

TOWN BOARD
October 25, 2006

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 5:30 p.m.

PRESENT: Theresa Egan, Supervisor
Daniel Plummer, Councilman
Tim Gordon, Councilman
Samuel Messina, Councilman
Kyle Kotary, Councilman
Kathleen A. Newkirk, Town Clerk
James T. Potter, Esq., Town Attorney

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The Supervisor welcomed everyone to a regular meeting of the Bethlehem Town Board and invited them to join in the pledge of allegiance.

Supervisor Egan asked if there were any public comments on agenda items and asked that any non-agenda items be held until the end of the meeting.

Mrs. Capone stated the Town is looking to change the telephone system, there is nothing wrong with the system that you have now. She stated that money should be used to help upgrade the Police Department or Highway.

RoseAnne Fogarty, President of the Board of Directors of the Friends of Five Rivers spoke with regard to the CACC report. This group is hopeful that the Town Board would carefully explore all available means of preserving the Towns open space. She said this organization is feeling the cumulative pressure and impact of the developments being proposed adjacent to the Five Rivers Environmental Education Center. With respect to open space and public access they strongly encourage the Town to require and fund buffer zones in order to help protect existing spaces. Five Rivers logs 115,000 visitors annually many of which are Town residents and local students. Five Rivers is noted as being a rare natural educational resource. Because of this Five Rivers merits the Town's highest consideration with regards to the open space protection and conservation efforts as well as in connection with any proposed development of adjacent land.

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Mr. Michael Waldenmaier questioned the availability of the open space document on the web site. Supervisor Egan said it would be available on Thursday after it is officially acknowledged. Mr. Waldenmaier asked about people who do not have the internet and how will they be able to get a copy of it. The Supervisor stated it would be available on CD if requested.

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Mr. Jared King said the 5:30 time is very citizen unfriendly.

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Katherine Daniels wanted to thank the CACC for the work developing the recommendations to the Board and encouraged the Town Board to go the next step and work on developing an open space plan. Bethlehem is the second fastest growing Town in the Capitol Region. As the Town plans for future development they also need to plan for open space protection. There are a variety of tools, techniques and many choices for the Town as well as the landowners. Planners talk about green infrastructure and the importance of it to communities. Green infrastructure creates connections throughout Towns that are important today. Open space enhances quality of life and attracts high quality business to the community, which will help balance the tax base.

The Supervisor asked if there were any other comments on agenda items and there were none. The motion was made by Mr. Messina and seconded by Mr. Kotary to close the Public Comment period. The motion was passed by the

following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.
Noes: None.
Absent: None.

Public Hearing began 5:45 p.m.

SUPERVISOR EGAN: Since we have hit that 5:45 hour, we'll move right to the public hearing on the stop signs. Do I have a motion to waive the call of the hearing as well as the motion to indent the notice, affidavit and affidavit of posting?

The motion was made by Mr. Gordon and seconded by Mr. Messina to waive the reading of the call of the meeting and to indent the notices on the minutes. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.
Noes: None.
Absent: None.

TOWN CLERK NEWKIRK:

NOTICE OF PUBLIC HEARING

TOWN OF BETHLEHEM, ALBANY COUNTY

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Bethlehem, Albany County, New York will hold a public hearing on October 25, 2006 at 5:45 p.m. at the Town Hall, 445 Delaware Avenue, Delmar, NY to consider proposed Local Law amending the Code of the Town of Bethlehem, Chapter 119, Vehicles and Traffic, Section 119-33, Schedule VII, Stop Intersections as follows:

THREE-WAY INTERSECTIONS:

<u>STOP SIGN ON</u>	<u>AT INTERSECTION OF</u>	<u>DIRECTION</u>
Gailes Drive	Gullane Drive	East
Gullane Drive	Fife Drive	West
Cygnnet Circle	Swan Place	South
Sandy Lane	Beaver Dam Road	South
Sandy Lane	Trinity Place	West
Anna Court	Trinity Place	West (2)
Winne Road	McGuffey Lane	South

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 the Town Clerk's office at 439-4955, Ext. 183. Advanced notice is requested.

BY ORDER OF THE TOWN BOARD
TOWN OF BETHLEHEM
Kathleen A. Newkirk, MMC, RMC
TOWN CLERK

Dated: September 27, 2007

State of New York)
County of Albany)

CHRISTINE MC NAMARA of the Town of Bethlehem, being duly sworn, says that she is the RECEPTIONIST for THE SPOTLIGHT, a weekly newspaper published in the Town of Bethlehem, County of Albany, and that the notice of which the annexed is a true copy, has been regularly published in said THE SPOTLIGHT ONCE A WEEK FOR 1 WEEK consecutively, commencing on the 11th day of October 2006.

/s/ Christine McNamara

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

Sworn to before me this 11th day of October 2006.

/s/ Sharon A. Doldo

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 11th day of October, 2006, 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 25th day of October 2006.

