

TOWN BOARD
OCTOBER 11, 1995

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
Frederick C. Webster, Councilman
George Lenhardt, Councilman
Doris M. Davis, Councilman
Freeman T. Putney, Councilman
Donald DeAngelis, Esq., Acting Town Attorney
C. Terri Picarazzi, Deputy Town Clerk
Kathleen A. Newkirk, Town Clerk

Supervisor Fuller welcomed everyone to a regular meeting of the Bethlehem Town Board.

The first agenda item was a request from Comptroller, Judith Kehoe, for approval of temporary part time employee to help with data entry to allow conversion to a new payroll computer program.

Approval for
temporary part-
time help for
Comptroller

The motion was made by Mr. Putney and seconded by Mr. Webster for approval of a temporary part time employee to work in the Comptroller's office at the position of Account Clerk I with an hourly pay rate of \$11.17. The motion was carried by the following vote:

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

The next request was from Highway Superintendent, Gregg Sagendorph, for approval of the Supervisor to sign a resolution permitting application for grant money from NYS for partial reimbursement of costs associated with the 1995 Household Hazardous Waste Day.

Resolution
application for
grant money
Hazardous Waste
day by Highway

Motion was made by Mrs. Davis and seconded by Mr. Lenhardt to approve the signing of a resolution by the Supervisor, permitting an application for grant money from NYS for up to 50% reimbursement of costs associated with the 1995 Household Hazardous Waste Day. The motion was carried by the following vote:

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

Supervisor Fuller noted there will be a Household Hazardous Waste Day held again in 1996.

The next item was a recommendation from Administrator, David Austin, Parks & Recreation Dept., for acceptance of handicapped accessible drinking fountain donated by Bethlehem Senior Projects, Inc. and Citgo Petroleum of Glenmont.

Parks and
Recreation
acceptance
of handicap
accessible
drinking fountair

Motion was made by Mr. Lenhardt and seconded by Mrs. Davis for the acceptance of a handicap accessible drinking fountain donated by the Bethlehem Senior Projects, Inc. and Citgo Petroleum of Glenmont. The motion was carried by the following vote:

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

Supervisor Fuller noted she will send a letter of thanks to both Bethlehem Senior Projects, Inc. and Citgo Petroleum of Glenmont, indicating we appreciate the donations. Councilwoman Davis said she

knows a lot of people will appreciate this and it is a very generous donation.

Parks and
Recreation
appointment
of seasonal
personnel

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

The motion was made by Mr. Webster and seconded by Mr. Putney to approve the following appointments of seasonal personnel as recommended by David Austin, Administrator, Parks & Recreation Department at the titles and rates indicated:

Recreation Supervisor I at a rate of \$5.40 per hour

Jennifer Carlson
21 Dover Drive
Delmar, NY 12054

Thomas Feller
2 Burhans Place
Delmar, NY 12054

Heather Dorsey
30 Peel Street
Selkirk, NY 12158

Recreation Program Director at a rate of \$9.50 per hour

Brette Burke
5 Union Avenue
Delmar, NY 12054

The motion was passed by the following vote:

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

Noes: None.

Rejection of
janitorial bids

The following item was a recommendation from Deputy Comptroller, Richard Webster for rejection of bids received regarding Janitorial Service and request to rebid the project. The Supervisor asked the Comptroller if the problem was with the time frame of the bid document. Mrs. Kehoe said the time frame was non-traditional and caused confusion with the companies.

The motion was made by Mr. Putney and seconded by Mr. Lenhardt to reject the bids received for Janitorial Services and readvertise on October 18, 1995 and open bids on October 27, 1995. The motion was passed by the following vote:

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

Noes: None.

Accept minutes
of August 23, 1995
and Sept 13, 1995

The next item was to approve the Town Board minutes of August 23, 1995 and September 13, 1995.

The motion was made by Mr. Webster and seconded by Mrs. Davis to approve the Town Board minutes of August 23, 1995 and September 13, 1995 as submitted. The motion was passed by the following vote:

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

Noes: None.

Resolution
for Grievance
day for 1996
Sewer Tax rolls

The next item on the agenda was to adopt a resolution setting Grievance Day for the 1996 Sewer Tax Rolls on November 8, 1995 at 7:30 p.m.

WHEREAS, 1996 assessment rolls have been prepared for the Bethlehem Sewer District and it is necessary to hold a public hearing with reference thereto,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hold a public hearing with reference thereto, at 7:30 p.m., on the 8th day of November 1995, at the Bethlehem Town Hall, and, BE IT FURTHER RESOLVED, that the Town Clerk be, and she hereby is authorized and directed to publish a notice of such hearing in THE SPOTLIGHT, a newspaper published in Albany County and having a circulation within the Town of Bethlehem, on the 25th day of October 1995.

