

TOWN BOARD
OCTOBER 26, 2005

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
George Lenhardt, Councilman
Tim Gordon, Councilman
Kathleen A. Newkirk, Town Clerk
James T. Potter, Esq., Town Attorney
ABSENT: Thomas Marcelle, Councilman

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Supervisor Egan welcomed everyone to a regular meeting of the Bethlehem Town Board and invited everyone to join in the pledge of allegiance. She asked if anyone had any comment on an agenda item.

The Supervisor noted if someone intends to speak at the public hearings, there were 3 sign-in sheets at the back of the room. She asked that those wishing to speak please sign-in.

Mr. Robert Jasinski said he has spoke to the Board many times, indicating he does not get enough information on the agenda and therefore, he has to get up and ask the questions. He said the Board has much more information in front of them than the public has. He said with that he asked about the consultant for the storm water management program. He said they had appointed someone. Supervisor Egan interrupted to correct the fact that the Board did not appoint someone. She said when it was on the agenda, there were some questions from the Department of Public Works Commissioner in regard to getting prices for another task. She said without appointing anyone they asked for additional information which has been received and the engagement will be considered this evening.

Mr. Jasinski asked the Supervisor to explain that. The Supervisor said it was talked about hiring someone a couple meetings ago and there was a request about adding an additional task. Mr. Feller has now forwarded the information and the item will be reconsidered and discussed. Mr. Jasinski then asked if this would be an additional cost for the consultant. Supervisor Egan said this was correct.

Mr. Jasinski next asked the Supervisor to explain the eminent domain item. Supervisor Egan said the answer would come from Councilman Marcelle who was not in attendance. She said Mr. Marcelle could be addressed if he came in later.

Mr. Jasinski said it seems like Administrator of Parks and recreation Department is always appearing for approval of and appointment of seasonal personnel. He noted it seems the turnover is great. Supervisor Egan said there are different programs run by the Department of Parks and Recreation year round. She said some are spring, some are summer, some are fall and some are fall-winter and some are just winter. She said as those positions become necessary to fill the Park and Recreation Administrator provides those names to the Board for approval.

Mr. Jasinski asked as the present employer, hires some park people that are correction people form the jail. He asked if there is a clean-up crew or anything like this. Supervisor Egan said not that she was aware of.

Mr. Jasinski thanked the Board. Supervisor Egan thanked Mr. Jasinski.

The first item was a request to approve the Town Board minutes of September 14, 2005.

The motion was made by Mr. Plummer and seconded by Mr. Lenhardt to approve the Town Board minutes of September 14, 2005 as presented. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.
Noes None.
Absent: Mr. Marcelle.

The next item was a request from Director, Karen Pellettier, Senior Citizen Services, for approval of acceptance of donations in the amount of \$445.00. She said it is made in the memory of Thomas Dare and request that the funds be restricted for senior transportation.

The motion was made by Mr. Plummer and seconded by Mr. Lenhardt to approve the acceptance of donation in the amount of \$445 in memory of Thomas Dare with the funds being restricted for senior transportation as requested by Karen Pellettier, Director, Senior Citizen Services. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.
Noes None.
Absent: Mr. Marcelle.

The following item was a request from Administrator, Nan Lanahan, Parks and Recreation Department, for approval of appointment of Assistant Administrator of Parks and Recreation Department at an annual salary of \$44,995 effective November 14, 2005. Supervisor Egan said the individual is Jason Gallo, noting it would be provisional until he passed the Albany County Civil Service exam. She said over 50 resumes were submitted and Mrs. Lanahan and Human Resources interviewed 8 candidates and it was narrowed down to 2 candidates. Mr. Gallo was chosen according to the Supervisor.

Councilman Lenhardt said he assumed Mr. Gallo was moving closer. Mrs. Lanahan noted he is in the process of moving now. Mr. Lenhardt noted he had an impressive resume. Supervisor Egan said it would be fair to say that everyone was impressed with the resumes that came in.

The motion was made by Mr. Lenhardt and seconded by Mr. Gordon to approve the appointment of Jason Gallo, Cortlandt Manor, NY to the position of Assistant Administrator, Parks and Recreation Department at an annual salary of \$44,995, effective November 14, 2005. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.
Noes None.
Absent: Mr. Marcelle.

