

TOWN BOARD
MAY 26, 1993

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: Kenneth J. Ringler, Supervisor
Frederick C. Webster, Councilman
M. Sheila Galvin, Councilwoman
Charles Gunner, Councilman
Sheila Fuller, Councilwoman
Bernard Kaplowitz, Esq., Town Attorney

Kathleen A. Newkirk, Town Clerk

- - -

SUPERVISOR RINGLER: I would like to call the meeting to order. This is a regular meeting of the Bethlehem Town Board. This is not a public hearing this evening but, as with usual practice, if anyone has any questions regarding anything on our agenda, as the Board finishes their discussion, if you have a question, if you raise your hand, I will recognize you as time permits. At the end of the meeting, anyone who would like to bring anything to the attention of the Board may do so.

First item on our agenda tonight is a recommendation from the Supervisor pertaining to signing of the Bethlehem Community Partnership pledge. Before I get into that, I do have a couple of videos that I would like to show the Board tonight and those in attendance. The Bethlehem Community Partnership consists of various community peoples, parents, business people, government people, Police officers and so forth and we have all been working towards the same goal of attacking a problem that all communities have these days and that is the abuse of drugs and alcohol. One of the subcommittees that worked on the project decided that we wanted to get the message to parents that seems to be missing on many occasions. And, that is what really is happening in our Town and what the effects of their actions or inactions might be. So, the group produced a video tape which is now in mass production and being distributed throughout the community giving that message.

Sign
Community
Partnership
Pledge

The first clip I would like to show you is a clip that Channel 10 news did a couple of weeks ago on the 11 o'clock news and I figured not many of us stay up that late any more so, we would like to look at that first. If you could, the power button on the TV first of all and then the play button.

(The video of the Channel 10 News at 11 o'clock was played)

And, now I would like to show the tape, if we can stop that one.

(The Bethlehem Community Partnership video was then shown.)

This tape was funded from grants from Stewart's and our Police Union and Bethlehem Opportunities Unlimited and Stop DWI from Albany County.

I think it is a very powerful message and Holly Billings is here really trying to push this through. Holly, thank you so much.

The first item on the agenda is a pledge for the Bethlehem Community Partnership has asked all organizations to take action on and officially endorse this pledge which states:

As part of the Bethlehem Community, we commit our organization to promoting healthy life styles for our youth, combating underage drinking and illegal drug use and intervening in situations where underage drinking and illegal drug use occur.

Very short but again, a very powerful message.

I would entertain a motion to authorize me to sign this on behalf of the Town Board.

The motion was made by Mrs. Fuller and seconded by Ms. Galvin to authorize Supervisor Ringler to sign the Bethlehem Community Partnership pledge. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Ms. Galvin,
Mrs. Fuller.

Noes: None.

SUPERVISOR RINGLER: Thank you, thank you Holly.

SUPERVISOR RINGLER: The next item on our agenda is a request from Chief LaChappelle for approval of Officer Vunck to attend the 16th annual Vehicular Homicide and DWI Conference to be held July 18-22, 1993 with expenses paid and this comes from Stop DWI funds.

Annual
Vehicular
Homicide
and DWI
Conference
Police Dept.

The motion was made by Ms. Galvin and seconded by Mr. Webster to approve Officer Vunck attending the 16th Annual Vehicular Homicide and DWI Conference to be held July 18-22, 1993 with expenses paid from Stop DWI funds. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Ms. Galvin,
Mrs. Fuller.

Noes: None.

Seminar
North American
Police Work
Dog Assoc.

SUPERVISOR RINGLER: Next I have a request, again, from the Chief for approval of K-9 Officer LaChappelle and Grando to attend the North American Police Work Dog Association National Seminar to be held June 18-26, 1993 in New London, CT with expenses paid and this is coming from the special drug account. This is required training for Grando to keep his certification in place.

The motion was made by Ms. Galvin and seconded by Mr. Gunner to approve the attendance of K-9 Officer LaChappelle and Grando at the North American Police Work Dog Association National Seminar to be held June 18-26, 1993 at New London, CT with expenses paid from the special drug account. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Ms. Galvin,
Mrs. Fuller.

Noes: None.

Police
Training
Seminar
Search and
Seizure Law

SUPERVISOR RINGLER: Next a request from Chief LaChappelle for approval of Sergeants Roberts, Corsi, Kerr, Beebe, Detective Supervisor Cox and K-9 Officer LaChappelle to attend a training seminar on search and seizure law to be held June 3 or 10, 1993 with registration fee of \$20. paid and the use of a police vehicle.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to approve the attendance of Sergeants Roberts, Corsi, Kerr, Beebe, Detective Supervisor Cox and K-9 Officer LaChappelle at a training seminar on Search and Seizure Law to be held June 3 or 10, 1993 with registration fee of \$20. paid and the use of a police vehicle for transportation. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Ms. Galvin,
Mrs. Fuller.

Noes: None.

Reimburse
Police Officer
for Seminar
on Bicycle
Safety

SUPERVISOR RINGLER: Next a request from Chief LaChappelle for reimbursement of registration fee to Traffic Safety Officer Vunck for his attendance at a one day seminar on Bicycle Safety at the Schenectady Community College which was held today.

