehem, being duly sworn, says that she is the Assistant Publisher of 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 28 day of February 1996.

/s/ Mary A. Ahlstrom

Sworn to before me this 4th day of March 1996.
/s/ Kathryn Olsen
Notary Public, Albany County

- - -

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 February 28, 1996, 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.

z /s/ Kathleen A. Newkirk
Town Clerk

Sworn to before me this
5th day of March 1996.
/s/ Catherine T. Picarazzi
Notary Public

- - -

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

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SUPERVISOR FULLER: Lieutenant Vanderbilt if you would like to speak about the proposal of the Traffic Safety Committee as sent to us.

LT. VANDERBILT: Yes, I would. As Chairman of the Traffic Safety Committee, I preside over our Committee meetings. We received a request from a couple residents and one was in a petition form where several residents signed the request relative to traffic control at Manor Drive at the intersection of Hancock Drive which you can see sketched over here. Manor Drive was just recently extended all the way to Feura Bush Road within the last few months. Previously to that it only existed basically between Jefferson Road and Hancock Drive. Thus, with the new street there is no intersectional control at Hancock and Jefferson... correction, Hancock and Manor. The request from the residents was... one was non-specific as to where they wanted the stop signs. The other from the several residents requested a 4 way stop sign at the intersection of Hancock and Manor. The Traffic Safety Committee went back into the history of traffic control in this area when we considered this. Originally, as I said, Jefferson Road as you can see was the only ingress and egress from the Bicentennial Woods development, Manor Drive not having access to Feura Bush Road. Back in 1988 and 1989 the Board considered and then approved installation of several stop signs on Jefferson Road because that was the only ingress and egress into that area and out of that area. Every vehicle going there, of course, had to use that road and there was quite heavy traffic there. Now that we have 2 ways to get in and out of that area, many people seem to be using Manor Drive more than they use Jefferson Road because there were no stop signs and they could thus get through there quicker because they did not have to stop only at the intersection of Jefferson Road at the end of Manor Drive.

In order to somewhat equalize the traffic on the 2 roads that would now feed the Bicentennial Woods development and the developments across Beacon Road from Bicentennial Woods, we felt that it would be advantageous to delete some of the stop signs on Jefferson Road and control that intersectional traffic entering Jefferson Road and entering Manor Drive from the side streets. Thus, it would be no more advantageous for a driver to take Jefferson over Manor or visa versa. Hopefully then equalizing the traffic flow so that the residents of one street over the other weren't deluged with traffic because one provided more of an advantage. So, our recommendation is to remove the stop signs on Jefferson Road at Penn Lane, leaving the stop signs on Penn Lane entering Jefferson Road; to add a stop sign on William Paca Court as it enters Jefferson Road; to take away or delete the stop signs on Jefferson Road at Hancock Drive but install an extra stop sign on the stub of Hancock for the west side of Jefferson Road; and to install stop signs on Hancock Drive in both directions at its intersection with Manor; and to install a stop sign on Patriot with its intersection with Jefferson Road. You can see on the center drawing the proposed. I have drawn in the stop signs in the position that they would be located if the Board approves the proposal. In addition, I did forget one, Penn Lane at the intersection of Manor Drive which is now a 3 way intersection that is not regulated at all.

Does the Board have any questions?

SUPERVISOR FULLER: How many stop signs are presently on Jefferson? Three.

LT. VANDERBILT: Presently they are at 2 intersections -- they are at the intersection of Penn Lane and the intersection of Hancock Drive, the northern intersection of Hancock Drive -- both directions at each of those for Jefferson Road traffic. And, coincidentally we did a speed study last year and compared it to the speed of cars in 1988 when we installed the traffic control devices and we found that the speeds were greater. The average speed was well over 30 miles per hour last year and it was in the high 20 mile an hour range in 1988. This may be caused by various different reasons but evidently the stop signs did not do one of the things that the residents hoped they would do at that time which was control speed -- which is not the purpose of stop signs according to the traffic manual.

SUPERVISOR FULLER: Why would you have a stop sign on William Paca Court?

LT. VANDERBILT: Only because when we place a designation on a street which we request you do on Jefferson Road as a through street, then all intersecting streets need to be controlled as they enter that through street. And, the same for the stub of the northern stub of Hancock Drive only has 1 driveway exiting onto that but to make it conform to the standards, it would have to have a stop sign there.

COUNCILWOMAN DAVIS: And, that's the reason why you are putting one on Patriot?

LT. VANDERBILT: The same.

COUNCILWOMAN DAVIS: Even though there are no houses.

LT. VANDERBILT: I believe there may be 1 house on Patriot that exists -- the house on the southwest corner.

COUNCILWOMAN DAVIS: But, that is the explanation.

LT. VANDERBILT: Yes.

COUNCILWOMAN DAVIS: I wasn't sure why you would want one there when there really wasn't any traffic there but I assumed that it was either that or anticipating that that stub street would maybe eventually be developed.

LT. VANDERBILT: Well, that may happen but it is... the reason is to conform to the through street designation. Thank you.

SUPERVISOR FULLER: Okay. Any other questions from the Board?

Okay. Anyone wishing to speak in favor of? Mr. Kaufman sent a letter.