/s/ Julie McNeil

Notary Public, Albany County

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SUPERVISOR EGAN: Okay, we are therefore have opened the public hearing to amend the Code of the Town of Bethlehem, Vehicle and Traffic, in regard to stop signs for various streets. I believe in your packet there is a summary of what those are. In addition Gregg Sagendorph – and, Gregg is Peter here too –

MR. SAGENDORPH: Yes, he is.

SUPERVISOR EGAN: Peter Schmidt is here also to answer any questions that anybody may have. So, first any public comment, any testimony we have. Jarod, this would be you.

MRS. CAPONE: Are you going to name where the signs are going?

SUPERVISOR EGAN: Yep, we have done this before. It's stop signs at Gailles Drive at the intersection of Gullane; Gullane Drive at the intersection of Fife; Signet at the intersection of Swan; Sandy at the intersection of Beaver Dam; Sandy at the intersection of Trinity; Anna at the intersection of Trinity; and Winne Road at the intersection of McGuffy. And, Gregg and Peter, just so that I'm clear, those are all like 'T' intersections, correct.

MR. SAGENDORPH: Yes.

SUPERVISOR EGAN: Yes, okay. I'm sorry, go ahead.

MR. KING: I am... my name is Jarod King. I am unfamiliar with the intersections in question except for the one on Winne/McGuffy. If they are all 'T' intersections, however, then what I have to say would apply to all. I say that because I have some certain areas in Town off of Wemple where there are weird 'Y' like intersections where I think things could be a little confusing for drivers, however, 'T' intersections are fairly clear as to who has right-of-way and that is obviously the portion of the 'T' that would be the top of the 'T' in which the road that intersects that road must yield. If one wants to put a stop sign at that you could, of course, but technically that should be understandable by drivers.

I am concerned about the Town putting in traffic control, which is inconsistent with the Federal and generally as adopted by the State Highway Department rules. Technically because I had talked to the Department of Transportation, the Town does have the right to do almost really whatever it wants with its local roads in terms of like... except for I think not over 35 miles an hour in the speed for some of the smaller roads but they can go less than that for example. The problem is that it starts making the Town kind of vulcanized in terms of the ability to drive it. I think one real good example of that is Fernbank, which I can understand where maybe there is some local complaints that people would be speeding on Fernbank and if they have kids playing that would concern them. But, it seems to me the

right way to handle that is to either put a Police Officer there once in a while, put one of those nice little trailers that you have to remind people to slow it down or you can post a slower speed limit. But, it is odd when you have stop signs on Fernbank, yielding to roads that are dead ends – like Sylvan or something like that – and it is just kind of odd and it creates a culture in which an average citizen trying to drive is now violating the law if they see that no one is around and they see there is not traffic. And, by the way at McGuffy and Winne there is no traffic there generally speaking.

In that situation, however, I do see school maybe 200 or 300 feet away and if there are people, indeed, speeding on McGuffy toward Hamagrael school than maybe we need to have a sign that says school zone and a speed limit there but a stop sign is an inappropriate traffic device for that location and probably a lot of these other locations that are being proposed. Thank you.

SUPERVISOR EGAN: Thank you. Any other person wanting to offer testimony on the stop sign issues? Okay. Do I have a motion to close the public hearing.

The motion was made by Mr. Plummer and seconded by Mr. Kotary to close the public hearing at 5:30 p.m. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.
Noes: None.
Absent: None.

Town Clerk

Supervisor Egan stated there are general guiding principals that are used in making determinations in regards to the installation of traffic control devices whether it be stop signs or signals and they are set forth in the New York State Code of Rules and Regulations. Creighton Manning is the traffic consultant that the Town uses. They have created guidelines for certain areas so that the Town can make decisions on their own without spending funds for each particular intersection. In these particular cases while logic may seem that people should know to stop and yield the right a way it is very common and consistent with Federal and State Rules and Codes to put the Stop Signs at the logical spots. She stated the Town is very concerned with and consistent with the Federal and State codes with regard to this.

All Board Members concurred in agreement with the Stop Sign at the intersections.

The motion was made by Mr. Messina and seconded by Mr. Kotary to amend The Code of the Town of Bethlehem, Vehicle and Traffic, Stop Signs for the locations set forth as requested by Highway Superintendent, Gregg Sagendorph. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.
Noes: None.
Absent: None.

The next item on the agenda was a presentation of the Funding and Tools Report from CACC. Supervisor Egan thanked John Smolinsky and CAC Members and everyone involved with this committee for the hard work and long meetings, which have taken place.

Mr. Smolinsky stated the framework for this report comes from the Comprehensive Plan, which sets the policies, goals, objectives and recommendations for the CACC Committee. The Plan provides guidance with regard to open space plan and shows that Town residents are concerned about the increasing cost of residential growth, and open space is an alternative to residential

growth. The Comp Plan goal is to work with landowners to conserve quality of open spaces and to create open lands to provide wildlife habitat and potential recreation trails

Mr. Smolinsky said the Work Plan Funding Program for Open Space Protection developed outlines three major areas to address an overview of the programs, sources of funding for open space protection, overview of the techniques for preservation and management of open space, best approaches and next steps.