The foregoing resolution was presented for adoption by Mr. Webster, was seconded by Mr. Putney and was duly adopted by the following votes:

AYES: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,
Mrs. Davis.
NOES: None.

The next item was a recommendation from Chief of Police, Richard LaChappelle, for the appointment of Leonard Tompkins to the position of full time Telecommunicator at an annual salary of \$22,375., effective October 21, 1995 and acceptance of his resignation as a part time Animal Control Officer.

Appointment
full time
Telecommunica-
tor

The motion was made by Mr. Webster and seconded by Mr. Putney to approve the appointment of Leonard Tompkins, Delmar, NY to the position of full time Telecommunicator at an annual salary of \$22,375., effective October 21, 1995 and acceptance of his resignation as a part time Animal Control Officer. The motion was passed by the following vote:

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

The following item was a request from Richard LaChappelle, Chief of Police, for appointment of Karen Thompson to the position of per-diem Telecommunicator at a rate of \$10.76 per hour, effective October 22, 1995.

Request from
Chief of
Police per-
diem Tele-
communicator

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to approve the appointment of Karen Thompson, Delmar, NY to the position of per-diem Telecommunicator at a rate of \$10.76 per hour, effective October 22, 1995. The motion was passed by the following vote:

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

The next item was a request from Chief of Police, Richard LaChappelle, for appointment of Kevin Demarest to the position of per-diem Telecommunicator at a rate of \$10.76 per hour, effective October 22, 1995.

The motion was made by Mr. Webster and seconded by Mr. Putney to approve the appointment of Kevin Demarest, Delmar, NY to the position of per-diem Telecommunicator at a rate of \$10.76 per hour, effective October 22, 1995. The motion was passed by the following vote:

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

The next item was a request from Richard LaChappelle, Chief of Police, for appointment of Joseph Normandin to the position of per-diem Telecommunicator at a rate of \$10.76 per hour, effective October 22, 1995.

The motion was made by Mr. Webster and seconded by Mr. Putney to approve the appointment of Joseph Normandin, Delmar, NY to the position of per-diem Telecommunicator at a rate of \$10.76 per hour, effective October 22, 1995. The motion was passed by the following vote:

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

Supervisor Fuller asked if anyone wished to address the Board. Mrs. Marie Capone said previous Supervisor Corrigan once had a 20 minute meeting, noting this meeting was not even 5 minutes. Supervisor Fuller said it is not over yet.

Discussion
Sewer Tax
roll

Mr. Sherwood Davies said he was not sure what grievance day for the 1996 sewer tax rolls means. He noted there was to be a public hearing for the budget. Supervisor Fuller indicated this was to be held October 25, 1995, noting the adoption of the budget would be on November 8th. Mr. Davies said the sewer fund is part of the budget, therefore, comments on the sewer fund could be made at the time of the budget, asking if this was correct. Supervisor Fuller said they could be made on November 8. Mr. Davies asked if this meant either/or. Supervisor Fuller said yes, indicating the sewer tax roll hearing is a separate date. She further asked if Mr. Davies had raised this before. Mr. Davies said not this particular point. He said he now understands that it would be appropriate to make comments on the sewer funds at the time of the budget public hearing. Supervisor Fuller said this was correct, noting the grievance day is November 8th for the assessment rolls.

Discussion
Clearwater

Supervisor Fuller asked if there was anyone else who wished to speak. Mr. Bob Samsel next spoke indicating at a previous meeting he said he would not drink any water out of the Alcove Reservoir for all the tea in China, which I was ridiculed and a gentleman from Clearwater told me I didn't know what the "beep" I was talking about. Mr. Samsel had an article which appeared in the News Herald, Ravena, noting it did not appear in the Times Union or the Spotlight. He noted it was a long article and he would only read the first sentence and the conclusions. He welcomed anyone to read the entire article following the meeting if they so wished. The first sentence "the end of September saw the Albany County Water Quality Coordinating Committee wrap up their Non-point Source (NPS) Pollution Project in the Basic Creek Watershed". The basic creek flows directly into the Alcove Reservoir. He noted it has been polluted for years. The conclusions were that "Usually farming is the first source of such contamination that comes to people's mind. It would be nice to blame all of our water-borne nutrient problems on the farmers, but this is not accurate or realistic. The biggest water quality problem in the Basic Creek Watershed is indeed nutrient transport, but it is not primarily an agricultural problem here. Our research indicates that a large portion of the nutrients are coming from failing home septic systems". Have some of that pure Alcove water.

Supervisor Fuller asked if there was anyone else who wished to address the Board.