The motion was made by Mr. Webster and seconded by Mr. Gunner to approve the reimbursement of registration fee to Traffic Safety Officer Vunck for his attendance at a one day seminar on Bicycle

Safety held at the Schenectady Community College on May 26, 1993.
The motion was approved by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Ms. Galvin,
Mrs. Fuller.
Noes: None.

SUPERVISOR RINGLER: I have a recommendation from Mr. Austin,
Administrator of Parks & Recreation, pertaining to bonding for tennis
court reconstruction at the Elm Avenue Park including also a request
from Mrs. Kehoe for approval and issuance of the bond anticipation
note. I will read the memo into the record.

DATE: May 20, 1993
TO: Kenneth J. Ringler, Jr., Members of the Town Board
FROM: David Austin, Administrator
RE: Bonding for Tennis Court Reconstruction

Discussion
Bonding
Tennis
Court
Reconstruction
Elm Ave Park
and
Issuance of
Bond
Anticipation
Note

As you may be aware, four tennis courts at Elm Avenue Park which
were constructed in 1972, are in need of major repairs. The sub-base
under the courts has deteriorated and shifted causing large surface
cracks, depressions and humps in the courts, and upheaval of the net
posts. To correct these problems the surface and sub-base must be
removed, the clay base needs to be re-graded, new drains installed,
and a new sub-base and surface must be applied. The other four
tennis courts were reconstructed in this manner in 1985 and are in
excellent condition.

The surrounding fence is also in very poor condition. Posts are
heaving and leaning and the fabric is rusting with many gaps.

The amount being requested should adequately cover the cost of
the court reconstruction and new fencing.

Funds for this project have been requested in the 1990 and 1991
budgets and were eliminated. The project has also been submitted to
the Capital Projects committee in 1991 and received the second
highest priority rating among 14 projects.

I strongly urge you to approve this funding to continue to
maintain the quality recreational facilities that we presently have,
and also to avoid future liability problems.

Thank you for your consideration.

Questions?

COUNCILWOMAN GALVIN: Was this considered -- I don't recall it when
we were discussing the '93 budget specifically in the terms that it
is presented here?

SUPERVISOR RINGLER: It was discussed at the Capital Improvements.

COUNCILWOMAN GALVIN: But not...

SUPERVISOR RINGLER: Funding of it would be next year, okay.

COUNCILWOMAN GALVIN: I notice that it was... the project was
requested in '90 and '91, it wasn't requested in '92.

MR. AUSTIN: That is correct, Sheila.

COUNCILWOMAN GALVIN: I went back and checked and couldn't find it.

MR. AUSTIN: Right. We had a feeling about possibly bonding it at
that time but the Town's financial status at that time was really
poor, so we tried to put it off.

COUNCILWOMAN GALVIN: It was strictly financial reasons within the
Town that it was put off for or it wasn't...

MR. AUSTIN: Yes.

SUPERVISOR RINGLER: Yes, the last 3 years were those uncertain years.

COUNCILWOMAN GALVIN: I was wondering why it wasn't in the '92 consideration.

MR. AUSTIN: I think I was told to try to keep my budget the same as the previous year.

SUPERVISOR RINGLER: I think you were, definitely told that.

MR. AUSTIN: I am pretty sure that was why I didn't request it.

COUNCILMAN GUNNER: In your Capital Projects budget schedule, though, you did schedule it for 13 years to do these courts at \$12,000 a year.

MR. AUSTIN: That would be for the next time it needs to be done, Charlie. Capital Projects fund that we try to set up which we did put money in our budget last year, is in a Capital Reserve account now. There is also funds in this year's budget for that same type of thing. That would be for future repairs.

SUPERVISOR RINGLER: You may recall, as we started that Charlie, we had... when we discussed that, we said we don't want to get in the position, hopefully, in the future where we have to borrow. Okay, but this one was one that already needed being done now. And, so... the Capital Reserve fund is for when this would have to be done again.

COUNCILMAN GUNNER: Okay, so this \$12,000. will show up in your budget for the next 13 years.

SUPERVISOR RINGLER: Yes.

MR. AUSTIN: That is correct.

COUNCILWOMAN GALVIN: What is the bottom line for this that you anticipate the total cost being?

MR. AUSTIN: It is hard to give an exact amount without actually going out to bid, Sheila, because I guess...

COUNCILWOMAN GALVIN: What is your budget estimate?

MR. AUSTIN: About \$140,000. We got those estimates from -- I had Chris Madden meet with me from Callanan's who did the work previously at the park -- he has looked at the job, he has gave us like a ball park estimate, what he thought it would be. I also had fencing contractors give us ball parks on the fencing work.

COUNCILWOMAN FULLER: Dave, on your Capital Projects sheet, you have here tennis court reconstruction, courts 1 through 4. Funds to be requested in each year's budget to be placed in the Capital Repair fund, \$8,000 for 20 years.

MR. AUSTIN: Yes.

COUNCILWOMAN FULLER: You are showing the projected cost at \$290,000., that is at the 6 percent rate of inflation.

MR. AUSTIN: I think I projected interest from year when it would come to that.

MRS. KEHOE: Interest earned on reserve. Yes.

MR. AUSTIN: Yes.