Mr Smolinsky stated the committee tries to include all sources, methods for funding and/or grants that may be applicable to the Town. Appropriations of General Funds, Issuance of General Obligation Bonds, Real Estate Transfer Tax, Sales and Hospitality Taxes, Private Donations, Park Land Set-Aside or Fees as part of the subdivision requirements. This has been complimentary to the open space program. Some of the State and Federal sources of funds are the New York State Environmental Protection Fund (EPF), Clean Water State Revolving Fund (CWSRF), U.S. Department of Interior, Land and Water Conservation Fund (LWCF), and the Farm Security and Rural Investment Act (“Farm Bill”). Some of the methods, forms and ownership alternatives include Municipal Ownership, Not-for-Profit Land Trusts, Purchased of Development Rights (PDR) or Conservation Easements, Lease of Development Rights (LDR) or Conservation Easements, and Transfer of Development Rights. Regulatory Methods are used through zoning and other regulations to encourage open space protection such as Conservation and Average Density Design by Subdivisions, Natural Resource Zoning, Official Maps, and Lands of Conservation Interest Map.

The CACC committee believes that the Town Board should consider the development of a Town of Bethlehem Open Space Plan that would include public education and out reach programs to identify landowners willing interests in the conservation of their property. This committee is ready and willing to assist the Town Board in affecting the next steps the Town determines to be appropriate.

Supervisor Egan said part of the controversial part of this is the regulatory tool. Part of the issue was the exact wording of the task that the Town Board gave to CACC in regard to what the report was supposed to be with regard to funding. The report was a tool in ways which the Town could do open space preservation if the Town chose to. Regulatory tools and techniques was as much a part of this as funding was. The report is now formally acknowledged by the Town Board and will be made public.

Councilman Plummer questioned if CACC would be developing the open space plan or retaining consultant. Supervisor Egan stated the Department of Economic Development and Planning will create the plan and use CACC as the advisory board for that.

Councilman Plummer gave information on the Real Estate Transfer Tax.

Councilman Kotary stated that he would like to see more ideas and for the CACC committee to think creatively.

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The next item on the agenda was to acknowledge the Bethlehem Historical Association 2006 Annual Report.

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The next item on the agenda was a request from the Deputy Comptroller, Richard Webster, to purchase new upgrade to the existing telephone system and adoption of Resolution for expenditure of capital reserve funds for said purchase pending a 30-day permissive referendum.

The following resolution was presented for adoption:

Resolution No. 42

RESOLUTION AND PUBLIC NOTICE

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

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Bethlehem in the County of Albany, State of New York has on the 25th day of October 2006, duly adopted, subject to a permissive referendum, a resolution as follows:

WHEREAS, the Town Board of the Town of Bethlehem has determined that it is necessary to fund the purchase of a Telephone System, and

WHEREAS, it is estimated that the costs of said work will not exceed \$135,000; and

WHEREAS, in recognition of these needs, funds for such purpose are in the General, Water, and Sewer Fund Capital Reserve Funds; and,

NOW, THEREFORE, BE IT RESOLVED that it is in the public interest to complete the purchase of a Telephone System as described above; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the expenditure of the reserve moneys to fund this project up to a maximum amount of \$135,000; and

BE IT FURTHER RESOLVED, that the Town Comptroller is authorized to expend from the General, Water, and Sewer Fund Capital Reserve Funds the funds necessary up to \$67,500, \$33,750, and \$33,750 respectively, in said reserve funds; and

This resolution shall be subject to a permissive referendum, as permitted by law.

The motion to adopt the resolution was made by Mr. Plummer, was seconded by Mr. Messina and duly adopted by the following vote:

AYES: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.

NOES: None.

ABSENT: None.

The next item on the agenda was a request from Lois Corsi, Chief of Police, to go to bid for Police, Animal Control Officer and Telecommunications Uniforms. Could advertise on November 1, 2006 and opens bids on November 15, 2006 at 3:00 p.m.

The following resolution was offered by Mr. Plummer and seconded by Mr. Kotary:

WHEREAS, the Town desires to advertise for bids for Police, Animal Control Officer and Telecommunications Uniforms, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 1st day of November, 2006 and that bids be received up to 3:00 p.m. on the 15th day of November, 2006 at which time the bids will be publicly opened and read.

The resolution was adopted by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.

Noes: None.

Absent: None.

The next item on the agenda was a request from the Chief of Police, Louis Corsi, for approval of a budget modification to increase insurance recovery in the amount of \$1,522.88.

The motion was made by Mr. Messina and seconded by Mr. Plummer to approve the increase in the insurance recovery line item in the amount of \$1,522.88 as requested by Chief of Police, Louis Corsi. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.

Noes: None.

Absent: None.

The next was a request from Nan, Lanahan, Administrator, Parks and Recreation Department for approval of seasonal personnel.

The motion was made by Mr. Plummer and seconded by Mr. Kotary to approve appointment of seasonal personnel as requested by the Administrator of Parks and Recreation, Nan Lanahan, as listed in the Memorandum dated October 25, 2006 at the title and salary indicated. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.
Noes: None.
Absent: None.