MRS. BURTIS: I am Linda Burtis. And, I would like to talk about 2 things this evening that have to do with the water system. And, then I would like to ask 2 questions. I would like to talk about what happened to me 2 board meetings ago, on September 27th. I came to the Board meeting to speak and I wasn't allowed to speak. It was a pretty appalling thing and when I wasn't allowed to speak and the meeting was adjourned and I was standing at the microphone and I requested of you Board members as you were walking out of the room to please stay for a moment while I ask my questions. You continued to not allow me to speak. No one came to my defense and so I would like to talk about that. I request that all of the remarks that I make tonight be transcribed verbatim and be verbatim in the minutes.

DEPUTY TOWN CLERK PICARAZZI: Yes.

MRS. BURTIS: So, what happened was, on September 27th I came to the Town Board meeting and I raised my hand and I wasn't acknowledged. So, I stood up and I still wasn't acknowledged. So, I walked to the front of the room and I still wasn't acknowledged. And, I happened to be on crutches that night so I am sure every single one of you on the Board saw me and knew that I wanted to speak and I still wasn't acknowledged. So, I walked up to the microphone and I waited until Supervisor Fuller was finished with her remarks and I asked to speak. At which time the microphone was turned off and Attorney Kaplowitz said that the meeting was adjourned. And, so Mr. Putney got up and everybody got up and you were going off to executive session. And, I was stunned. I really, truly was. I am a resident in this community and I really learned that night what freedom of speech means. And, I am glad that we have young people in this room and I hope that the young people will be inspired by what happened with the water story in this town to perhaps research it. And, that is why I am putting these remarks verbatim in the record. I want what happened to a resident in this community who is denied an opportunity to speak freely and ask questions. It was very, very wrong. And, I understand now why countries that are repressed why to those people in those countries freedom of speech is so important. I came up here and said that what you were doing on the water job was wonderful and I applauded you, I wouldn't have been stopped that night. In countries that are repressed, people who speak in support of authority aren't stopped. The freedom of speech is for people who disagree. And, when a person comes and disagrees before the Board, that person should be respected more than a person who comes and agrees with you. This kind of work that I do is harder than for somebody to come up and agree. I get called names in the newspaper, I am running for no office. I have been told by Mr. Secor that I have political ambitions. I have no political ambitions. I have 2 things, I have passion about the drinking water and not drinking water from the Hudson River and I have a passion about the way this process was done. But, you never saw public approval for this process and the people don't want this. And, so, I came to disagree and you knew that I was... came to speak in disagreement and that was why I wasn't allowed to speak that night.

I think Mr. Kaplowitz.... I think to say Mr. Kaplowitz said to me that evening, Roberts Rules of Order... you were getting up and walking out of the room and I was stunned and I said, you know, please somebody help me out this is wrong what you are doing. And, Mr. Kaplowitz came up to me and said Linda, Roberts Rules of Order when a meeting is adjourned you are not allowed to speak afterwards. Was very clear, that I was trying to speak. The meeting was adjourned after it was clear that I was trying to speak. And, there were people who heckled me when I speak -- Mrs. Capone in the back of the room for a year has heckled me. Mr. Kaplowitz hasn't once mentioned Roberts Rules of Order or Mrs. Fuller, Supervisor Fuller if you speak in a very strong scolding tone of voice, I have written a letter to you and I have the letter here if anybody wants to see it, it was a year ago I wrote to Mrs. Fuller and talked about open government in Bethlehem. And, she showed the letter, perhaps to the other Board people -- that is not happening a year later and this is wrong. Nobody came to my defense two Board meetings ago. To say Roberts Rules of Order is to make a mockery of what Roberts Rules of Order is. What is it for, it is for fairness and who needs fairness, people who disagree with authority. You are in a powerful position and I am coming up here to disagree with that position and you should welcome that. If we have open government... if you rise to the moment of your office, you are elected officials you have a very high honor in this community. You should be.. function at the level if not above the level of your office and welcome people. So, a year ago I had to write a letter and complain about my experience before the Town Board and here a year later I came to speak and I wasn't allowed to. I think that was wrong and I want that to be recorded in the history of the Town of Bethlehem and I hope that some day some of the young people who are here will be inspired to write a story for a teacher in school, to write a story in college about government and about their own town and what is happening to citizens in their town because we are disagreeing with what you want to do with the water system and we don't want to drink water from the Hudson River.