COUNCILWOMAN GALVIN: The \$140,000. is strictly construction costs, you haven't figured in any of the bonding costs or any of the other...

MRS. KEHOE: No and there shouldn't be bonding costs, this would just be the interest on the note.

COUNCILWOMAN GALVIN: Yes.

SUPERVISOR RINGLER: We are hoping -- and in the discussions with Judi is -- that we are going to do this with BANs and if the financial picture is good, to have this paid off in 2 years. Okay, so we don't have to get in the long term indebtedness.

COUNCILMAN GUNNER: That and with the program of balanced payments so you have a reserve already to do it, if we could stick that out as a community, we are really going to save money, considerable money.

MR. AUSTIN: Yes, I think if you commit to that every year you are going to be better off in bonding these projects.

COUNCILMAN GUNNER: And, you probably have to trace along with the interest rates. Right now they are good but...

MR. AUSTIN: Yes.

COUNCILMAN GUNNER: Could be higher.

MRS. KEHOE: Could be, probably will be.

COUNCILWOMAN GALVIN: What is the status of your highest priority project among the 14?

SUPERVISOR RINGLER: It was done, wasn't it, wasn't that the sewage treatment plant.

MR. AUSTIN: I think it was.

SUPERVISOR RINGLER: As I recall.

MR. AUSTIN: What was our number 1 priority?

COUNCILWOMAN GALVIN: Was that the sewage treatment plant?

MR. AUSTIN: Capital Projects?

MR. SECOR: Well, they were broken between departments. Number 1 in the sewer was to rebuild...

SUPERVISOR RINGLER: No, the number 1 overall, I believe, was the sewage treatment plant and that is the one we have already gone to bid on.

COUNCILWOMAN GALVIN: We are not talking about another one, other than that?

SUPERVISOR RINGLER: Not at this point. I mean, that is only as a guideline anyway so that when we make specific decisions, that we know where it fit in with everything else.

COUNCILWOMAN GALVIN: So, it is helpful to know if the number 1 is going to sneaking back at us.

SUPERVISOR RINGLER: We won't sneak it back.

COUNCILMAN WEBSTER: The CAD system was up there too.

COUNCILWOMAN GALVIN: They slop.

SUPERVISOR RINGLER: It could have been the CAD system too, as I recall.

COUNCILWOMAN FULLER: It is the CAD system.

COUNCILWOMAN GALVIN: I went back and looked in...

MRS. KEHOE: Last year it was the CAD system in 1992.

SUPERVISOR RINGLER: '92 was the CAD system.

MRS. KEHOE: The sewage treatment was '91.

SUPERVISOR RINGLER: Right, that is right.

COUNCILMAN WEBSTER: Yes, I remember that.

SUPERVISOR RINGLER: Any other questions? Okay, first item then will be authorize to go to bid on this.

The following resolution was offered by Mr. Webster and seconded by Mrs. Fuller:

WHEREAS, the Town desires to advertise for bids for the reconstruction of tennis courts at the Elm Avenue Park, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the day of , 1993 and that bids be received up to p.m. on the day of , 1993 at which time the bids will be publicly opened and read.

The resolution was adopted by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Ms. Galvin,
Mrs. Fuller.
Noes: None.

- - -

SUPERVISOR RINGLER: Second would be the motion on the bond resolution.

A Resolution Authorizing the Issuance of
a Bond Anticipation Note

Resolution
Approving
Bond Anticipation
Note for
Construction
of Tennis
Courts at
E.A.P.

The Town Board of the Town of Bethlehem, duly convened in regular session, does hereby resolve as follows:

Section 1. Pursuant to, and in accordance with the provisions of the New York Local Finance Law, the Supervisor of the Town of Bethlehem be and he hereby is authorized and empowered to issue and sell, in the manner provided by the Local Finance Law, a bond anticipation note of the Town of Bethlehem in an amount not exceeding \$150,000, at such rate of interest as the said Supervisor of the Town of Bethlehem shall prescribe.

Section 2. This Resolution shall take effect immediately, subject to a Permissive Referendum.

- - -

SUPERVISOR RINGLER: Thank you, David, Judi.

Budget
Transfer
Comptroller
Rabies
Immunization

SUPERVISOR RINGLER: Okay, next a request from Judith Kehoe, Comptroller, for budget transfer to provide for immunizations required for rabies vaccines.

The motion was by Mrs. Fuller and seconded by Mr. Webster to approve the budget transfer to provide for immunizations required for rabies protection. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Ms. Galvin,
Mrs. Fuller.
Noes: None.

- - -

SUPERVISOR RINGLER: That is \$3,000. We are giving rabies vaccines -- just for information, our Police officer in contact and several people from the Highway Department now who are getting involved in road kill and so forth. This is something, as you can read in the paper, that is becoming a real serious problem and something that all of our residents should be very, very careful about. You see these animals, in the day time in particular, acting very strange, I hope

people are contacting us because we have been out there destroying raccoons almost on a daily basis that are roaming the streets and so forth.