The next item on the agenda was a request from Highway Superintendent, Gregg Sagendorph, to go to bid on a three-year contract for uniform rental for various departments within the Town. Could advertise on November 1, 2006 and open bids on November 13, 2006 at 3:00 p.m.

The following resolution was offered by Mr. Gordon and seconded by Mr. Kotary:

WHEREAS, the Town desires to advertise for bids for a three-year contract for uniform rental for various departments within the Town, pursuant to law,
NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 1st day of November, 2006 and that bids be received up to 3:00 p.m. on the 13th day of November, 2006 at which time the bids will be publicly opened and read.

The resolution was adopted by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.
Noes: None.
Absent: None.

The next item on the agenda was a request from Commissioner of Public Works, Oliver Holmes, for approval to set a public Hearing for the 2007 Sewer Tax Rolls. Could advertise in the Times Union on October 30, 2006 and hold public hearing November 8, 2006 at 5:45 p.m.

The motion was made by Mr. Kotary and seconded by Mr. Messina to set a public hearing for the 2007 Sewer Tax Rolls as requested by Commissioner of Public Works, Oliver Holmes in the Times Union on October 30, 2006 and hold the public hearing on November 8, 2006 at 5:45 p.m. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.
Noes: None.
Absent: None.

Hearing Began: 6:15 p.m.

SUPERVISOR EGAN: Let's move to the public hearing on the Tentative 2007 Town of Bethlehem Budget. Do I have a motion to waive the read of the call, as well as waive the notice to indent the notice of public hearing, affidavit of publication and affidavit of posting and include them in the minutes of the meeting.

The motion was made by Mr. Messina and seconded by Mr. Gordon to waive the reading of the call of the hearing. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.

Noes: None.
Absent: None.

NOTICE OF PUBLIC HEARING
UPON PRELIMINARY BUDGET

NOTICE IS HEREBY GIVEN that the Preliminary Budget for the fiscal year beginning January 1, 2007 has been completed and filed in the Office of the Town Clerk at the Town Hall, 445 Delaware Avenue, Delmar, NY where it is available for inspection by any interested person during office hours.

NOTICE IS FURTHER GIVEN that the Town Board of the Town of Bethlehem will meet and review said Preliminary Budget and hold a public hearing thereon, at the Town Hall, Delmar, NY at 6:15 p.m. on the 25th day of October 2006 and that at such hearing any person may be heard in favor of or against any item or items therein contained.

Disabled individuals who are in need of assistance in order to participate should contact the Town Clerk's office at 439-4131. Advanced notice is requested, and

BE IT FURTHER RESOLVED, that pursuant to Section 108 of the Town Law, the proposed salaries of the following officers are hereby specified as follows:

Supervisor	\$99,785
Councilmen (each)	13,166
Town Clerk	64,602
Superintendent of Highways	89,201
Receiver of Taxes & Assessments	58,160

and

BE IT FURTHER RESOLVED, that such Notice shall be published once in the following newspapers: THE SPOTLIGHT, the official newspaper of the Town on October 18, 2006 and the TIMES UNION, an Albany newspaper, on October 18, 2006.

BY ORDER OF THE TOWN BOARD
TOWN OF BETHLEHEM
KATHLEEN A. NEWKIRK, MMC, RMC
TOWN CLERK

Dated: October 11, 2006

State of New York
County of Albany

T. Dollard/D Hess/D LaCoppola of the City of Albany, being duly sworn, says that he/she is Principal Clerk of the TIMES UNION, a daily newspaper printed in the County of Albany, Town of Colonie and Published in the County of Albany, Town of Colonie and the City of Albany, aforesaid and that notice of which a printed copy is annexed has been regularly published in the said ALBANY TIMES UNION on the following dates:

10-19-2006

/s/ T. Dollard

Sworn to before me this 19th day of October, 2006.

/s/ Lisa A. Towne

Notary Public, State of New York

STATE OF NEW YORK) ss:
COUNTY OF ALBANY)

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 Oct. 19, 2006, 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 25th

Day of Oct., 2006.

/S/ Julie McNeil

SUPERVISOR EGAN: Therefore, the public hearing on the Tentative 2007 Town of Bethlehem Budget is now opened. Does anyone wish to be heard?

MR. MORAN: What's the presentation?

SUPERVISOR EGAN: We'll do Judi first.

MRS. KEHOE: We held 2 workshops on the budget with the Board and Department heads and any citizens who were interested to come and talk about what was in the budget and ... what funding needs were covered or not. We had a few pending items and they went into the budget review process and fortunately we had a number of those resolved through our efforts as well.

The big pending issue was what was going to happen with the Help America to Vote Act mandate. Thanks to a consortium of leaders from local governments, ours being included, we are pleased to see the County had agreed to roll back the amount of the chargeback that had been proposed for Bethlehem and that resulted in a \$190,000 reduction in the expenditure amount. So, that was the best news I think that we could have had going through the entire budget process.