Mr. Lenhardt came to me when you were walking out of the room, I said George, could I talk to some of you. I call you up talk to you about your thinking and my thinking on the water issue. I said George this is wrong help me out and you said to me I can talk to Sheila Fuller on the telephone anytime I want to. Having a private conversation with Supervisor Fuller and standing before this room tonight is not the same thing. They are not an equation that go on the same line and you didn't even know if I wanted to talk to Mrs. Fuller. Maybe I wanted to ask you a question about the water so to think that that was defensible just really upset me. Mrs. Davis, I have talked to you for hours on the telephone you and I respectfully disagree. You think... you say the water is not coming from the Hudson River, I say the water is coming from the Hudson River. But, that 2 weeks ago that you couldn't stand up and say this is wrong to your fellow Board members. The Board this whole time in the water system hasn't had one person pull away and be independent. Hasn't had one... you are like you're cement, like you are stuck together and somehow for some reason when you see an outrageous thing happening you can't stand up and rise to the level of your office and say this is wrong. And, so I am very disappointed and I appreciate a chance to have that in the record.

My 2 questions... Mrs. Davis, where we are with the water issue now is that you are going to split the system. So what you have done, is you have built the system for industrial water and for drinking water and you are saying that you are going to only use it for industrial water. You had a chance, by the way, a year and a half ago on July 26, 1994 two weeks after the public hearing there were about 700 people at the public hearing and there were many, many people came to that hearing to speak against drinking water from the Hudson River. This Board voted again, unanimously, not a single voice independently voted against it. Voted to give it additional 3.2 million dollars to the engineer for a short fall to continue building this project. Well, Mrs. Davis, that night I looked up your remarks on July 26th because I am very interested in the ozone piece and the ozone piece for the people here in the audience -- the reason that the Town is putting ozone in the water is only for drinking water. The only reason you use ozone is for health reasons and Mr. Secor, the Town Engineer, has said that at the public hearing. This is a quote from Mr. Secor 2 weeks before the vote, July 13, 1994 -- the industry is moving in the direction of ozone. There have been many, many years of looks at trihalomethanes. Trihalomethanes are a by-product from chlorine that cause cancer. So, what the Town is thinking of doing is well we don't want to cause cancer, so we will put ozone in the system so it is for health reason. Now, what the Town has ended up doing is putting us in the crazy, ludicrous situation of basically, since we are not going to use the new system for drinking water supposedly, we are now keeping those pipes at Selkirk Cogen from getting cancer. Okay, this is what we are doing. And, Mrs. Davis you said the night you voted and I speak to you specifically because you addressed ozone, nobody else on the Board addressed that and you really talked a lot about it. And, you said, a major portion of the additional \$3,183,863 however is the result of strong recommendation made by the State Department of Health for the ozone treatment system for example is now an added feature of the project. It has been approved by the Department of Health. The system is not included in the project approved by the Town Board in 1992 -- you actually mean 1991 the night of the vote I presume -- I am concerned about this development which is an example of the State's imposition of standards on local government. I realize that the basis for including the ozone treatment system is to provide additional safeguards for public health and safety. So, I would like to ask you, tonight, since you are part of the Board that has decided to split the system, now that we are going to have a system that's not going to provide drinking water, what we should do about this \$600,000 ozone system that we have added into it that's high tech high end feature a lot of energy to run -- and I have been told by an RPI engineer not that easy a system to run. So, it is labor intensive. So, what should we do now that we have got a system that is going to go only for industrial water?

MRS. DAVIS: What would you suggest, Linda?

MRS. BURTIS: Well, you go first.

MRS. DAVIS: No, I asked you the question.

MRS. BURTIS: Well, I asked you the question first.

MRS. DAVIS: Well, I think you have had so many ideas about this, that I would like to hear what you have to say.

MRS. BURTIS: Well, I have a thought but I would like to hear... you're the one who... you voted... I didn't vote... see, I am not in a position of authority. I am just a lowly resident who I wasn't allowed to speak at the last Town Board meeting.

MRS. DAVIS: I don't think that and you know I don't think that.

MRS. BURTIS: Well, you didn't defend me last time when you didn't let me speak at the Town Board meeting.

MRS. DAVIS: It wasn't a matter of defense, it was a matter of no one having apparently seen you raise your hand and I think that was explained to you.

MRS. BURTIS: And, you saw me walk up to the front of the room, you saw me walk to the microphone.

MRS. DAVIS: That was after...

MRS. BURTIS: But, anyway, you vote... you were particularly upset about the ozone piece... so you voted in spite of that... 3.2 million dollars additional...

MRS. DAVIS: I wasn't upset about it, I was explaining it. I don't think I was upset about it. I would not use that...

MRS. BURTIS: Okay, it sounds to me like these remarks sound like you are...

MRS. DAVIS: I wasn't upset about anything. No, I was explaining that was my...

MRS. BURTIS: So, the situation we are in now is you are going to split the system, right?