COUNCILWOMAN GALVIN: While we are on the subject, one point that I think should be made is that you do hire a private contractor, even if it is on the weekend, you have to try and reach that private contractor first before our Town people will get involved. I know I had that instance specifically. We had spotted a raccoon wandering about during the day time and it was not located by our Animal Control Officer and therefore, I hired a private contractor whose answering service was not available on the weekend. And, when I called about it, I was told that we had to have the private contractor -- find a way to reach the private contractor before our Town people would get involved.

SUPERVISOR RINGLER: That is incorrect information, whoever gave that to you.

COUNCILWOMAN GALVIN: The Animal Control Officer.

SUPERVISOR RINGLER: Well, the Police will respond on a weekend.

COUNCILWOMAN GALVIN: I called them, they sent him.

SUPERVISOR RINGLER: We will check into that.

COUNCILWOMAN GALVIN: He told me to call the contractor, which I did and the problem...

SUPERVISOR RINGLER: How long ago this happen, Sheila?

COUNCILWOMAN GALVIN: Sunday.

SUPERVISOR RINGLER: Okay. We will find out what happened because that is not the way it should be handled.

SUPERVISOR RINGLER: Next a request from Judith Kehoe, Comptroller, for approval to attend a one day seminar on Cable Television, June 23rd to be held at Adirondack Community College in Glens Falls.

Seminar
Cable T.V.
Comptroller

The motion was made by Mr. Gunner and seconded by Ms. Galvin to approve the attendance of Judith Kehoe, Cable Administrator, at a one day seminar on Cable Television to be held June 23, 1993 at the Adirondack Community College, Glens Falls, New York. The motion was approved by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Ms. Galvin, Mrs. Fuller.

Noes: None.

SUPERVISOR RINGLER: Next a request from Judith Kehoe for approval of budget transfer. During the State Comptroller's office review of our 1992 annual report, they requested that we change our existing classification of installment loan payments. We had been charging payments to the department that benefited from the equipment being leased, they want us to charge the payments to debt service, splitting the amounts between principal and interest. To comply with the request, I need the Board's approval to make the following budget transfer to reduce the departmental budgets and increase the debt service items. And, instead of reading all them, does anyone have any questions?

Budget
Transfer
Comptroller

The motion was made by Mrs. Fuller and seconded by Mr. Webster to approve the budget transfers as follows:

<u>Incr/Decr</u>	<u>Acct.</u>	<u>Acct. Title</u>	<u>Amount</u>
Increase	A-9785-6	Principal	\$35,000
Increase	A-9785.7	Interest	6,700

<u>Incr/Decr</u>	<u>Acct.</u>	<u>Acct. Title</u>	<u>Amount</u>
Decrease	A-3120.4	Police Contractual	2,100
Decrease	A-1620.4	Shared Svc.Contr.	15,600
Decrease	A-1680.2	Computer Contract.	24,000
Increase	F-9785.6	Principal	2,420
Increase	F-9785.7	Interest	680
Decrease	F-8310.4	Water Contractual	3,100
Increase	G-9785.6	Principal	2,420
Increase	G-9785.7	Interest	680
Decrease	G-8110.4	Sewer Contractual	3,100

The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Ms. Galvin,
Mrs. Fuller.
Noes: None.

COUNCILWOMAN GALVIN: I have one question.

SUPERVISOR RINGLER: Yes.

COUNCILWOMAN GALVIN: I notice that we had sewer contractual and water contractual, do these in any way relate to the questions that are regularly raised by Sherwood Davies in terms of allocation of expenses?

MR. SECOR: No.

Approve
Minutes
April 28,
May 12, 1993

SUPERVISOR RINGLER: Next I would entertain a motion to approve the Board minutes of April 28 and May 12th unless there are questions, we will do them together.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to approve the Town Board meeting minutes of April 28, 1993. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Ms. Galvin,
Mrs. Fuller.
Noes: None.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to approve the Town Board meeting minutes of May 12, 1993. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Ms. Galvin, Mrs. Fuller.
Noes: None.
Abstain: Mr. Gunner.

SUPERVISOR RINGLER: Did you note the abstention?

TOWN CLERK NEWKIRK: Yes.

Approve
Seasonal
Personnel
Parks & Rec.
Dept.

SUPERVISOR RINGLER: Next a request from David Austin, Administrator of Parks & Recreation, for approval of seasonal personnel as per the attached list. Usual question?

COUNCILWOMAN GALVIN: Yep. On page 1, the second one on page 1 and the last one on page 2.

MR. AUSTIN: Lisa Wood, Sheila, is an ex-resident who taught swimming for us for a number of years and she is going to be working on a part time capacity, if needed. Couple qualified people who work part time for us. Donna McAndrews, is really -- she is going to be working in

a supervisory position. She really is the only qualified applicant we have left.

SUPERVISOR RINGLER: She again, is a resident just moved out of Town, right?

MR. AUSTIN: Right.

SUPERVISOR RINGLER: Okay? Motion.

The motion was made by Mr. Webster and seconded by Mrs. Fuller to approve the appointment of seasonal personnel as listed on the memorandum dated May 26, 1993 from David Austin, Administrator of Parks and Recreation. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Ms. Galvin,
Mrs. Fuller.

Noes: None.

SUPERVISOR RINGLER: Next I would entertain a motion to adopt a resolution regarding polling locations in the Town of Bethlehem for the year 1993.