There were some other minor changes that we talked about that I will detail in just a moment on the other side. And, all of the changes that we had proposed will be used to reduce the deficit. Our main desire was... we really wanted to try and protect taxpayers from future spikes in the tax rate. We have seen all over the newspaper report of other local communities that have exhausted their fund balances and had no where else to turn but larger tax increases in the double digit range. And, we were trying to buffer us from that.

When we went into the budget review process we had 245 ½ equivalent positions. Those 3 reductions were 2 in the Highway Department that gracious Gregg Sagendorph, Highway Superintendent, was willing to forego. During the workshops the Board had asked if they could eliminate 2 other positions. These were vacancies that he was carrying within the budget and due to some favorable weather conditions and the Board had asked that those positions be reduced during the review. So, we are down to 243 ½ full time equivalent positions within the budget that is the subject of the hearing tonight.

The review of the changes line-by-line, the ... shows what the original proposal was on the budget and that was presented at the last meeting in September. With the HAVA reduction of \$190,000, the first column shows the total expenditures of the appropriation amounts, the second column is the estimated revenues from other sources, excluding taxes and that would be things like user charges and grants and things like that ... The next column is what we call the appropriated fund balance or your planned deficit. In layman's terms that's the use of savings. That has come from prior surpluses.

And, then the amount to be raised by taxes. We had proposed in the General Fund a total of \$1,217,000, and for a \$200,000 home that with the tax rate would equate to about an \$83 dollar charge on your January property tax bill. Other changes that we looked at the School District when the budget was not passed notified us that there would be a reduction in our funding for the school resource officer program and we needed to reduce that revenue item by \$30,000 again we offset that into the planned deficit. We needed to adjust our parks program revenues my original estimate was a little bit higher than Nan Lanahan, our Director of Parks and Recreation could achieve so we rolled that back. We added planning module license fees that is coming up in 07. We took out the \$15,000 that was in there for proposed renovations that would be necessary if we needed to switch the locations of our Building Department and some of the Economic Development and Planning staff so that \$15,000 reduction is there.

We had inadvertently omitted a grant proposal for the Assessor's Office that is to

get the assessment data on the Town's Web Site so that it is available for citizens and what we have done is increased our expenditures by \$32,000 reflective of the \$30,000 of grant income that we are hoping to receive on that and then the \$2,000 with the Town's proposed match on the application. The other item that we still need to talk about was in conjunction with getting the assessment data on the web it has also been recommended that we consider getting digital photographs of all parcels within Town so that we have a comprehensive record of all the parcel information on the web page. Based on those changes the Appropriated Fund Balance has dropped from \$578,000 down to \$472,000 which is down from the \$800,000 where we have projected that it will be this year. Total appropriations down to \$16,917,000.

For the Highway Fund we made a correction to the levy amount by \$135,000 that reduction reflected a change that had actually been made the prior year. And then I needed to in order to keep the overall tax levy to the 2.75 percent that we had talked about ...I needed to reduce that amount and then we also approved a reduction in positions from 58 down to 56 which removed another \$58,000 from the appropriations. So the total proposed expenditures down to \$6,160,000, the planned deficit at \$216,000, and then the tax levy \$3,744,000 and for a \$200,000 home that is a total charge of the January bill of about \$254. The increase of the prior year at the \$200,000 home would be in the vicinity of about \$11. There were no changes to the water and sewer fund based on that review.

At the workshops we talked a lot about Health Insurance and things that we might be able to do to try and bring those costs under control. And we considered a number of different options but the plan I think will be most viable and most reasonable was to increase the office visit co-pay from \$10 to \$15 and the Board had asked myself and Mary Tremblay-Glassman to go out and meet with employees and talk about those changes and get some reactions from them on that. There was I would say a general agreement that a \$5.00 increase in the office visit copay was a reasonable thing. We decided how the office visit co-pay has been at the \$10 level for many, many years now at least ten and certainly health care costs have risen in that time frame. And many other plans for other employers are at least at the \$15 level so it was understood that, that was a reasonable option in as much as the premiums would only be increasing about 5%. That assumption of additional out of pocket cost that also was a good news message. The 3% cola that was included in the proposed budget was also seen as a reasonable amount for the coming year. The general concern that was voiced each of the meetings that were held seemed to be that there had been some pressure on departments to really hold the line on expenditures in the 2007 budget so that we could do what we could to lower that deficit amount and more concerns that service levels might be adversely affected due to bringing in of the expenditures.

SUPERVISOR EGAN: Due to the concern of what services were being adversely affected, I know a couple of the workshops that I sat through there were some questions in regard to, what was in that got taken out in addition to some of the other modifications. So in response to that as well in response to some questions from the Board Members as to what is being deferred or what has deferred for next year or what came out of this in the original proposal. We have provided each of you today of a list which is basically very similarly a list of things that things that the Department Heads had asked for or had hoped for that we actually took out prior to the time of the presentation of the original draft proposal back in September again with the idea of trying to keep the tax rate at a level that we had chatted about briefly where everybody thought they would be comfortable. So we wanted to go through that and attach dollar values was again several of you have kind of asked or alluded to so I asked the Department Heads and Judy to do that so you do have a list basically the things that were asked for and again these are just in regards to the General Fund matters. Correct Judy we didn't go and do Highway, Water and Sewer. Theses are just request that would have affected General Fund. And in essence it was about another 1.6 million dollars if you will of requests and expenses and as you work that through though for a \$250,000 it would have equated about \$137.00 per household from the General Fund taxes.