MRS. DAVIS: Yes.

MRS. BURTIS: And, you are going to have the new system that has been built as a dual built system for industry and for drinking water supposedly is going to be used just for drinking water? So, what do we do with the ozone piece now? The ozone and these are your words... for health reasons. Mr. Secor's word they are for health. So, now we are sending the water to Selkirk Cogen and to General Electric for cooling pipes. So, basically we are keeping those pipes from getting cancer. I mean it is a crazy situation that we are in. It's very expensive. So, what should we do.

MRS. DAVIS: Linda, it was part of the system as it was designed. It was part of the system that you have insisted in the year and a half that you have been focusing on this issue, insisting that we separate the water. We have done that. We have agreed to do that.

MRS. BURTIS: We insisted... we asked before the system was built to be separated.

MRS. DAVIS: Yes.

MRS. BURTIS: You separated it after you spent 14 million dollars. There is a big difference.

MRS. DAVIS: Excuse me but you wanted me to answer your question and I started. Excuse me. But, you asked that we separate it, we have done that and now that we have done that, you are finding fault with the fact that we have.

MRS. BURTIS: I am asking you to be accountable for not having split the system before it was built.

MRS. DAVIS: There are possibly some things that... you are not asking me that. You are asking me another question and I have tried to answer it.

MRS. BURTIS: About the ozone.

MRS. DAVIS: Yes.

MRS. BURTIS: Okay, so how much money are we wasting because we are keeping cooling pipes from getting cancer now?

MRS. DAVIS: How much money would we be wasting if we didn't have the system there? I think we would be wasting a lot more and I don't know that we can...

MRS. BURTIS: Why would we be wasting any money if we didn't have the system? We buy the water? You would have a system for industry and you would have...

MRS. DAVIS: We have gone through all of that, Linda. We have been through that. I mean it is full cycle and I tried to answer your question but I don't know that you are listening and I am sorry.

MRS. BURTIS: So, in the crazy situation...

MRS. DAVIS: But, maybe you can answer my question now. What would you suggest?

MRS. BURTIS: What would I do at this point? Well, first of all, I am doing this. I hold every single one of you accountable for having not split the system before it was built.

MRS. DAVIS: We know that.

MRS. BURTIS: Well, I want it... I don't know that the whole community knows the difference between splitting the system now and splitting it a year and a half ago... a year and a half ago, Mr. Fraser came to you and said I have run out of money. I need a lot more money... a lot more money, 3.2 million dollars more money to build the system. Now, that was 2 weeks after the public hearing. At the public hearing, 700 people came of which many of those people were opposed to drinking water from the Hudson River. So, you had an opportunity. You could have said to Mr. Fraser, well maybe you need some money for this but you know what we have a problem. We don't have public approval. We don't have the public behind this project and now you want to tag on ozone which is going to lock us into a drinking water system with a ludicrous situation of keeping industrial pipes from getting cancer making water very, very expensive and so why don't we slow down. Why don't you go back to your drawing board, Mr. Fraser, and do an analysis for us of how you should split the system and what would happen if we went down that road. That was never done. So, I hold you accountable for that. So, that is one thing I would do.

Another thing I would do, is I would like from you the cost figure. I would like to know what it cost to get a glass of water if the new system, the 14 million dollars system, were to be used the way you intended it to be used for the people and for industry and then how you get how much a glass of water costs now. Because about 70, 80, 90 people are going to be drinking this new water system. The workers in the plant will be having to drink this water, is that correct? So a trickle of the water in the new system is going to be used for drinking water. So every time that worker goes up to the fountain and takes a sip of water, I would like to know how much that costs compared to how much it would have cost is the 28,000 people in the community were drinking that water. Can you tell me that?

MRS. DAVIS: Are you asking me that question?

MRS. BURTIS: Sure.

MRS. DAVIS: I don't think anybody can answer that question off the top of our heads.

MRS. BURTIS: Not off the top of your heads.

MRS. DAVIS: I think we would be foolish to try.

MRS. BURTIS: I am not asking off the top of your head, I am asking if you can come back to me soon for an answer for what... how much... I would like to know how much it costs now to get a glass of water for 70 people with ozone in it, versus how much it costs to get a glass of water for 28,000 people with ozone in it.

MRS. DAVIS: Frankly, I don't know that anybody can determine how much a glass of water would cost in any system.

MRS. BURTIS: Well, it is in the 90s, most of the young people could do it in their math class.

MRS. DAVIS: Bruce, do you think that anyone can do that? I mean you are the engineer, you are the expert. I don't think so.

MR. SECOR: There is... I mean, in order to get approval for the system, the system was designed. The system is being paid for by industry. The residents...