Councilman Gordon commented that his resume is impressive and he was pleased to see that he is planning some seasonal special events. He said there have been a couple times in Town where events are proposed and they are looking for volunteers and the volunteers work real hard but it might be nice to have someone in the Town spearheading volunteers in those efforts. Supervisor Egan said the recent KARES event shows that.

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

The motion was made by Mr. Plummer and seconded by Mr. Lenhardt to approve the following appointment as requested by Nan Lanahan, Administrator of Parks and Recreation Department:

Recreation Instructor III, \$10.00 per hour
Mr. Michael S. Charvat
Albany, New York.

The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.
Noes None.
Absent: Mr. Marcelle.

The following item was a request from Building Inspector, Mark Platel, for approval of dumping permit for 595 Wemple Road, Glenmont.

The motion was made by Mr. Plummer and seconded by Mr. Gordon to approve a dumping permit for Ms. Kara Hoogkamp, 595 Wemple Road, Glenmont, Town of Bethlehem as requested by Mark Platel, Building Inspector. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.
Noes None.
Absent: Mr. Marcelle.

The next item was a request from Nancy Mendick, Receiver of Taxes, for approval of appointment of Account Clerk I at an annual salary of \$27,750 effective October 27, 2005. Supervisor Egan said with regret Betty DeGonza after 15 ½ years is retiring, noting we are going to miss her. She said there is a request to hire Danielle Connell, Ravena, NY to the position. She said the Account Clerk I list from Albany County Civil Service was reviewed and interviews were conducted. She said we are proud to appoint Danielle.

The motion was made by Mr. Lenhardt and seconded by Mr. Gordon to approve the appointment of Danielle Connell, Ravena, NY to the position of Account Clerk I as requested by Nancy Mendick, Receiver of Taxes and Assessment. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.
Noes None.
Absent: Mr. Marcelle.

The following item was a request from Chief of Police, Louis Corsi, for acceptance of donations to DARE in the amount of \$630. Supervisor Egan noted it was \$5 from Nancy Farr and \$625 from Walmart.

The motion was made by Mr. Plummer and seconded by Mr. Lenhardt to approve the following donations to DARE as requested by Chief of Police, Louis Corsi:

Nancy Farr	\$5.00
Walmart	\$625.00.

The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.
Noes None.
Absent: Mr. Marcelle.

The next item was to re-consider engagement of consultant for Storm Water Management. Supervisor Egan as was mentioned at the beginning of the meeting, this was on previously and Commissioner of Public Works, Oliver Holmes, requested a different phase on this item. She said that information has been obtained from Mr. Feller in regard to his estimates for the items of work. She said the issue is that with the moratorium off and subdivisions starting up again, the whole Storm Water MS 4 issue is being grappled with. She said it is a system that the Town will inherit by 2008. She said the idea is to try and get a system in place now that is workable and acceptable by DEC but also that fiscally stands on its own.

Councilman Plummer said it seemed reasonable to him asking once the options are outlined for the Board and this moves forward, he sees Mr. Feller will be doing some legal interpretation as to what can be done as far as the rates and providing alternative fee structures and things like that. He said there is reference to prospect of having hearings, asking if this will be needed to make this effective as a Town law. Town Attorney Potter said it depends on what route the Town will go through. He said he believes it will need a Town law, noting the current thought process is that there will be special benefit districts created similar to a water improvement district and so in connection with those, there will likely have to be public hearings. He said this is one of the questions he will be answering for the Town – is it better to do a town-wide district or is it better to have multiple districts for individual developments as they come on line. He said that might mean one hearing versus multiple hearings. So, these are the kinds of questions that will be delved in as the Town gets into the process.

Councilman Plummer asked if other communities have decided which way is best at this point in time. Town Attorney Potter said they have not. He said we are kind of in the lead in Albany County right now. He said we are trying to get this in place so we do not have developments coming on line that will place a burden on the Town to maintain storm water without having a mechanism for funding that. Mr. Plummer said the proposal seems reasonable to him and he thinks the amount of money that is being spent will provide the information the Town is going to need. He said he would be supportive of that. He said he does not know if this consultant will be needed as part of the hearings and he does not price that. Town Attorney said that was correct and to amplify on that further, he talked to Mr. Feller and asked for overall estimates. Mr. Feller told Attorney Potter that he did not know that it would be this much but it can result in a cap on it. Town Attorney Potter said this is an idea of what it could cost and then they can choose to use the services that are needed. He said he does not know if we will need his assistance in conducting a hearing but assisting the Town in getting to the design is what they are looking for.