MR. KAUFMAN: My name is George Kaufman. I live on Hancock Drive. I want to applaud the Board and the Traffic Safety Committee for revisiting the signage along Jefferson Road and I urge the Board to adopt the proposal of the Traffic Safety Committee particularly as relates to the signage on Jefferson Road for the following reasons: 1. Visibility is not limited along Jefferson Road. There are no dangerous curves or elevation differences. Jefferson Road is a natural through street as it connects 2 collector roads, Feura Bush Road and Beacon Road. The absurdity of the current signage on Jefferson Road causes increased traffic on other neighborhood roads such as Manor and Hancock. The intersections along Jefferson Road are low impact, some involving stub streets. Signage should not be placed to discourage the use of a road. Pre-signage studies back in '88 in that area showed that most of Jefferson Road traffic originates and terminates in Bicentennial Woods. And, finally stop signs should not be used to regulate speed according to the New York State DOT Manual of Uniform Traffic Control Devices. And, in fact, the pre-signage studies that the police department and DOT conducted show the average speed on Jefferson Road was 25.45 miles per hour, about 5 miles under the legal posted speed limit. I would like to urge you to consider carefully and adopt the proposal of the Traffic Safety Committee. Thank you.

SUPERVISOR FULLER: Thank you. Is there anyone else wishing to speak in favor? There were none. Is there anyone wishing to speak in opposition?

MRS. SAATI: Hi, I am Barbara Saati and I am the one that put in the petition with the numerous signatures. I live on the corner of Manor and Hancock and I have spoken to many neighbors and unfortunately, part of the problem is that... why we get legal notices for silly things like a driveway needs to put in but not for something like this, although it was printed a lot of neighbors did not see the printed notice and are not here represented. The people that I spoke to are very angry. If you look in the police dockets or something like that, many phone calls have been made. As a matter of fact, last week by somebody on Jefferson complaining about speeding. I

understand that stop signs are not meant to stop speeding but it helps when you are talking about a through street like that and yes, it is a perfect straight away, the teenagers use this as a drag strip. There are so many little children and so many accidents, near accidents that I have witnessed. I have stood in the middle of the road asking teenagers, mostly, to slow down and I get the finger and they continue on their merry way.

The intersection, the new intersection is extremely dangerous. I sit on my corner and I sit and watch and I fear for my 3 children's lives. I have tried to explain to them about traffic safety but children are children. The stop signs may not have helped, and I understand the findings, but what I explained to the officer here is when we first did the survey about the speed limit, when I moved in there was no children over the age of 13. Well, those 13 year olds are now driving and that is part of the problem. I don't... you know, if the stop signs haven't helped it at least I can't imagine how not having the stop signs would help the problem. I only see it making it worse. Instead of them going 40 miles an hour, it is going to give them even the legal or their thinking to go even faster because they don't have to stop at all. It is a very dangerous situation. I don't know how emphatically I can say it. I don't know how much he has sat on the street and seen 25.5 miles an hour. Those may be the adults riding around but I have witnessed a lot more than that. I have seen people screeching to stop signs where they have made marks on the road. I have seen people... when my children leave their driveway, people... I have marks on my lawn from people going crazy. It is a crazy neighborhood and the situation is just getting worse. By you removing these stop signs that are already posted and by denying us the 4 way stop is going to put the children in our neighborhood in danger.

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

MR. MC CARTHY: My name is Kevin McCarthy. I live on Manor Drive, one house removed from the corner. If I could approach the Board for just a moment to talk about it. The concern I would have is 2 fold. 1. By removing the stop signs entirely from Jefferson, you then create basically a half mile straight away and that is a very nice straight away. There are no curves, no hills, nothing it is just a straight shot and it is very hard to convince people when they are looking straight down the road and they can see nothing in front of them for 1/2 mile that they have to be cautious. And, you do have a large number of houses on both sides here. Many of which have small children as this lady just mentioned. You can caution children, you can't necessarily control whether or not they go out in the road and controlling your car when a kid comes out of a driveway is just... there is no room to maneuver, we are only talking about 20 foot or so wide, residential street. There is not much maneuvering. The other point is that you are now in a situation where before Manor Drive stopped at Hancock it didn't go any place else. It basically was just a cut through and served no purpose other than for the 3, 4 or 5 houses. What you have now, anybody coming in from this end of Jefferson who wants to go to Ames, Grand Union, the small mall across the street from that, McDonalds, CVS, this provides a bit of a cut through because you are going right through here. You are not going up here and down. This also is essentially straight with the exception unfortunately of right up in here, although this is drawn straight, it curves and actually it is a bit of an "S" shape there. Visibility is not particularly good. And, if you pick up speed coming out of here, there is a tendency to kind of glance a little bit at the crossing of Hancock and just kind of zip through. I have seen a fair number of people do that and I am not even home all day, I am only home in the evening or on weekends. And, when you come in here, you don't have a good visibility on either end of this. You have a house that's right on the corner, only set back maybe 20-25 feet. You have a house on this side that has a fence which cuts down on visibility. So, since the original stop signs were put in, you now have Manor Drive coming through, instead of having a town squire shopping center on the northeast corner of 9W and Feura Bush in Glenmont, you have another shopping center on the southwest corner, over here. So, there is a tendency instead of coming out to 9W and coming over this way, you can swing from here to get there. There is

also now McDonalds, there is a CVS. A lot of traffic goes through here. And, to allow people to just scoot right through and that is a natural speedway, I don't think is a good idea at all. I would strongly suggest that at least there be stop signs here at Manor and Hancock going on -- a 4 way stop in other words -- and at least the 4 way stop be maintained at Hancock and Jefferson. I would agree coming out of the stub roads, that is marginal call. You don't pick up much speed, there is not a lot of traffic but coming through this way I would argue that you should have stop signs. Thank you.