MRS. BURTIS: I disagree with that. I don't think we are getting a free lunch.

MR. SECOR: And, all the residents are seeing their taxes go down. You are going on and on about this, Linda, but there is no cost to the residents. It is being paid for by industry and you know the water rate hasn't changed. You know the taxes have gone down. The residents have seen a tax decrease. They are saving money.

MRS. BURTIS: I don't agree with that that this is a free lunch. I mean, I think that you know, there is no such thing as a free lunch.

MR. SECOR: Do you agree that the taxes are going down?

MRS. BURTIS: I think that you are playing with numbers. I think that is what you are doing. Well, see wait a minute... wait a minute that's what I am talking about. No, that's wrong. That's wrong, I shouldn't be laughed at when I come before the Town Board.

MRS. DAVIS: I am not laughing at you, Linda.

MRS. BURTIS: No, but Mr. Putney is.

MR. PUTNEY: Laughing at your answer because you are wrong.

MRS. DAVIS: I am not laughing.

MRS. BURTIS: Well, you can... I think you can respectfully disagree with me without laughing at me.

MR. PUTNEY: I can do as I choose, thank you.

MRS. BURTIS: Yes, that is right and you can choose to rise to the moment of your office and you can choose to laugh at a resident who comes before you and does a difficult thing. I have another question for Supervisor Fuller and that is about the cost of what... the situation that we are in now. Now, Mr. Secor recommended that we not split the system. He was asked this question twice at the Town public hearing a year and a half ago. Cause there was an uproar in the community about you didn't have public support for this project and the community wanted to see the system split. We wanted to see it split before you spent 14 million dollars to build it but you didn't choose to do that. Reminds me of that line from uh... that movie... umm field of dreams, if you build it they will come. This is though if you build it as quickly as possible maybe the opposition will go away. That is the feeling that I have. But, Mr. Secor said we have not recommended separation of the system. We have not recommended it because it is not demanded. It is not anything we would want to recommend and on and on. His words are, it is very, very costly. I looked up another quote... that's from a year and half ago. Now, just this past April when you announced, Supervisor

Fuller, that you were going to split the system -- Mr. Secor said... Town Engineer, Bruce Secor, said there is no detailed engineering design yet for separation of 2 systems. There is a short answer to that, we are talking about a complex water system, he said, it depend what the City is willing to negotiate in terms of supplemental supply for each set of circumstances there is a different scenario. So, for the scenario that we have now, you are going to split the systems and I ask you Supervisor, but you have gone ahead and built a dual system. You have built a system for industrial water and you built a system for drinking water. It seems to me you are between a rock and a hard place. But, anyway, you have chosen to do that because there was time to back out of this and redirect this. How much is it costing the residents to have on line a 14 million dollar high tech system to be used for drinking water and not use it for drinking water? What is that costing the residents?

SUPERVISOR FULLER: No increase to the residents, Linda.

MR. WEBSTER: Just answered that.

MRS. BURTIS: So then, what did Mr. Secor mean when he said it was very, very costly to split the system? Was he telling the truth?

MR. SECOR: May I respond?

MRS. BURTIS: This was before the system was built.

MR. SECOR: If you go back to the public hearing and you look at the context of that remark was made and the discussion at the time, was having a potable and non-potable supply as 2 separate systems and what I said was -- we would not recommend building a non-potable system. We have not done that. We have built a potable system. So that the concern...

MRS. BURTIS: You didn't say potable, the word potable wasn't here.

MR. SECOR: Well, again, you have... I know....

MRS. BURTIS: I can quote you... I'll take it. I have the context right here.

MR. SECOR: I know the quote that is in there. But, you have to take it in the context of...

MRS. BURTIS: You never mentioned potable.

MR. WEBSTER: Let him finish.

MRS. BURTIS: I have the context.

MR. SECOR: I realize what you have in front of you and that...

MRS. BURTIS: Where do you say potable in the context of this, Mr. Secor?

MR. SECOR: Well, again, I am telling you what the response was. You choose not to accept it.

MRS. BURTIS: No, no, I choose to say that I have to get worried as a resident where the credibility of my town leaders are when they say... you said nothing about potable. This is a quote to try and split out the system would become very, very costly. Now you have split out the system, you said this before the system was built. Now the system is built and you are going to split it out, I am asking you how much that is going to cost because the town Engineer said it was very, very costly.

SUPERVISOR FULLER: How far back do you want to go, Linda? Shall we start all over again?

MRS. BURTIS: I want to go to right now, October 12th, 1995. I want to know as a resident of this Town, these are our tax dollars, how costly this is going to be?

SUPERVISOR FULLER: And, I have told you, the industrial...