Adopt
Resolution
Polling
Locations

The following resolution was offered by Mr. Gunner and seconded by Mr. Webster:

RESOLVED, that in accordance with Election Law, Article 4, Subdivision 4-104, the Town Board of the Town of Bethlehem, hereby designates the following named locations as polling places for any election to be held in the Town of Bethlehem effective May 1, 1993 through April 30, 1994, and

BE IT FURTHER RESOLVED, that the accessibility for physically handicapped voters for each designated polling place is hereby indicated:

<u>ELECTION DISTRICT</u>	<u>POLLING PLACE</u>	<u>ACCESSIBLE TO HANDICAPPED</u>
1	Slingerlands Fire Hall	Yes
2	Bethlehem Public Library	Yes
3	First United Methodist Church	Yes - Separate Entrance on side towards Tebbutt's Funeral Home.
4	Elsmere Grade School	Yes - Separate Entrance on Herrick Ave. side of building.
5	Selkirk Fire Hall No. 2 Glenmont	Yes
6	Selkirk Fire Hall No. 1 Selkirk	Yes
7	Selkirk Fire Hall No. 3 So. Bethlehem	Yes
8	Elsmere Fire Hall Yes	
9	Delmar Fire Hall Yes	
10	North Bethlehem Fire Hall	Yes
11	Hamagrael School Yes	
12	Bethlehem Central High School	Yes

<u>ELECTION DISTRICT</u>	<u>POLLING PLACE</u>	<u>ACCESSIBLE TO HANDICAPPED</u>
13	Bethlehem Central Middle School	Yes - Separate Entrance to left of main door.
14	Parks & Recreation Bldg., Elm Ave. Park	Yes
15	Slingerlands Grade School	Yes - Separate Entrance on Union Avenue side.
16	First United Methodist Church	Yes - Separate Entrance on side toward Tebbutt's Funeral Home.
17	St. Stephen's Episcopal Church	Yes
18	Town Hall Auditorium	Yes - Separate Entrance at rear, east side of Bldg.
19	Bethlehem Historical Museum	Yes - Ramp Entrance on Route 144.
20	Educational Services Center	Yes
21	Elsmere Grade School	Yes - Separate Entrance on Herrick Ave. side of Bldg.
22	Glenmont Grade School	Yes
23	Bethlehem Central High School	Yes
24	Becker School (Ravena-Coeymans-Selkirk)	Yes
25	Delmar Fire District Annex	Yes
26	Slingerlands Grade School	Yes - Separate Entrance on Union Avenue side.
27	Community Room - Bethlehem Terrace	Yes

and

Resolution Location of Registration Day(s)
 BE IT FURTHER RESOLVED, that in accordance with New York State Election Law, Section 5-202 (Sub. 5) Registration Day(s) in the Town of Bethlehem will be consolidated into two locations as follows:

Town Hall Auditorium - Districts
 1, 2, 3, 4, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 20, 21, 22, 23, 26, 27.

Becker School - Districts
 5, 6, 7, 14, 19, 24, 25.

The resolution was adopted by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner,
Ms. Galvin, Mrs. Fuller.

Noes: None.

Absent: None.

SUPERVISOR RINGLER: Next a request from Mr. Secor, Commissioner of Public Works, for increase in the water rents to become effective August 1st, 1993. This is basically an increase due to the increase that Albany will be forwarding to us, approximately 5% increase, and this increase should only affect the industrial or large users of water in the Town. Residential rate that most people use, those who use 1 cubic to 8,000 cubic feet will not be affected. Questions?

Increase
Water
Rents
Effective
Aug. 1, 1993

COUNCILWOMAN GALVIN: I have one question on this. Bruce, what will the affect be when we get our new water supply set up. Is there any hope of reductions in rates as a result of that?

MR. SECOR: No, we gave the Board a 20 year projection of revenue expenses and this increase is actually a little bit below the projection we gave. But, unfortunately, the projection we did for Albany, we only anticipated a 3 or 4 percent increase so, Albany's increase -- we looked at the 20 year sheet for comparison between the Hudson's... the well source versus the Albany source and see Albany is showing at some 20 cents less than that in the projection. We did those 4-5 years ago, so once we get on line, I am trying to hold the line on the projections I gave the Board so that when our source comes on lines there won't be any yo-yo effect in the rates.

COUNCILWOMAN GALVIN: So, in other words, this isn't going to have any affect on what you are projecting.

MR. SECOR: No.

The motion was made by Ms. Galvin and seconded by Mr. Gunner to approve the increase in water rent rates to \$1.24/100 cubic feet and the industrial rate to \$.80/100 cubic feet to pay the added expense for the purchase of City of Albany water. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Ms. Galvin,
Mrs. Fuller.

Noes: None.

SUPERVISOR RINGLER: The next item is a recommendation from Bruce Secor, Commissioner of Public Works, for acceptance of replacement of Letter of Credit for Crystal Lane in the Greenwood Subdivision.

Replace
Letter of
Credit -
Crystal Lane
Greenwood
Sub.

COUNCILWOMAN GALVIN: Question on that Bruce, how much was the amount of the original bond? Was it the \$25,000. of the Letter of Credit, or is this a reduction?