Supervisor Egan noted that without knowing exactly what is needed, she guesses the proposal for the motion would be to authorize the Department of Public Works Commissioner and the Town Attorney to work with the consultant to arrive at exactly what is needed with the services not to exceed the numbers set forth in the proposal. She said in that way they can pick and choose the tasks that they need knowing it will not exceed the numbers in the proposal.

Councilman Gordon said he thought this was good and that we are getting out in front of this. He said at first glance maybe a town-wide district could be the way to go rather than piece meal but Mr. Feller will help them determine that too. Town Attorney Potter said he should.

The motion was made by Mr. Plummer and seconded by Mr. Gordon to approve the retaining of Mr. Robert H. Feller, Bond, Schoeneck and King, PLLC, Albany, New York to provide services as outlined in his proposal regarding the Storm Water MS 4 regulations. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.
Noes: None.

Absent: Mr. Marcelle.

The next item was a request from Emergency Management Specialist, John Brennan, to adopt the National Incident Management System (NIMS). Supervisor Egan said there was a proposed resolution presented by Mr. Brennan, Director, Emergency Management Office. She said this was a Presidential directive from the Secretary of Homeland Security to standardize the National Incident Management System (NIMS). She said if the Town does not adopt it, the Town will not become eligible for FEMA or any Federal funding in the event of an emergency. She said there is a request for this resolution whereby the Town Board resolves that the NIMS would be adopted, implemented as a standard for incident management within the Town of Bethlehem and that the Town Board would urge all municipal subdivisions within the Town to adopt the NIMS. The Supervisor noted the first training will take place on October 27, 2005.

The following resolution was presented for adoption:

RESOLUTION

DESIGNATION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AS THE INCIDENT MANAGEMENT SYSTEM IN THE TOWN OF BETHLEHEM

WHEREAS, in response to a Presidential directive, the Secretary of Homeland Security developed a standardized National Incident Management System (NIMS) to provide a consistent nationwide approach for federal, state and local emergency agencies and personnel to follow to prevent, prepare for, respond to and recover from domestic incidents regardless of cause, size or complexity and,

WHEREAS, since the State of New York and the County of Albany have both adopted this National Incident Management System as the basis for incident management in order to comply with Homeland Security guidelines and maintain eligibility for future Federal Homeland Security funding and since the Bethlehem Emergency Management Office urges and supports the adoption of this system as an integral part of the Town's Comprehensive Emergency Management Plan, be it therefore

NOW, THEREFORE, BE RESOLVED by this Town Board that the National Incident Management System will be adopted and implemented as the standard for incident management within and for the Town of Bethlehem and this Town Board further urges that all municipal subdivisions within the Town of Bethlehem also adopt this incident management system.

The foregoing resolution was presented for adoption by Mr. Lenhardt, seconded by Mr. Mr. Plummer and passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.

Noes: None.

Absent: Mr. Marcelle.

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Councilman Lenhardt noted he attended the training on October 18, 2005 at the Elsmere fire house and he hoped we do not have to utilize it. Supervisor Egan said she echoed that.

The following item was to consider resolution relating to Town's authority to use eminent domain in light of Kelo Vs. City of New London. Supervisor Egan said inasmuch as this item was brought forth by Councilman Marcelle and he is unable to be in attendance, she suggested tabling this item.

The motion was made by Mr. Lenhardt and seconded by Mr. Plummer to table the consideration of a resolution relating to the Town's authority to use eminent domain in light of Kelo vs. City of New London. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.

Noes: None.
Absent: Mr. Marcelle.

The next item was a request from Louis Corsi, Chief of Police, for appointment of Senior Typist effective October 27, 2005 at an annual salary of \$28,885. Supervisor Egan said the person is Mary Cox, Delmar, NY and it is to fill vacant position.

The motion was made by Mr. Plummer and seconded by Mr. Lenhardt to approve the appointment of Mary Cox, Delmar, NY to the position of Senior Typist, effective October 27, 2005, as requested by Louis Corsi, Chief of Police.

The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.
Noes: None.
Absent: Mr. Marcelle.