MR. PUTNEY: The original date was July 27.

SUPERVISOR FULLER: Industrial is paying this and you know it. Now, let's go back to separating the water.

MRS. BURTIS: I don't it... excuse me, I don't agree with that. I don't know it.

SUPERVISOR FULLER: You don't agree with it but it doesn't mean you haven't heard it. Well, you have heard that answer.

MRS. BURTIS: I have heard that answer but I don't accept it. I know, they are saying we are getting a free lunch and we are not getting a free lunch.

SUPERVISOR FULLER: I think what we have to keep in mind is this water project for the last 2 years has been like someone taking their finger to mercury. It was a safe and health issue, it was the engineering issue, it was the economic issue and now where are we?

MRS. BURTIS: I think you are between a rock and a hard place. That's where we are.

SUPERVISOR FULLER: I think that when Mayor Jennings sat down face to face with Sheila Fuller in August of 1994 that contract is still in front of Mayor Jennings, Linda, and that is the supplemental supply of water which I have spoken to you about repeatedly.

MRS. BURTIS: The Town Engineer says...

SUPERVISOR FULLER: There isn't any doubt and credibility in this Town government, none whatsoever.

MRS. BURTIS: Well, when the Town Engineer says it is very, very costly to split the system, I ask you now because now you are saying after it is built that you are going to split the system -- I mean it doesn't take a rocket scientist to say hey, it is like you went out and bought a \$20,000 jeep and you bought \$20,000 worth of accessories and now you are not going to use the \$20,000 worth of accessories. How much in the water system which you are not going to use the drinking water piece, are we wasting? I want to put a dollar figure on that decision. I just want you to be accountable.

SUPERVISOR FULLER: Industry is paying for the water plant. Industry is paying.

MRS. BURTIS: Industry is not paying for the water plant.

SUPERVISOR FULLER: Industry is paying, Linda. Why do you continue to say they are not? Why aren't they?

MRS. BURTIS: Because what you are telling me... because you are telling me that... that the residents are getting a free lunch, okay. And...

SUPERVISOR FULLER: The residents are not paying for it.

MRS. BURTIS: Industry... you have built... industry is now paying for a system that's got drinking water for the residents that's going to sit idle. I don't think in 1995, industry is that casual with their dollars but I'll wrap it up that I tried to get... there should be a number figure, if you are really, really honest about this... you have built a system that you are not going to use and you should be able... even if industry is paying for it, you should be able to put for industry sake -- if I were working Selkirk Cogen I sure would want to know how much it is costing me to build the plant out of Selkirk Cogen profits because that means I am not going to get a raise next year and how much is being wasted, there is a waste here and I want to put a price tag on that waste.

SUPERVISOR FULLER: Is there anyone else who would like to address the Board this evening? Now, I don't want to keep a running debate going here this evening.

MRS. CAPONE: I don't want to debate it. I was at the same meeting that she was. It happened we were together two different things happen. At the end of the meeting I spoke, Mr. Kelleher spoke, you look around the room, Linda came down on her crutches. You talk about Times Union... you close the meeting Mr. Webster got up, Mr. Lenhardt got up, Mr. Kaplowitz got up. Linda... I said, Linda, she started to shout Sheila, Sheila -- I said Linda why didn't you come down earlier, you were in the hall all through the meeting. She said people were asking me questions there. I said, well, it is over with. So, she named everybody individually, they didn't listen to her. I came down and I sat with Mel. She came down and she said something... Mel they didn't want to hear me. I said oh Mel, we are going to hear it. She said look, I don't want you to hear it. So, Mel and her went and sat at the other end and they talked. I am going to talk to Kathy Newkirk, that is how the meeting took place. Now, Linda, always insists 700 people were at the meeting last July 13, there were 250 sitting in that room, there were 90 people standing up in the room and outside the room. The fire department was monitoring the issue because they were certified for 300 people. There were 340 people a far cry from 700. But, Linda, is always off base. I don't want to hurt her feelings but by George, she looks like Rosa Lopez to me.

MISS CAPONE: My name is Suzanne Capone and I would like to speak. I am neutral on this water issue. I don't have a stand but for the last couple months, I have heard people blasting my mother for being raising her opinion. Mrs. Burtis, you say people blast you, I heard a member of Clearwater at the last meeting say extremely derogatory things about my mother and about her heritage and that is just as chilling to the 1st amendment. So, if you want to use the 1st amendment it cuts both ways. I think we should just stop the name calling and address the issue as it is and I think the kids...

MRS. BURTIS: I disagree with you... I am not calling anybody names.