SUPERVISOR FULLER: Thank you. Is there anyone else?

MR. MADDEN: Yes, my name is Jack Madden. I live on Penn Lane. Can I go up to the board here?

SUPERVISOR FULLER: Yes, take the mike with you.

TOWN CLERK NEWKIRK: The silver one, just slide it forward.

MR. MADDEN: Okay. My name is Jack Madden. I live right here on the corner of Penn Lane and Jefferson. I will reiterate what the previous speaker said. You know, this is a bad error taking these stop signs off. This also, by the way, is not quite a straight shot, there is a slight bend in the road here so you don't have clear sight distance all the way out to Feura Bush Road. This is a residential street, this is not 9W. The people who drive through here, it is my perception, that, you know, an increasing number of them are the housing development which is south of Beacon Road and as, again, the previous speakers have said, you know, this is an easy way for them to get out without having to fight Beacon and 9W intersection. You know, you do need a light at Beacon and 9W and that would solve some of this problem. I think then people would get out on 9W. Right now the only guarantee whether you are going to get out on 9W is to cut through on either Jefferson or Manor and then go out Feura Bush Road to 9W. This... you know, this road Jefferson, you know, it is not wide enough, you know, to have steady 30 mile an hour speed through there. I realize that is the Town speed limit but it is a residential area. You have a lot of kids on bicycles and a lot of kids playing ball in the street -- yea, I know you are not supposed to play ball in the street but when you are 9 or 10 years old and, you know, you don't have any place else to play, that's the way you do it. And, you know, those of us who live there are cognizant of that and very careful of riding through the area and aware of that, you know, that you can't really go through there 30 miles an hour. As far as the stop signs up here now, I gotta tell you, the people -- I would say that probably 1/3 of the people do not stop at all at stop signs at the corner of Jefferson and Penn, going north or south on Jefferson. You know, that I could name, you know, offenders -- like the guy who lives on the corner here and the lady who was here by car... the lady at the first house that my Toyota was rammed from behind once, so I kind of know a bit about that but anyway... I could sit there for a day and I could video tape license plate numbers of people running the stop signs. I almost got rammed trying to get out here. I was sitting, stopped at the stop sign, and a lady in a station wagon with a kid in the back and it is not to beat up on the teenagers now but a lady... a kid in the back of the station wagon and she came through Jefferson and, you know, so I am stopped already and she is roaring up, you know, and I am expecting her to stop and I pull out and there is a screech of brakes and everything and she pulls up along side of me and gets out of her car comes over yelling at me because I drove in front of her. Well, you know, I am sorry but the last I understood is that when 2 people come to a 4 way intersection with stop signs, the person who gets to the intersection first has the legal right-of-way. And, so what I am getting at here is that this is a bad idea. You are going to have some accidents. If you are lucky you won't get a kid killed but you know, you are really are endangering the children who live in this area by doing this. Thank you.

SUPERVISOR FULLER: Thank you. Last call, is there anyone else wishing to speak in opposition?

MR. COHEN: My name is Mike Cohen and just listening to this, I think a stop sign would be a really small measure to take if we are trading

off a child's life to a stop sign. It seems really silly to lose a life if we are going to have, you know... and I just want to stress that. We should be taking precautions, you know, limit the traffic and doing whatever but... I am sorry. I think that if it takes a stop sign to save a kid, then let it be a stop sign. Thanks.

SUPERVISOR FULLER: Thank you, Mike. Lt. Vanderbilt, if you would like to address the people that have just spoken in opposition, this was discussed before the Traffic Safety Committee. If you would go back to when this started, the petition that you received, the 4 way stop sign request.

LT. VANDERBILT: Yes. We discussed the request about the 4 way stop signs. We discussed the option of making Hancock a through street, for instance, and putting the stop signs the other way. And, we discussed the option of the 4 way stop signs. But, we felt that the most proper way to do it was what we have suggested.

Let me just address a couple things relative to the last gentleman's comment about the intersection of Penn Lane. The comment about 1/3 of the cars do not stop at the stop sign. It has been found and it may be in the article that I believe some of you were furnished by somebody, about stop signs and controlling speed that one of the fallacies or one of the problems with using stop signs to control speed where they would not be appropriate to control the intersection is that drivers who perceive them being placed there frivolously tend to ignore them. Also that drivers entering from other directions would expect persons to stop such as this last gentleman that spoke or the 2 gentlemen ago expected that person to stop and they did not. So, they can really be more of a hazard if they are placed in a place where they are not really appropriate per the guidelines for the use of stop signs.

Does anybody on the Board have any more questions of me?

COUNCILMAN PUTNEY: Yes, I am trying to figure out a solution that might be more universally accepted. Would it be possible to have a checker board pattern of stop signs such that, let's say, Jefferson would have a stop sign... maybe one stop sign and then be a through the next one and the cross streets have stop signs such that you do not have a totally through street but you would have, perhaps, half the distance of the full street without a stop sign and no 4 way stop signs?