MR. SECOR: To be honest with you, I don't remember, but I think it is the same amount. What we did is we went out and relooked at the job and I don't have that in front of me. But, that is based on the estimate of what we project to be completed in the subdivision.

COUNCILWOMAN GALVIN: And, in your opinion, it is adequate at \$25,000.

MR. SECOR: Oh, yes, because the only thing they have left is the top coat.

COUNCILWOMAN GALVIN: Any outstanding liens?

MR. SECOR: Not that I am aware of, and again, I didn't check this last one but I am going to do that.

The motion was made by Ms. Galvin to accept the replacement Letter of Credit for Crystal Lane in the Greenwood Subdivision, subject to a check of liens. The motion was seconded by Mr. Webster and was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Ms. Galvin,
Mrs. Fuller.
Noes: None.

Recycling
Conference
Highway Dept.

SUPERVISOR RINGLER: Next a request from Gregg Sagendorph, Highway Superintendent, for approval of Sharon Fisher, Recycling Coordinator, to attend a recycling conference with registration fee paid.

The motion was made by Mrs. Fuller and seconded by Ms. Galvin to approve the attendance of Sharon Fisher, Recycling Coordinator, at a recycling conference with registration fee paid. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Ms. Galvin,
Mrs. Fuller.
Noes: None.

R.O.W.
Fisher Blvd.
J. Lucarelli
Land Develop.
Company
Subject to
Permissive
Referendum

SUPERVISOR RINGLER: Next I have a recommendation from Mr. Sagendorph, Highway Superintendent, regarding resolution pertaining to conveying of a right-of-way portion of Fisher Boulevard to J. Lucarelli Land Development Company. This is a small portion is a trade off to the rights-of-way that they gave to the Town with the widening and reconstruction of Fisher Boulevard.

COUNCILWOMAN GALVIN: Has this been reviewed and approved, especially with respect to the hold harmless and indemnification language by the Town Attorney?

ATTORNEY KAPLOWITZ: Yes, I have looked it over. This resolution should have a notice attached to it, however, that it is subject to a permissive referendum.

SUPERVISOR RINGLER: Okay.

ATTORNEY KAPLOWITZ: Kathy and I have discussed it and we are going to have to advertise that fact. Technically, it is not effective until at least 30 days has gone by without anyone filing a petition for a referendum.

SUPERVISOR RINGLER: Anyone like to offer that?

WHEREAS, the Town Board of the Town of Bethlehem is desirous of conveying a parcel of unimproved land and J. Lucarelli Land Development Co., Inc. is desirous of regaining ownership of said parcel located on Fisher Boulevard, Slingerlands, NY and consists of .284 acres of land, and

WHEREAS, the Town Board has no plans for the use of said parcel and J. Lucarelli Land Development Co., Inc. have indicated a desire to acquire said property, and

WHEREAS, J. Lucarelli Land Development Co., Inc., developers of the Cedar Ridge subdivision, has conveyed to the Town a 70 foot wide right-of-way for the relocated section of Fisher Boulevard and intersection containing 4.644 acres; and

WHEREAS, pursuant to Section 64(2) of the Town Law of the State of New York, the Town Board is enabled to convey real property in the name of the Town by resolution which shall be subject to permissive referendum, now, therefore, be it

RESOLVED, that subject to permissive referendum, the Town of Bethlehem shall convey to J. Lucarelli Land Development Co., Inc. all that certain lot, piece or parcel of land described in Schedule "A" annexed hereto, upon the expiration of the required thirty day period following the adoption of this resolution; and be it further

RESOLVED, that within ten days after the adoption of this resolution, the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the resolution and

contain an abstract of such resolution concisely stating the purpose and effect thereof. Said notice shall specify that this resolution was adopted subject to a permissive referendum.

The foregoing resolution was presented for adoption by Mrs. Fuller and seconded by Mr. Webster and was duly adopted by the following vote:

<u>AYES</u>	<u>NOES</u>	<u>ABSENT</u>
Mr. Ringler	None	None
Mr. Webster		
Mr. Gunner		
Ms. Galvin		
Mrs. Fuller		

Dated: May 26, 1993

SUPERVISOR RINGLER: Next a request from Judith Kehoe, Comptroller, for approval of Trustco Bank as an authorized depository. It is being done as Trustco would like to bid on some of our Certificates of Deposit.

Approve
TRUSCO
Bank as
Authorized
Depository

The motion was made by Mr. Gunner and seconded by Mr. Webster to approve Trustco Bank as an authorized depository to permit they to bid on the Town of Bethlehem Certificates of Deposit. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Ms. Galvin,
Mrs. Fuller.
Noes: None.

SUPERVISOR RINGLER: Next a request from Mr. Leafer, Assessor, for approval to attend the Fundamentals of Data Collection, June 14-17, 1993 in Hopewell, NY and Fundamentals of Exemption Administration Course, June 22-25, 1993 in Dewitt, NY. These are required for certification and are paid for by the State.

Seminar
Fundamentals
of Data
Collection
Assessor

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to approve the attendance of M. David Leafer, Assessor, at the Fundamentals of Data Collection and Fundamentals of Exemption Administration courses to be held June 14-17, 1993 and June 22-25, 1993 respectively. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Ms. Galvin,
Mrs. Fuller.
Noes: None.