MISS CAPONE: Well, you were saying she harassing you. She has been harassed. I have heard things throughout the Town addressed to her. I have been... Clearwater people have said things about me and I haven't even said anything. I think this has got to stop with the 1st amendment. I am very proud because my mother has an opinion and she has the guts to state it.

MR. DUCLOS: I am Joe Duclos and here I am to hold your hand again. I just want to tell these kids in the participation in government class that real government doesn't laugh when somebody makes a crack about the citizens like that just did. Did you see it?

SUPERVISOR FULLER: What?

MR. DUCLOS: What, when she made the crack about Linda Burtis. You broke out laughing.

MR. DE ANGELIS: I thought it was funny.

MR. DUCLOS: It is not your place to laugh.

MR. DE ANGELIS: Why not?

MR. DUCLOS: It's none of your places to laugh.

MR. DE ANGELIS: Why not?

MR. DUCLOS: You are elected officials who are put here by these people whether it is Linda Burtis or me or...

MR. DE ANGELIS: I am not elected. I am not elected, sir.

MR. DUCLOS: You get paid, you are on the payroll.

MR. DE ANGELIS: I am not elected and I can laugh if I want to laugh, just like you can -- it is a free country.

MR. DUCLOS: I will laugh November 8th.

MR. DE ANGELIS: Remember the 1st amendment.

MR. DUCLOS: I will be laughing November 8th, thank you very much.

MR. DE ANGELIS: Does anybody else have anything else to say in the room outside of the issue of water? On something else.

MS. SCHOLLES: I am sorry, can I make just one comment. I am Nancy Scholes. We have lived here for 22 years and I hate public speaking but I just have to come to Linda's defense and I just want to express my astonishment at the way Linda was treated at 2 board meetings ago. I wasn't here...

SUPERVISOR FULLER: No, you weren't here, Nancy.

MS. SCHOLLES: I know but I also am astonished at what is going on here tonight, really. I am embarrassed for these kids here. I would like to think that I live in a democracy. We just came back from living in Europe since January we were in Sweden but we travelled a lot in the former Soviet Union and the former Czech republic, you know the former Yugoslavia etc., and I like to think we operate as a democracy here that opposing views are not going to be machine gunned down when you come up to speak at a microphone and that the microphone isn't going to be turned off for someone who has an opposing view. Okay, I also would like to say that I think, I am fairly representative of "the silent majority" in this town that are really opposed to this water issue. And, we have lived here for 22 years as I said, we have taken part in all the activities, the Hamagrael PTA, soccer, little league, indian guides, Delmar Dolphins, Sunday morning running group -- my husband, etc. -- so I think we are fairly, you know, middle class typical residents of this town and I have never personally talked to anybody yet who is for this drinking this -- I shouldn't say Hudson River water, derived Hudson River water coming from a class "c" section of the Hudson River. I mean, really folks. Everybody comes at it from a different angle why we are opposed to it. Everybody who knows me knows that my angle is the health issue and there is a lot of people with a lot of legitimate credentials who have a lot of legitimate questions about just how safe it is to drink this water and how safe it is to drink water that's just meeting the minimal standards of the Health Department and the Environmental Conservation Department. I think it is kind of silly of us when we know that cancer is an epidemic all over the United States but particularly along the eastern seaboard and it seems like everybody you talk to in Delmar has had their lives touched by it -- either their family, their friends or themselves and it seems silly to possibly expose ourselves to a potentially carcinogenic source of drinking water when we are already exposed to it in the air, the food, every place. And, I just like to close briefly, I didn't mean to carry on like this. But, to say that I hope that this Town Board and the next Town Board will do everything they possibly can to ensure that this water is separated -- drinking water/industrial water forever. I don't mean just for the next 2 years, Sheila, I mean forever.

SUPERVISOR FULLER: I didn't mean for only the next 2 years, Nancy.

MS. SCHOLLES: Oh, I am sorry. That is all I have.

DEPUTY TOWN CLERK PICARAZZI: Could you spell your last name for the record?

SUPERVISOR FULLER: Scholes.

DEPUTY TOWN CLERK PICARAZZI: Thank you.

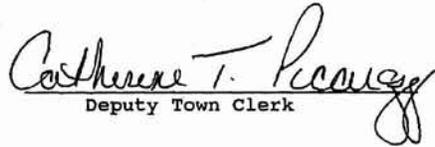
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The Supervisor asked if anyone else wished to speak. There were none. Resident Bob Samsel said he would like to ask Mrs. Burtis a

question. Supervisor Fuller asked not to do that during the meeting.

The motion was made by Mr. Putney and seconded by Mrs. Davis to adjourn the regular Town Board meeting at 8:30 p.m. The motion was passed by the following vote:

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


Deputy Town Clerk