COMPTROLLER KEHOE: If that had been funded in its entirety.

SUPERVISOR EGAN: So I just want it to be clear I know there have been several questions about that. So that information, um I just want to be clear to one of the things that we had hope to provide to you guys tonight was that infamous and we talk about it every once in a while the infamous Capitol Project List. We had, had a meeting last week where we started not only to list it out but associate each project with which fund and try and come up with a cost proposal and then come out with the fiscal plan for over the next five or six years. Unfortunately Eric was pulled off of that due to another pressing matter in regards to another interest that we have been working on so we haven't been able to get that but we will get that to you. It's really not, again not necessary for tonight's discussion but it is coming.

COMPTROLLER KEHOE: Bottom line when you ...all the expenditures for General Highway and Water and Sewer there is less than a 1% increase in the total expenditures for next year and that reflects the holding back on the expenditures for equipment and contractual items. Some of which are included in our 1.6... that are not in the budget. The taxes have a proposed levy increase of 2.79% which is well below the rate of inflation and it results in relatively a nominal increase for ...on a \$200,000 home should be under \$40 in additional taxes for 2007. One of our areas that we focused a lot of attention on is what can we do to close this gap. Obviously having deficits each year is not a very sustainable thing we knew at some point in the future that we would have losses within our operating budget um, not every year can be a surplus year and we try to build up the fund balance so that we absorb those losses when they did come. We had a loss of \$748,000 in the General Fund this last year and we are looking at around \$800,000 this year based on the proposed budget. We have reduced that down to about \$472,000 in the General Fund and the reduction is down to about \$200,000 in the Highway Fund so some significant progress there in terms of restoring balance within those funds. Sales Tax, I was trying to look into my crystal ball when we first had presented the material in the September meeting and unfortunately I didn't have information on two of the biggest components of the General Fund Primarily one of them being sales tax. The wild card on the sales tax for me was what impact would we see from the cap on the fuel tax that Albany County had passed. We received our third quarter check in amount of \$2,440,000 which was fortunately was a little bit stronger than I had expected I would say there was no significant impact to us from that cap on the fuel tax. Which was good because when I had done the last interim report to you on actual finances I had projected that even though we had budgeted \$9,350,000 if the fuel tax impacted us in accordance with the County estimate we would just be hitting budget. I was trying to exceed budget because I expected that mortgage tax would be significantly under budget and I wanted the two to offset. So it looks like I am projecting it to come in about \$9.6 million for the year which will be about \$250,000 ahead of what we had budgeted. The other piece to the puzzle mortgage tax I have what has been called a reasonably reliable estimate for what we can expect in the January 2007 payment to us which is part of our 2006 fiscal year and it looks like we will be coming in about \$1.4 million dollars slightly ahead of what our actual receipts were last year which with a lively interest rate market is pretty good. We will be only short by about \$100,000 which when we last spoke I thought we would be short even \$300,000. We budgeted in the 2007 budget just under \$1.2 million dollars so I think that this will confirm that this is a reasonable estimate for going forward still in a semi winding rate environment. Here is just an updated summary of the tax levy by funds, which ties into the summary sheets that were reviewed earlier in the presentation. Total cash levy \$8.3 million dollars out of total expenditures of \$36.3 million that \$226,000 in total is the 2.79 percent increase in the levy as proposed. Everybody wants to know what does this mean to me in the tax bill that I will see 2007 and what does this mean for my assess values now that we have come off of reval. So what I did was, I took the assess values on a house of \$200,000, \$400,000 and \$600,000 and I took the actual fall 2006 taxes that homes at those values would be paying or just paid for Library and the School District and I calculated what the General Fund and Highway Fund taxes would be as well. For a \$200,000 home \$83.00 that was mentioned earlier and \$254.00 Highway you can pretty much double that for a \$400,000 home where you would be paying \$165.00 as your annual charge for General Fund services and \$508.00 for the Highway Fund so that is mainly to give you some perspective on what to expect and our standard reminder that your January tax bill includes other

items besides that including your County taxes, Special District charges, Fire and Ambulance as well. So do not try and match this to what actually will be on your tax bill it really just represents a portion of those taxes.

SUPERVISOR EGAN: Great that kind of summarizes what has happened since September and the several budget workshops since then. Now, Mr. Moran you were great in reminding me thank you, now we will take testimony on any public comment on the budget.