LT. VANDERBILT: Anything is possible, as far as being appropriate, I really can't answer that, whatever the Board feels is the most proper thing to do is what you are going to do but we recommended what we felt was most in line with the Manual for Traffic Control devices and what we felt was best suited for the area. And, in conjunction with the regulation that we recommend tonight, I as a lieutenant in the police department who control the traffic safety officers, am going to direct them to direct their attention there 1. to control the stop signs and 2. to control the speeding.

COUNCILMAN PUTNEY: Yes.

LT. VANDERBILT: And, there always has to be an engineering and an enforcement combination to provide traffic safety. It cannot be relied upon for one of them alone to accomplish the result that is desired.

COUNCILMAN PUTNEY: In your experience, lieutenant, is there a higher percentage of people that will obey stop signs rather than speed limits. Is there some relationship between...?

LT. VANDERBILT: None that I am aware of, no.

COUNCILMAN PUTNEY: Okay, thank you.

SUPERVISOR FULLER: What has been the accident history in this area, Dick, roughly? Have you had a problem down there?

LT. VANDERBILT: I can't quote numbers but I know the accident history in this area is very low and I have heard from some

residents, such as the lady Mrs. Saati here, that there have been several near accidents. It is hard to tell what the cause of them was and some were probably people driving too fast for conditions.

COUNCILWOMAN DAVIS: Lt. Vanderbilt, this is just sort of a hypothetical question. I know that you are concerned about the diversion of traffic from Jefferson to Manor because of the stop sign on Jefferson and not on Manor, hypothetically, what if you kept the 4 way stop sign or put... added the 2, left the 2, that are currently on Jefferson and Penn and then added 2 to the intersection of Hancock and Manor -- would that possibly be a trade off so that people were going to have a 4 way either way and that way sort of a compromise and is there really a lot to gain if somebody goes in one direction rather than the other?

LT. VANDERBILT: I think you would still find that more people would take the Manor Drive because they would only have to stop once rather than twice because you would still have stop signs at Penn Lane and at Hancock Drive on Jefferson.

COUNCILWOMAN DAVIS: Well, no, because you would be eliminating the one on Jefferson and Hancock.

LT. VANDERBILT: Okay, you are saying eliminate 2.

COUNCILWOMAN DAVIS: You would still eliminate the one on Jefferson and Hancock. The one that you would.. the one that you currently have.

MRS. SAATI: Jefferson and Hancock is midway, where Penn is all the way up at the top.

COUNCILWOMAN DAVIS: Right.

LT. VANDERBILT: I think what Mrs. Saati is saying is that she believes the speed will increase if you eliminate the one in the center of the road.

COUNCILWOMAN DAVIS: Well, fine, but if we eliminate one and leave one and add one, is that a reasonable counter?

LT. VANDERBILT: That would probably equalize the flow problem but as far as the intersectional control on Hancock and Manor intersection, we feel the proper way to do it is to put the intersectional control on Manor... correction, on Hancock not on Manor.

COUNCILMAN PUTNEY: Let me try one, if I may. If you were to take your proposal, as is, and add stop signs so that there are 4 way stops at Jefferson and Hancock and Manor and Hancock, so that both Jefferson and Manor have 1 stop sign throughout their length -- do you think that that would solve the problems at all or be... I expect you would tell me that it is a less desirable.

LT. VANDERBILT: That would probably solve a great deal of the problem here. It would not be in line with the Manual of Traffic Control Devices. But, it would probably solve a majority of the problem.

COUNCILWOMAN DAVIS: Which is sort of where I am coming from. We are going to possibly keep people from going one direction rather than the other, I mean because you have pretty much an equal situation.

LT. VANDERBILT: And, people have said -- like Mrs. Saati, who basically saw no traffic past her house before, are now seeing a great deal of traffic.

COUNCILWOMAN DAVIS: I believe it.

LT. VANDERBILT: Due to the advantage of Manor Drive over Jefferson Road.

COUNCILWOMAN DAVIS: Oh, I believe it.

SUPERVISOR FULLER: But, you... part of your proposal is to equalize, to balance the traffic.

LT. VANDERBILT: Right, by eliminating stop signs on Jefferson Road.

COUNCILMAN PUTNEY: But, my suggestion would do... would equalize it.

LT. VANDERBILT: That would accomplish the same thing as far as equalization goes, yes.

MRS. SAATI: In a better way, by slowing it down. By taking it away, you are going to add the dragsters doing it at equal... where you have 2 drag strips now instead of one. This way at least we will have a midway stop on both. Although, I am sure this gentleman on Penn would not be as happy but at least to eliminate all of them on Jefferson is ludicrous.

LT. VANDERBILT: The stop... Penn Lane is really only and somebody correct me if I am wrong... 3 or 4 houses off of Feura Bush Road, if that.

MR. FLANIGAN: About 6.

COUNCILWOMAN DAVIS: About 6.

COUNCILMAN LENHARDT: Dick, excuse me, how far is it from the intersection of Jefferson and Hancock to Penn, just approximately?

MR. FLANIGAN: Basically about 1/4 mile.

LT. VANDERBILT: About a quarter of a mile.

COUNCILMAN LENHARDT: Oh, I wish you hadn't said a quarter mile.