SUPERVISOR RINGLER: Next a request from Mr. Secor, Commissioner of Public Works, for acceptance of highway deeds for Phase I of Cedar Ridge and related easements. These have been reviewed by the Town Attorney.

Accept
Highway
Deeds and
Easements
Cedar
Ridge

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to accept the highway and easement deeds for Phase I, Cedar Ridge Subdivision. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Ms. Galvin,
Mrs. Fuller.
Noes: None.

SUPERVISOR RINGLER: Next I would like to Board to consider setting a public hearing regarding request for a zone change to from Residence "A" to Senior Citizen Residence District for the Marie-Rose Manor in North Bethlehem. Could advertise on June 9th and hold the public hearing on June 23rd. As I told the Board in my weekly update, we may have to cancel this hearing if the Board is so inclined. The reason I am asking that it be done at this point in time, even without the recommendation from the Planning Board, is that this will

Discussion
Local Law
No.4, 1993
Marie Rose
Manor

be on their agenda again on June 1st and from what I can guess from discussing with the Chairman, it is very likely they will refer it back to us. Because of our advertising constraints, we are in that time problem and I have been advised by the applicant that HUD has informed them that if they don't receive a permissive zone with the application by July 8th, that HUD will reject it for the year. So, we are under difficult time constraints. So, I would like to schedule the hearing and if necessary cancel it if something goes wrong with the review process. But, I would like to get the process under way, just in case that we get this because this is such a good project for our community. Questions?

COUNCILWOMAN GALVIN: I have no problem with the concept of scheduling it now but what is the likelihood of our having the information from the Planning Board. Not just their referral back but any necessary information that we need in time for the public hearing on the 23rd.

SUPERVISOR RINGLER: Hopefully, they will get everything back to us that we need. Now, one of the things that does for us, okay, is if -- we have until July 8th to get the application in, if at the 23rd when we do have it or prior to that we need further information, that gives us a chance to get it and if necessary, I would ask the Board to schedule a special meeting so that we can look at this. But, this at least gets the process going so that we can have the hearing.

COUNCILWOMAN GALVIN: And, there is time. What I was looking at was that time window that the information said that the applicant had to work in.

SUPERVISOR RINGLER: If they get it approved on the 1st, they will get it to us as quickly as can. Any information they send, I will send to the Board immediately for you to begin reviewing prior to the public hearing. We do have another meeting in between that even so that if there is anything you want to discuss at that we could do it.

COUNCILMAN WEBSTER: It gives us adequate advertising time?

SUPERVISOR RINGLER: Yes, that is why we have to do it now, is for the advertising time.

COUNCILWOMAN GALVIN: And, if we had to have a meeting in between, would we have adequate advertising time, if it was new and additional information?

SUPERVISOR RINGLER: I can schedule a regular meeting or special meeting with 48 hours notice.

COUNCILWOMAN GALVIN: My concern is that we might have to have an extra public hearing, if we needed additional information.

SUPERVISOR RINGLER: Well, then we could either adjourn at the 23rd...

COUNCILWOMAN GALVIN: That is what I mean.

SUPERVISOR RINGLER: But, that is a judgement we can use at that meeting because that wouldn't require us additional advertising. We could just say we would like to adjourn this hearing until such and such a date, as long as we are doing it at a public meeting -- correct Counselor?

ATTORNEY KAPLOWITZ: Yes.

SUPERVISOR RINGLER: So, I mean, that is one of the reasons of doing it now, I had originally thought possibly of just having a special meeting like June 30th and set it at our next meeting but I didn't think that would give us enough window if we had any problems.

COUNCILWOMAN GALVIN: That was bottom line, you think that there is enough time there.

SUPERVISOR RINGLER: I hope so. I mean, we don't... you know...

COUNCILWOMAN GALVIN: It sounds awfully tight for something coming from the Planning Board.

SUPERVISOR RINGLER: It is very, very tight, there is no question. It is very, very tight and I don't, personally, like operating with this kind of time frames but we are dealing with the Federal Government and the project is so good that we are going to have to push and see if we can get it done.

The motion was made by Ms. Galvin...

COUNCILMAN GUNNER: That information that we will receive before we meet, will include front footage set back and slopes and things like that?

SUPERVISOR RINGLER: Anything you don't get, please call me and we will make sure that... so that, that is one thing we would like to do on this one, is not wait til the meeting. I will get it to you as soon as I get. If you have any problems, concerns, if you would them, we can ask them to get it for us before we even go into session. Okay.

The motion was seconded by Mrs. Fuller to set a public hearing for June 23, 1993 at 7:30 p.m. to consider Local Law No. 4 of 1993 regarding amending the Zoning Map of the Town of Bethlehem, New York by changing the zoning designation of Certain Lands from Residence "A" District to Senior Citizen Residence District for property of Marie-Rose Manor in North Bethlehem, Town of Bethlehem. The motion was passed by the following vote:

Set Public
Hearing
Local Law
No. 4, 1993

*public
hearing
July 6, 1993*

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Ms. Galvin,
Mrs. Fuller.

Noes: None.

SUPERVISOR RINGLER: Charlie, you wanted to say something.