MR. JASINSKI: Good evening first off I listened to Ms. Kehoe and she is very knowledgeable and everything and um, I just got notified today that Capital District Physician Health will now have co-payment of \$20 for Capital Physicians Health so you are \$5.00 under so which is a plus for you. One of my comments to the Board and to you is the fact that it has been in the newspaper that the dump will probably no longer increase its size of the dump we have Rupert Road. Because of the cost of building a new land fill to line it and I am a little bit familiar with the lining it would turn around and cost 1 million or 2 million dollars to do it properly because you can't just dig a hole and drop the stuff in any more. I wonder if you have considered, you have considered I should say closing the landfill up in back so that you have allotted I believe \$220,000 dollars in a fund to do that. Now this is only to cap and close the present landfill have you given and thought or what time of the year will you have to become a totally transfer station. Now I am not coming at Gregg Sagendorph with this because you haven't funded for this and Gregg is going to be in a bind because you are still going to have to decide what you are going to do with the construction waste that is generated in the Town. How are you goanna put it into to containers, bring it to Albany, what kind of a rate are you going to have on it, you just can't keep on doing it the way you are doing it. I say that because I am familiar with it. I don't know if the Board has been at the dump. But the operation is going to have to change. You are going to have to have means of dumping, compacting, transporting, safety wise, dust control and all these things are going to come to be. You are not going to get away with let's say an extra \$75,000 or something like this. Your dozer just broke down and it still sits on top of the landfill if I am correct. Does it Gregg?

HIGHWAY SUPERINTENDCENT SAGENDORPH: Yes it does.

MR. JASINSKI: Yes it does and that is 25 years old and now your going to close that within 9 months to a year are you going to buy a new dozer? I mean all theses things, you better put a little emphasis on the cost to do this because I think you are going to be bit by a snake on this one.

SUPERVISOR EGAN: And again we certainly have had numerous conversations and have been in consultation with DEC were looking at various alternatives. It was an item on one of the lists that the Board members have but it is very difficult at this point because we don't know which way we are going to go. But it is on the radar screen.

MR. JASINSKI: Well you do own the land that is east of the dump at present.

SUPERVISOR EGAN: Are you suggesting we open a new landfill, Mr. Jasiniski?

MR. JASINKSI: We'll not really because I am concerned with the leaching that comes out of that dump into the ground water and migrates all over the south end of our Town. I really am concerned with it because none of the fill has been lined underneath and this may come back and bit you.

SUPERVISOR EGAN: Again it is significant cost Eric is on it and recently within the last 3 weeks met with DEC the problem is we are still evaluating what the alternatives are but it is on the radar screen.

MR. JASINSKI: I'm sure Eric is going to look closely and professionally at it because he does live right within the area. That's about all I have to say on this. It saves me from getting up again. I want to thank Gregg and his crew they have done a magnificent job on Bender Lane it has gotten so I don't mind traveling on it.

It is a beautiful road and he has done quite a job on it and the crew is very good.

SUPERVISOR EGAN: Great, thank you Bob. Any other testimony this evening on the budget?

MR. PUTNEY: Good evening my name is Ted Putney and I have been a Town resident for about 45 years and been observer of Town government for about that period of time. I was concerned last week when I read the Spotlight that you were considering deferring some of your capitol costs. I would like to urge you and please think in the long term, don't defer stuff just to provide a more most tax rate for next year because it will come back to haunt you. If things are deferred things cost more later on and our interest is as far as everyone is concerned is to provide the greatest Town services for the minimum cost in the long run. I'm not sure what changes you have made in the budget in the last week and I'm not sure if you have already taken care of this. If not I urge you please don't defer capitol cost for the sake of the short term. Thank you.

SUPERVISOR EGAN: Thank you.

MR. GOEDEKE: My name is Matt Goedeke I work for the Highway Department and there has been some talk amongst my fellow co-workers that the 3% raise may or may not go through I know it still goes through you guys it is tentative and none of it is final. I'm just here more or less for them, a lot of them are afraid to get up and speak, voice there opinions and I know that for some of them they are really great guys they don't make the most money in world and where it is that you work you go to different levels, reach different tiers or what not and once you have been there 10 to 15 years you are somewhat maxed out on what the Town can afford to give you. So you rely on these 3% for your family or children or whatever reasons. So when you go to decide to make your decisions on whether or not your going to do this, I want you to consider that voting no, saying your not going to give the 3% is like taking food out of the children's mouths and it is just something that I think you guys should consider thank you.

SUPERVISOR EGAN: Thank you Matt. Any other public comment on the budget.

MR. SMOLINSKI: Just make one very general comment since I'm not privy to or haven't been privy to all the things that are not being done as a result to this budget. I think the Town has to like anyone else invest in what it already has and to the extent things are being deferred or put off someone is going to pay the piper eventually and I hope your process has at least gone through the thinking that whatever is deferred this year what the consequences are next year. I am all in favor of belt tightening and I can't imagine giving any department head there absolute wish list but I think there certainly is a middle ground to look at what things are really necessary to fund and to take the appropriate consequences are to achieve them. Thanks.

SUPERVISOR EGAN: Thank you John.

MS. JASINSKI: I like to request that administration and management forego the 3% raise on their salaries. I feel they can feed there kids and if they can't they shouldn't be working on the budget.

SUPERVISOR EGAN: Thank you. Any other public comment this evening on the budget.