MR. MC CARTHY: It is a half mile from...

ATTORNEY KAPLOWITZ: Mr. McCarthy, we need you to use the mike, the machine won't pick you up. It's being recorded, it won't pick you up.

TOWN CLERK NEWKIRK: It is not going to go on the record if you don't use the mike.

MR. MC CARTHY: The distance from Beacon which is at one end of Jefferson to Feura Bush at the other end of Jefferson, is about a half mile. The distance from the Jefferson/Hancock intersection to the Jefferson/Penn Lane intersection is probably -- and I am guessing here, I have never measured it -- probably somewhat less than a quarter mile, maybe 2/10s, that's an estimate, maybe less than that.

COUNCILWOMAN DAVIS: This is not an easy area to control. I mean any of us who have driven through it, biked through it, walked through it, know that it is not easy. I mean you have a lot of intersections, you have a lot of traffic, you do have a lot of people living in that area and it is not easy for you as the Traffic Safety Committee, I know, working on that to make this an ideal situation. And, it is not easy.

LT. VANDERBILT: And, that was our attempt to equalize things so people on one street wouldn't be hammered with more traffic than someone on another street.

COUNCILWOMAN DAVIS: I think that's what we would like to do.

LT. VANDERBILT: And, provide control also.

MR. MC CARTHY: Can I have the opportunity speak for one minute? I don't know what the protocol is, am I allowed to?

SUPERVISOR FULLER: I will let you. I will make one special exception.

MR. MC CARTHY: Thank you. That's what won your election.

SUPERVISOR FULLER: 2 more years.

MR. MC CARTHY: Just one point, I understand the lieutenant's point of view. There is a Uniform Traffic Control Manual in terms of how these should be properly used, how the devices are supposed to be set up and what generates certain uses and what generates other uses. On the other hand, that's where the judgement of the Board, I think, comes in as to when you have to flex a little bit. I am sure we have traffic control devices in various parts of Town that have been put in where they didn't quite meet the need means of manual or the code and I think this is one of those cases where you have to exercise judgement because couple other suggestions that have been made, I think, are very good. They would probably meet the needs to completely leave both streets with no traffic control on them at all, I think, would be a mistake. Thank you.

COUNCILMAN PUTNEY: I have one other question, if I may. This has to do with the comment about 9W and Beacon Road and Asprion Road. Do we know if the traffic level there is anywhere close to the State's level for putting in a traffic control device or have we ever petitioned the State or asked them to survey it?

LT. VANDERBILT: To my knowledge, we have not petitioned the State for that. I am aware that there has been an increase in accidents at that intersection though that may be appropriate for the Town to request the State to study that again. Mr. Herr, if you are aware if the State has looked at that?

MR. HERR: I don't know.

LT. VANDERBILT: Mr. Herr is our consultant to the Traffic Safety Committee. He is a traffic engineer.

MR. HERR: I wouldn't be surprised if somebody petitioned the State for traffic safety there. They have certain volumes, certain delays.

LT. VANDERBILT: I know that recently either the Town or the State improved the level of the intersection. Previously Beacon Road came in at a very low grade and up an embankment. Now it was brought up more gradually so that the sight distance was better at that intersection. So, it has improved somewhat the way the people can see to enter onto Route 9W.

SUPERVISOR FULLER: Any other questions from the Board? There were none. May I have a motion to close the public hearing?

The motion was made by Mrs. Davis and seconded by Mr. Putney to close the public hearing at 8:17 p.m. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Putney, Mr. Lenhardt, Mrs. Davis,
Mr. Johnson.

Noes: None.

Kathleen A. Newkirk
Town Clerk

Supervisor Fuller asked if the Board wished to vote on this Local Law. She asked if we are legally allowed to vote on Councilman Putney's proposal. Attorney Kaplowitz said the recommendation fits within the scope of the notice and therefore, another public hearing would not have to be held. He said it concerns the same intersection and can be acted upon.

The motion was made by Mr. Putney and seconded by Mr. Lenhardt to adopt Local Law No. 4 of 1996 amending the Town of Bethlehem Code, Vehicle and Traffic in the following manner:

Adopted Local
Law NO. 4
of 1996
amending
Bethlehem
Vehicle and
Traffic

Under Section 119-33, Schedule VII, Stop Intersections

ADD:

Four way stop intersection at Jefferson Road and Hancock Drive;
Four way stop intersection at Hancock Drive and Manor Drive;
Add stop sign at Penn Lane at its intersection with Manor Drive; and
Add stop sign at Manor Drive at its intersection with Jefferson Road.

DELETE:

Stop signs on Jefferson Road at Penn Lane in both directions.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Putney, Mr. Lenhardt, Mrs. Davis,
Mr. Johnson.

Noes: None.

- - -

Councilman Johnson had a question for Lt. Vanderbilt. He noted the Traffic Safety Committee has spent quite a bit of time on this. He asked as a professional, respecting his opinion, for his advice on the proposal. Lt. Vanderbilt said this will probably accomplish what the residents want somewhat in compliance with the Traffic Safety Committee. Supervisor Fuller and Councilman Putney noted this would equalize the traffic. Lt. Vanderbilt agreed. Supervisor Fuller thanked Lt. Vanderbilt.