COUNCILMAN GUNNER: Yes, as we may know that there has been quite a discussion about the County sales tax, so I have a few comments and many questions to ask regarding the extension of the County 1 percent in the sales tax that our Legislators and Executive promised would end this September. I have noted that the majority of the County Legislators and the large majority of the Albany County Supervisors, including Bethlehem, are backing the extension of the 1 percent increase.

Discussion
County
Sales
Tax

I give credit to our County Executive Mike Hoblock who still opposes the continuation of this 1 percent increase. What does he know that the majority of our County Legislators and our Town Supervisors do not? Is it possible that many citizens may pay more in sales tax with that increase than they do in Town tax? As you may know, there were things in the newspaper that was saying it was anywhere from 20 to 50 percent increase in property tax. Well, that is not true. That was misleading and I think that was in somebody's letter in the newspaper, in the next issue. They were talking about general fund and Town tax which is a much smaller portion of the budget and there is a big difference between the total thing -- about 80 percent increase if you go the other way. So, I just think that that was unfortunate and it was a scare tactic that may not have been intended but certainly did get people's attention.

Do you think that the County Legislators have a big carrot at the end of the money stick to encourage Town supervisors and Boards to back the 1 percent increase for renewal? Do people know the sales tax is not a tax deductible item like the property tax? Cannot deduct it from your income tax. Have people forgotten that those who collect and give also can take away. One County Legislator has already had an article in the Times Union that is exactly the only way he will decide to vote yes on it. He is opposing it for different reasons than, obviously, Mike Hoblock is.

So that gave me reason for concern that somewhere down the line we may be counting on this influx of near a million dollars, is it, annually?

SUPERVISOR RINGLER: About that.

COUNCILMAN GUNNER: And, suddenly we may find we will be with 1/2 million or 3/4 of a million or none, which is highly improbably but some reduction is entirely possible if the County needs the money. That is where it will go, it's their cash cow.

Does the windfall, given by the County to the Towns encourage good and efficient and responsible Town and County government? Does an increased sales tax affect our regional economy at this time that is very difficult? Can we expect the truth from our County Legislators when they promise to end the tax -- when they didn't on this one -- for any other item that they bring up in the future? Will we expect them to again extend some carrot on a stick to Town governments?

Have the Legislators given good clear, specific messages why the County must continue this tax? They say they need it, I don't know the specifics of what for. Have you made up your mind which way you want it? I have. I agree with Mike Hoblock to let the 1 percent sales tax die in September -- the extension of that 1 percent. Mike Hoblock must know something that the County Legislators and many of the Town Supervisors do not know. He is right there. I am against continuing the increase in the 1 percent additional sales tax unless good reason and specific, very specific reasons are given and at least to efficient and effective Town and County government.

That is all.

Executive
Session
To discuss
Pending
Litigation
and
Personnel
Matter

SUPERVISOR RINGLER: Thank you, Charlie. I would entertain a motion to conduct an Executive Session at the end of the meeting to discuss pending litigation and personnel matter.

The motion was made by Mrs. Fuller and seconded by Mr. Webster to conduct an Executive Session following the close of the regular Town Board meeting to discuss pending litigation and a personnel matter. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Ms. Galvin,
Mrs. Fuller.
Noes: None.

SUPERVISOR RINGLER: Is there anything that anyone else would like to bring to the attention of the Board tonight?

COUNCILWOMAN GALVIN: I have one question. Have there been any findings or results on either the North Street dump study or on the landfill study?

SUPERVISOR RINGLER: Well, the Rupert Road you have received a copy.

COUNCILWOMAN GALVIN: Yes, anything additional, since then?

SUPERVISOR RINGLER: Since today?

COUNCILWOMAN GALVIN: Oh, I didn't get... it is... a new one in the packet -- okay, today's packet. Great.

SUPERVISOR RINGLER: Yes.

COUNCILWOMAN GALVIN: Good.

SUPERVISOR RINGLER: That is just for your information. Bruce gave me that the other day and I asked him to copy the Board on all the reports on that one.

COUNCILWOMAN GALVIN: How about on North Street?

SUPERVISOR RINGLER: Bruce, what is the status on that?

MR. SECOR: North Street, we are working on the application, hope to have it out of here within 2 weeks.

COUNCILWOMAN GALVIN: Okay.

COUNCILMAN GUNNER: Did we welcome the students?

SUPERVISOR RINGLER: Oh, no, welcome students and once again, you picked a shorter meeting than usual. You don't have to stay for the executive session.

COUNCILMAN GUNNER: How did they get that word?

SUPERVISOR RINGLER: I don't know, I don't know... it seems the School Board meetings must be longer than our meetings, we are getting more students coming to our meetings lately. So, good luck.

ATTORNEY KAPLOWITZ: Somebody comes in during the day and gets the agenda and if it looks pretty good...

SUPERVISOR RINGLER: That is right. Entertain a motion to adjourn.

The motion was made by Mrs. Fuller and seconded by Mr. Gunner to adjourn the regular Town Board meeting at 8:10 p.m. The motion was carried by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Ms. Galvin,
Mrs. Fuller.

Noes: None.


Town Clerk

NO ACTION WAS TAKEN AT THE EXECUTIVE SESSION.