Supervisor Egan said there were a couple items not on the agenda. She said the 2006 Sewer Assessment Rolls require a public hearing. She asked for a motion to adopt the Notice for the Public Hearing to be placed in the Times Union as of Saturday with the hearing being held November 9., 2005 at 5:45 p.m.

The motion was made by Mr. Plummer and seconded by Mr. Lenhardt to approve setting a public hearing for November 9, 2005 at 5:45 p.m. in regard to the 2006 Sewer Assessment Rolls. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.
Noes: None.
Absent: Mr. Marcelle.

Supervisor Egan said based on the conversations at the last Board meeting and what transpired at the budget workshop, along with several conversation that have ensued with various department heads over the last couple weeks, she said there are fiscal issues that they would further look into. She said there have been different projections, different assumptions made and certainly one of the priorities that she has talked about for 2006 is looking at each department on a department-by-department basis for efficiencies and to determine how the Town can become more proficient and provide the same quality of services at less cost.

The Supervisor also thinks that one of the things that happens is that there is a little bit of a disconnect sometimes between the Town Board and the departments. She said some of the day-to-day happenings and operations certainly are not their obligation to know but at the same time she thinks it is important that as a Board they stay in touch with the departments and have an idea of the stresses and the priorities that they are trying to grapple with while not only doing budget but doing operations every day.

Supervisor Egan said one of the things she has thought about was creating an internal management committee that would be various department heads, volunteers and ask for another Board member to be part of the committee. She said they would go in and start looking at the departments, look at the budgets, ask questions. She said she would like to get this started immediately. She said she would like the Board to task the committee to do those tasks and report back by April 1 of 2006 to get through that first quarter and see where the 2006 budget is at. She said there has certainly been substantial conversations over the last couple weeks and she anticipates hearing very knowledgeable and insightful comments

this evening at the public hearing in regard to different things having to do with the budget process. She said she thinks this is a good way to get proactive and get our hands around what could be some real fiscal control from the fiscal stress and pressures.

The motion was made by Ms. Egan to create a Management Committee and task it to start a department-by-department evaluation with a report back to the Board no later than April 1, 2006. The motion was seconded by Mr. Lenhardt and he volunteered to be the representative from the Board assuming he will be on the Board after January 1, 2006. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.

Noes: None.

Absent: Mr. Marcelle.

Supervisor Egan reported that the Bethlehem KARES volunteers are in attendance and said this was certainly not a small affair. She said it started out as somewhat of an off the cuff comment by Mr. Reagan and blew up into something much bigger than that. She said based on the numbers put together over 600 people came through the door on the blustery Sunday 2 weeks ago. She said she thinks the collection is over \$23,000 as to the contribution. She said in addition to that there are t-shirts left and they are on sale for \$5 each and are available at the Supervisor's office. She said all the proceeds go directly to the victims of Katrina.

The Supervisor said also there is a need to go forward on some of the recommendations of the comp plan. She said the CACC needs to be established and they have been requesting volunteers to serve on the committee. She said it is official and they need people to serve. If anyone is interested, the Supervisor suggested they send a letter of interest and outline their background or why they want to serve. She said in addition to that there is the Route 9W Corridor Committee that will be needing volunteers. She said she would like to get the committees formed the end of November, beginning of December at the latest to get things moving.

Supervisor Egan also reported to the Board that Tuesday morning, at a request from Peter Staniels a realtor in Town, Mr. Morelli, Mr. Lipnicky and Mr. Leveille did an excellent presentation to an over 40 group of realtors in Town in regard to the comp plan, the update on the zoning ordinance, as well as, different projects that are happening as it may affect the real estate market both commercial and residential. She said it was very well received and so well received that there have been calls about doing it again. She said for everyone's information, there is a process of picking a date in November and probably be an evening to repeat this presentation in the first forum to also talk about the update and the zoning ordinance. She said they came out very committed to do updates and revisions within the first 6 months to tighten things up that may have been missed. She said they will be getting that date out in the next week or so and publicizing it. She said again, they welcome everybody's participation in that and look forward to seeing everyone.

Councilman Lenhardt wished Comptroller, Judith Kehoe, a happy birthday.

Supervisor Egan asked if there was any other public comment before the public hearings begin. Mrs. Capone asked if they were ever going to have a budget in their hands.