Councilman Lenhardt asked if the additional stop intersection on Manor and Jefferson, even though it is not a through street in this new proposal, is it still warranted. Lt. Vanderbilt said it is since a lot of traffic will be traveling on Manor Drive. Councilman Lenhardt said that was fine.

Hearing began: 8:20 p.m.

Public hearing
amending town
code yield
intersections
Kenwood Avenue
at rt. 32

SUPERVISOR FULLER: Ask the clerk to read the call of the next public hearing amending the Town Code, Yield Intersections, Kenwood Avenue at Route 32, Glenmont.

TOWN CLERK NEWKIRK:

NOTICE OF 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 March 13, 1996 at 8:00 p.m. at the Town Hall, 445 Delaware Avenue, Delmar, NY to consider proposed Local Law No. 5 of 1996, amending Chapter 119, Chapter 34, Yield Intersections pertaining to Kenwood Avenue at Route 32, Glenmont.

All parties in interest 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
TOWN CLERK

- - -

State of New York)
County of Albany)

MARY AHLSTROM of the Town of Bethlehem, being duly sworn, says that she is the Assistant Publisher of 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 28 day of February 1996.

/s/ Mary A. Ahlstrom

Sworn to before me this 4th day of March 1996.

/s/ Kathryn Olsen
Notary Public, Albany County

- - -

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 February 28, 1996, 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
5th day of March 1996.

/s/ Catherine T. Picarazzi
Notary Public

- - -

The motion was made by Mrs. David and seconded by Mr. Lenhardt 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. Putney, Mr. Lenhardt, Mrs. Davis,
Mr. Johnson.

Noes: None.

- - -

SUPERVISOR FULLER: Lt. Vanderbilt.

LT. VANDERBILT: I promise this will be much less controversial.

SUPERVISOR FULLER: I am sure it will be.

LT. VANDERBILT: We only received one comment on this but I have also noticed in the past this may be a problem. We have the Delmar Bypass at Kenwood Avenue. Traffic coming south on the bypass exits on a ramp which merges with Kenwood Avenue traffic. Presently this merge is not regulated. The request that we received requested that we some way assign intersectional control to that merge of that ramp. Even though traffic normally yield to traffic entering from the right, we felt that we could put a stop sign here with good conscience since it does fit the confines of the manual, Traffic Control Devices and that is what we thus recommend to put a yield sign for traffic on this portion of Kenwood Avenue which is not really that awful much traffic flow because most traffic coming onto Kenwood is coming this way, not this way. So, we recommend a yield sign here.

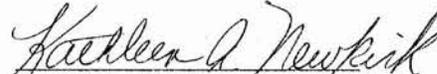
SUPERVISOR FULLER: Those wishing to speak in favor. There were none. Those wishing to speak in opposition. There were none.

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 at 8:29 p.m. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Putney, Mr. Lenhardt, Mrs. Davis,
Mr. Johnson.

Noes: None.


Town Clerk

Supervisor Fuller asked for a motion to adopt Local Law No. 5 of 1996.

Adopt Local Law No. 5 of 1996 amending Code of Town Article VI Yield intersections on Kenwood Avenue at the Westbound ramp from RT 32 at Glenmont

The motion was made by Mr. Putney and seconded by Mr. Johnson to adopt Local Law No. 5 of 1996 amending the Code of the Town of Bethlehem, Article VI, Section 119-11, Schedule 119-34, Yield Intersections to add a yield intersection on Kenwood Avenue at the westbound ramp from Route 32 at Glenmont. The motion was passed by the following vote:

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

Supervisor Fuller noted the second part of the request from the Traffic Safety Committee was not included in the notice of public hearing. The Memorandum from Lt. Vanderbilt noted a request for a change in Schedule 119-32, Through Streets to designate Brockley Drive as a through street with stop signs placed on Grantwood Road, Summit Road and Frederick Place at their respective intersections with Brockley Drive. She noted this needs to be set for public hearing.

Set Public Hearing on April 10 Local Law No. 6 of 1996 amending code designate Brockley Drive as through Street

The motion was made by Mrs. Davis and seconded by Mr. Putney to set a public hearing on April 10, 1996 at 7:30 p.m. to consider Local Law No. 6 of 1996 amending the Code of the Town of Bethlehem, Schedule 119-32, Schedule VI, Through Streets, to designate Brockley Drive as a through street with stop signs placed on Grantwood Road, Summit Road and Frederick Place at their respective intersections with Brockley Drive. The motion was passed by the following vote:

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

Supervisor Fuller thanked Lt. Vanderbilt. Councilwoman Davis had a question for Lt. Vanderbilt regarding this item. She asked if there were requests from that neighborhood for this. Lt. Vanderbilt said requests from the people not on Brockley Drive but from the development to the west, Brookfield Development had been received. He said there are some sight distance problems getting out of Grantwood and Summit onto Brockley. Councilwoman Davis said these corners really do have sight distance problems. Lt. Vanderbilt said they felt by putting stop signs there, people would stop and pull up closer to the intersection. He said they are also working through the Highway Department and the Building Department with the landowners to trim whatever shrubbery is on the right-of-way to increase the sight distance. Supervisor Fuller asked if there is a way that people are notified in these areas other than in the Spotlight, further asking if they have come to the Traffic Safety Committee. Lt. Vanderbilt said they have had 2 requests relative to this. He said, if the Board would like, he could make personal contact with the people. Supervisor Fuller said to please contact at least the 2 that had come in and perhaps they would notify their neighbors. Councilwoman Davis said she thought there was a request for a stop sign at Brockley Drive also. Lt. Vanderbilt said he did not recall any for Brockley. Supervisor Fuller noted the Spotlight will be asked to put a story in their paper. She thanked Lt. Vanderbilt.