MR. MORAN: I have one. Every tax payer according to Judy is going to be up 2.79 and the interesting thing is when the School Board came up with a 4% increase in the taxes my tax bill was actually 14% higher than it was the year before, okay. I look at the commercial side of the revaluation and Walmart, Lowes, the Insurance Company and there assessment didn't change. So that means whatever the assessment did was take and pass off more cost to the homeowner. The Board approve the new assessment and it only hurt the homeowners it did not hurt the business in Town. I looked at the whole process because I asked for it and

I was told that I couldn't get it. I did it through FOIL and I got it. I went over the thing and the Board turned around and said we'll give the business a reduction in the taxes and increase the property owners. That is exactly what happened. Judy mentioned the average 85 % families and the average person is \$40a month, I join up and I am sure all the senior citizens in this area that are paying large premiums for insurance policies will gladly sign up for that. Where do we sign up, I want to know

SUPERVISOR EGAN: You have to become a Town employee Mr. Moran.

MR. MORAN: Okay, what can I do?

SUPERVISOR EGAN: I just want to be clear as far ad the reval. The Town Board does not approve the reval. It is a process that is done through the Assessment Office and through the Assessment Board of Review and there is a whole legal proceeding that goes through that. There has been some confusion about that but that is the process that happens. But certainly recognizing that percentages sometimes get very skewed and that is why we try very hard especially with this budget presentation to talk about actual dollars, what do the dollars mean out of each fund and how does it apply to value so we can talk about actual tax dollar impact to try and avoid the surprise factor if you will in January. But we appreciate the concern.

MR. MORAN: Okay, you are having a public hearing on the budget, this is not sufficient information for anybody to evaluate what the budget is going to be like. There is nothing saying what the budget was per department

SUPERVISOR EGAN: That information is available and it has been available in the Clerk's Office, you know the process

MR. MORAN: If your having a public session, you should have a hand out that shows that.

SUPERVISOR EGAN: The budget is about thick.

MR. MORAN: I don't need all that detail, what I am talking about. Like last year say the Comptroller's Office was \$50,000 expenditures this year it is \$65,000 and so on and so forth. If the person is going to look at the budget and make a determination as whether they feel it is reasonable or unreasonable, there is not enough information in handout work to find out.

SUPERVISOR EGAN: And again, that information has been on file with the Clerk's Office and public since September 26th ish whenever we did the presentation.

MR. MORAN: You have Board Meetings and that information never comes out in public.

SUPERVISOR EGAN: Our minutes are posted on the web Mr. Moran they are very public.

MR. MORAN: It is never in the newspaper that the budget is available.

JUDITH KEHOE: There is a legal notice published that is available.

MR. MORAN: Whereabouts, in the spotlight.

JUDITH KEHOE: ... and it is on the web page. I just want to clarify on the health insurance. It is not \$40 a month, the extended coverage is about \$90 dollars a month and for the 2-person coverage it's about \$155 dollars a month.

MR. MORAN: One of the newspapers, I not sure which one quoted you at \$40.00.

JUDITH KEHOE: ...\$40.00 more than other communities. I don't recall the

article but the amount paid per month are higher.

MR. MORAN: Okay, thank you.

SUPERVISOR EGAN: Thank you. Any other public comments this evening, Will.

MRS. CAPONE: John you talk about open space. You know on Orchard they are building houses with 2 acres on each side.

SUPERVISOR EGAN: Mrs. Capone this is a public hearing on the Budget.

MRS CAPONE: I don't care. Listen at Verstandig there going to put 2 units, a full apartment in each. Talk about ...

SUPERVISOR EGAN: Will, you can go to the mike.

MR. VAIL: Hello, I am Will Vail and I am from 12 Stratton Place and I would like to go on the record just to stay I am in support of what some of my fellow citizens of Town have said about long range vision and not deferring things. I support a slow and gradual increase. We have wonderful services here, that is why I moved to this Town and I want to see them stay and I don't want to put off to the future and have a large bite to take down. So please look at the long run here.

SUPERVISOR EGAN: Thank you Will. Any other public comment on the Budget. Okay, do I have a motion to close the public hearing?

The motion was made by Mr. Plummer and seconded by Mr. Kotary to close the public hearing at 5:30 p.m. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.
Noes: None.
Absent: None.

Town Clerk

The Supervisor asked if there was any discussion. Councilman Plummer questioned the Comptroller regarding the Assessor's Digital Photo project with regards to the actual grant for the web data in the amount of a \$32,000 appropriation. He asked if the Town receives grants if that is included as appropriations. Mrs. Kehoe said the expenditure is part of the grant under financial reporting requirements and is an expenditure, but there is an offset of revenue.

Supervisor Egan asked for a motion for an Executive Session to discuss a personnel matter.

The motion was made by Mr. Mr. Kotary and seconded by Mr. Messina to meet in Executive Session following the close of the regular Town Board meeting to discuss a personnel matter. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.
Noes: None.
Absent: None.

The motion was made by Mr. Messina and seconded by Mr. Kotary to adjourn the regular Town Board meeting at 8:32 p.m. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.
Noes: None.

Absent: None.

Town Clerk

EXECUTIVE SESSION

There was no action taken at the Executive Session.