Supervisor Egan asked if there was any other public comment. Ms. Linda Jasinski said she echoed that, apparently it is difficult to get a hold of this copy of the budget. She understands that it has been at the library and the Town Hall, She said it was not on the internet so therefore if you cannot get into Town Hall or the

library you have no copy to look at before the public hearing.

Ms. Jasinski said there also is talk about a management committee and asked about putting some citizens on that that might want to volunteer that might have some expertise in management and they can help look at things. Supervisor Egan thanked Ms. Jasinski and said she would consider that

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Mrs. Capone again asked about the budget. Supervisor Egan said the budget is available at the Clerk's office and the library. She said she has not received any calls from anybody requesting a copy of it. Mrs. Capone said it did not matter.

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Hearing began:

SUPERVISOR EGAN: The first public hearing is Beverwyck, the 5:45 hearing. Clerk please read the notice.

TOWN CLERK NEWKIRK:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Bethlehem, Albany County, New York will hold a public hearing on October 26, 2005 at 5:45 p.m. at the Town Hall, 445 Delaware Avenue, Delmar, NY to consider proposed Local Law pertaining to the rezoning of certain property from Residential A District to Planned Development District for the Beverwyck, Inc., North Bethlehem, Town of Bethlehem.

All parties in interest and citizens will have an opportunity to be heard at the said hearing.

The Town of Bethlehem provides reasonable accommodations for the disabled. Disabled individuals who need assistance in order to participate should contact the Town Clerk's office at 439-4955. Advanced notice is requested.

BY ORDER OF THE TOWN BOARD

TOWN OF BETHLEHEM

Kathleen A. Newkirk, MMC, RMC

TOWN CLERK

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State of New York)
County of Albany)

LIZA CLINE 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 12th day October 2005.

/s/ Liza Cline

Sworn to before me this 12th day of October 2005.

/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 October 12, 2005, 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

20th day of October 2005.

/s/ Julie S. McNeil

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

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The motion was made by Mr. Lenhardt and seconded by Mr. Plummer to indent the Notice of Public Hearing, Affidavit of Publication and Affidavit of Posting on the minutes of the meeting. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.
Noes: None.
Absent: Mr. Marcelle.

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SUPERVISOR EGAN: Believe we have a presentation to start, Doug.

MR. MILLER: Good evening. My name is Doug Miller, I'm the Vice President and Executive Director of Beverwyck and I'm going to keep my comments very brief. But, I'd like to introduce a bit of an entourage I have this evening. I have Davie Caesar is here in the audience. He is our Assistant Vice President of Facilities. David Wendth, our Senior Project Manager, Brett Steinberg our Civil Engineer. I also have 4 housing management interns and also some Beverwyck residents.

What we would like to do tonight is to give you a brief, very brief, overview of our project. It really consists of what we call Beverwyck Phase 4 which is 7 duplex cottages. We also have Beverwyck Phase 5 which is an addition to our enriched housing units which include 18 additional units for folks with Alzheimers and also a 20 bed skilled nursing facility. Those are the projects that are before us tonight.

With that I am going to turn it over to David who will walk you through briefly the project and then we will leave it to the Town Board.

SUPERVISOR EGAN: Thank you, Doug.

MR. WENDTH: As Doug mentioned, my name is David Wendth. I'm the Senior Project Manager with Northeast Health, The Eddy. I've been working with Doug for some time now on both the 4 and 5 projects over at Beverwyck. Before I start into the projects, just to familiarize the Board Members who may not have been with Beverwyck before, just want to give you an overview of the overall area.

Krumkill Road is located here to the north side of this plan. You come in Beverwyck Lane then down Autumn Drive. Autumn Drive being a private road system. What you see down here in the green is the main independent living apartments, as well as, the core service area, if you will, for the community. Over here we have some existing cottages, highest level of independence on the campus. Our service building and the old Beverwyck barn located out here, as well as, in the dark green is the existing Terrace at Beverwyck.