Parks and Recreation agreement with Helderberg Workshop

Supervisor Fuller said the next item is a recommendation from David Austin, Administrator, Parks & Recreation Department, for authorization of Supervisor to sign Agreement with Helderberg Workshop. She noted this allows for reimbursement to the Town for use of the Bethlehem Central School District buses. She said this program benefits residents of our Town and Voorheesville.

The motion was made by Mr. Johnson and seconded by Mr. Lenhardt to authorize the Supervisor to sign an agreement with Helderberg Workshop. The motion was passed by the following vote:

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

The following item was a recommendation from David Austin, Administrator, Parks & Recreation Department, for authorization of Supervisor to sign Agreement for Clarksville Playground. The Supervisor noted the Town of New Scotland will reimburse the Town for this playground program that takes place at the Clarksville school. Supervisor Fuller noted this is of no cost to the Town.

Parks and
Recreation
agreement for
Clarksville
Playground

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to authorize the Supervisor to sign an agreement for the Clarksville Playground. The motion was passed by the following vote:

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

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

Parks and
Recreation
Seasonal
personnel

The motion was made by Mr. Putney and seconded by Mr. Johnson to approve the appointment of seasonal personnel as listed on the Memorandum from David Austin, Administrator of Parks and Recreation Department dated March 13, 1996 at the titles and rates indicated. The motion was passed by the following vote:

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

The following item was a recommendation from the Engineering Division, Department of Public Works, for change of house number on Sylvan Avenue, Delmar.

Department of
Public Works
change of house
numbers on
Sylvan Avenue

The motion was made by Mr. Lenhardt and seconded by Mr. Putney to approve the change of house number from 11 Sylvan Avenue to 9 Sylvan Avenue. The motion was passed by the following vote:

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

The next item was a request from Commissioner of Public Works, Bruce Secor, for approval to attend the North American Society for Trenchless Technology Conference to be held in Louisiana, March 31, 1996 through April 3, 1996.

Public Works
Bruce Secor
to attend North
Society for
Trenchless
Technology
conference in
Louisiana

The motion was made by Mrs. Davis and seconded by Mr. Putney to approve the request of Commissioner of Public Works, Bruce Secor, for attendance at the North American Society for Trenchless Technology Conference to be held March 31 through April 3, 1996 at Louisiana. The motion was passed by the following vote:

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

Supervisor Fuller noted this technology has saved the Town quite a bit of money with the sewer system and she hoped Mr. Secor will come back with more savings for the Town.

Public Works
scheduling
Public Hearing
regarding
proposed Sewer
District Extension
Wildwood Sub-
division

The next item was a request from Bruce Secor, Commissioner of Public Works, for acceptance of petition and scheduling of public hearing regarding Proposed Sewer District Extension, Wildwood Subdivision. Supervisor Fuller said this is for Mr. and Mrs. Crisafulli. She said it will be paid for by them. She said a public hearing must be held.

The motion was made by Mr. Putney and seconded by Mrs. Davis to set a public hearing for April 10, 1996 at 7:45 p.m. regarding proposed sewer district extension for the Wildwood Subdivision. The motion was passed by the following vote:

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

Highway
Superintendent
award bid for
Hazardous Waste
contract to
Clean Harbor
Environmental
Services

The next item was a recommendation from Gregg Sagendorph, Highway Superintendent, for award of bid for the Household Hazardous Waste Day contract to Clean Harbor Environmental Services, Glenmont, NY and authorization of the Supervisor to sign a resolution permitting application for grant money to conduct said day.

The motion was made by Mr. Lenhardt and seconded by Mr. Johnson to award the contract for the Household Hazardous Waste Day to Clean Harbor Environmental Services, Glenmont, NY and authorize the Supervisor to sign a resolution permitting application for grant money to conduct said day. The motion was passed by the following vote:

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

Acknowledgement
of receipt of
annual Franchise
fee for 1995
from Mid-Hudson
cablevision

The next item was acknowledgement of receipt of the Annual Franchise Fee for 1995 from Mid-Hudson Cablevision, Inc., in the amount of \$86.52.

Approve change
of street name
Vadney Road to
Valention Lane

The next item was to remove from table and approve a change of street name for Vadney Road, Glenmont to Valentino Lane. Supervisor Fuller asked for a motion to remove from the table the request for change of street name.

The motion was made by Mr. Putney and seconded by Mr. Lenhardt to remove from table and consider request for street name change for Vadney Road, Glenmont to Valentino Lane. The motion was passed by the following vote:

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

Discussion
of street change
of name.

Discussion followed pertaining to the change of name. Councilman Johnson asked what happens at this step. Supervisor Fuller noted the change had come from the Engineering Department. She said she has requested repeatedly of the Engineering Department to contact the residents to ask them about a change in name for their address. She noted in this particular area, Vadney Road, there presently are no houses on the road. She said there are 2 homes on the corner of Chapel Lane. These residents were contacted and in turn they spoke with a resident who is recently widowed who suggested

Valentino Lane in honor of her late husband. This was then turned over to the Engineering Department, Mr. Ritz. In regard to this item coming to the Board, there was a discussion raising another name for the people who have developed this area. Supervisor Fuller then approached the people who suggested Valentino Lane and thus she is asking for approval to change the name to Valentino Lane.

The motion was made by Mrs. Fuller to approve the change of name for Vadney Lane, Glenmont to Valentino Lane. The motion was seconded by Mr. Putney and passed by the following vote:

Ayes: Mrs. Fuller, Mr. Putney, Mr. Lenhardt, Mr. Johnson.
Noes: None.
Abstain: Mrs. Davis.

Councilman Lenhardt questioned about the houses on the corner, asking if either of those individuals are the woman whose husband passed away. Supervisor Fuller said she lives on Chapel Lane. Councilman Putney asked if this was requested because there is another Vadney in town. Supervisor Fuller said there was, Vadney out off of Vandyke Road in Delmar.

The next item was a request from John Flanigan, Building Inspector, pertaining to maximum accumulation of sick days. Supervisor Fuller explained this is something that has been discussed with Comptroller, Judi Kehoe. She said basically the employees in Town government once they have accumulated 140 sick days, that is the maximum allowed. New York State offers a maximum of 165 days and this is a request to approve going from 140 to 165 days. Supervisor Fuller said basically it is to be used with the retirement system. The cost is insignificant according to Supervisor Fuller. Comptroller Kehoe has submitted a memo in support of this change.

John Flani
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Councilman Lenhardt noted this was coming from Mr. Flanigan's department because he is faced with people who fall into this category. Mr. Flanigan said this was correct and noted there is about 8 or 10 employees who are at the maximum. He said most of these have been at the maximum since last August and, therefore, they are losing days. He said having been at a couple seminars with the State, he learned the State allows up to 165 days. He also noted there is no pay back with this time, it simply applies at the time of retirement. Councilman Lenhardt said he was just curious because he thought something like this would come from the Personnel Committee. Supervisor Fuller said this will come from the Personnel Committee, the personnel manual is being rewritten at this time. Councilman Lenhardt noted this is supported by Comptroller Kehoe.

Councilwoman Davis asked if this could be used toward health insurance. Mr. Flanigan said it cannot. He said this would be something different.

Councilman Johnson noted he thinks the nice thing about it is it rewards the person who comes to work every day. Supervisor Fuller said it is a very nice place to work.

The motion was made by Mr. Lenhardt and seconded by Mr. Johnson to approve the increase from 140 maximum number of sick days to 165 maximum days of accumulated sick leave for Town of Bethlehem employees, retroactive to January 1, 1996. The motion was passed by the following vote:

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

Supervisor Fuller next acknowledged the election of Building Inspector, John Flanigan, as the 5th Vice President of the

Acknowledgement

of John Association of the Town of the State of New York. She congratulated
 Flanigan as Mr. Flanigan.
 5th Vice
 President

of the Association
 of Towns

 The next item was to approve the Town Board minutes of January 2
 and January 10, 1996.

Minutes
 approved
 January 2 and
 10, 1996

The motion was made by Mr. Putney and seconded by Mrs. Davis to
 approve the minutes of the Town Board for January 2 and January 10,
 1996 as submitted. The motion was passed by the following vote:

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

Request from
 Engineering
 Division Public
 Works to go to
 bid for Pipe
 and Pipe Arch,
 Corrugated
 Aluminum Pipe
 and Plastic
 Pipe

 The final item on the Town Board agenda was a request from
 Engineering Division, Dept. of Public Works, for approval to go to
 bid for Metal Pipe and Pipe Arch, Corrugated Aluminum Pipe and
 Plastic Pipe. Could advertise March 20, 1996 and open bids April 1.

The following resolution was offered by Mr. Lenhardt and
 seconded by Mr. Putney:

WHEREAS, the Town desires to advertise for bids for Metal Pipe
 and Pipe Arch, Corrugated Aluminum Pipe and Plastic Pipe for the
 period April 15, 1996 through April 14, 1997, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise
 for such bids in THE SPOTLIGHT issue on the 20th day of March, 1996
 and that bids be received up to 2:00 p.m.; 2:10 p.m.; and 2:25 p.m.
 respectively on the 1st day of April, 1996 at which time the bids
 will be publicly opened and read.

The resolution was adopted by the following vote:

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

Executive
 Session
 discuss
 pending
 litigation
 No action
 was taken

 Supervisor Fuller asked if anyone wished to address the Board.
 There were none. She thanked everyone for coming and asked for a
 motion to adjourn to Executive Session to discuss pending
 litigation. The motion was made by Mr. Putney and seconded by Mr.
 Lenhardt to approve meeting in Executive Session following the close
 of the regular Town Board meeting to discuss pending litigation. The
 motion was passed by the following vote:

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

 The motion was made by Mr. Lenhardt and seconded by Mr. Johnson
 to adjourn the regular Town Board meeting at 8:45 p.m. The motion
 was passed by the following vote:

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

Kathleen A. Newkirk
 Town Clerk

EXECUTIVE SESSION

There was no formal action taken at the Executive Session.