What we are looking to do at this point is rezoning and that's why we are here tonight. The first zoning deals with 42.3 acres, located all here in the gray with this area right here, development known as Phase 4. As Doug mentioned, that will add 7 duplex parcels for a total of 14 units to the campus. The unit sizes are larger than what we currently have, again, the market has dictated that and people are looking for larger units. They are about 2400 square feet per unit. As I mentioned, it's the highest level of independence. Really the area of impact from construction standpoint is only approximately 10 acres of the 42 acres. The rest remaining forever wild. Access to this location is off of Stricker Ridge and/or the extension of Hickory Drive, both maintaining the private roadway system. Our plantings, buffering, as well as, landscaping in the areas will be consistent with the campus and what we've done to date and we continue to enhance that every year through our operations. The building elevations, the look of the building will maintain and I do have some elevation pictures you can take a look at, will maintain the Dutch colonial façade.

Up here is the assistive living expansion as Doug mentioned. We have a connecting link back to the existing Terrace. Within this area we will have an 18 bed Alzheimer's unit designed specifically for folks with Alzheimer's disease with many design features that enhances the cue in and enhances their independence in a safe and secure environment. Likewise, we have a 20 bed skilled nursing wing attached to the new facility.

One thing I just wanted to bring up, many of you may not be aware and you may be aware, that the original master plan for Beverwyck that was approved by the Town of Bethlehem called for 120 bed skilled nursing facility out here on top. We are looking today to build this out and we would end up with 79 units. So, from a density standpoint, clearly the population we're serving is 41 shy of what the original master plan had mentioned.

As far as you can see the blow up of the site plan for Phase 4, again level of buffering that we have with landscaping to be done. Folks down here on the south end certainly being able to enjoy views down into the Krumkill and that natural area we're that looking to keep in tact. The floor plan for the cottage has a side-loading garage, the Dutch colonial façade is maintained out front here. These units will have a master bedroom with bath, a guest bath/bedroom, a large great room with kitchen area, den, screened in porch, as well as, a patio area. So, again, we are trying to maximize that independence. It is all on single floor, flab-on-grade construction so simply from a senior care population, you know, it allows them safest environment to reside.

This is the elevation of the cottage, again, you can see the Dutch colonial façade so bump outs coming up to break up the massing of the building, architectural shingles on the roof, vinyl siding, you know in the other areas. This would be the back of the building so those folks looking out towards the Krumkill, a lot of windows to view the beauty of the woods.

This here is a blow-up of the Alzheimer's and skilled nursing facility. Again, accessing off of Beverwyck Drive into a main parking lot area with a portico for maintaining the existing community space which was a space that we've always promised the Town and it's used, I believe, as a polling place, as well as, other civic groups and there would be parking adequate to address those needs as well.

The floor plan of the Alzheimer's unit has that connecting link, as I mentioned, and then the main piece... reason for the connecting link is the main kitchen back in the existing Terrace will be providing the food out to the skilled nursing and Alzheimer's areas. Each area has a country kitchen which really focuses in on residential feel. As I mentioned the Alzheimer's is designed to assist with their level of independence in a secure environment with a wander guard system here so once an individual is within this area they are retained in the area until a family member or if they need to go to the physician or whatever the case may be, somebody will escort them out. There's exterior court yards and wandering areas, again all within security enclosed area.

The skilled nursing wing has larger than typical skilled nursing rooms. It's not what you typically see at a County or other nursing home. We decided to put in... and this... put in each unit private showers trying to maintain the dignity of the resident versus having them walk down the corridor to get their shower in a common shower room and then walking back to their apartment. This way, scheduled bathing can occur right in their unit. Likewise, we've expanded the size of the unit to include an alcove if you will or sitting area so that when family and friends come to visit – Mom and Dad or your Aunt as the case may be – you've got the social space within the apartment versus just being crowded around the bed.

Here again is the exterior of the skilled nursing Dutch colonial façade is maintained. You have some clear stories here to allow natural light to come down into some of the areas, this being the skilled nursing over here.

Having said that and before I turn it back over to the Board for public comment, I do want to bring up a couple items which we came across in our development

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process. One of the things that the Eddy and Northeast Health, I believe, we pride ourselves on is we want to keep our neighbors informed during the project. To that end, we have conducted several meetings during the process going through the Town process again to try to get an understanding of any concerns that they may have. In fact, for Phase 4 and 5, we've conducted 7 neighbor meetings dating back to 1993, the latest one being September 25th of this year.

The 2 concerns that came out clearly from some of the neighbors within the Olympian Drive area and Marathon Road area, first and foremost is perceived traffic driving through Olympian Drive from Beverwyck Lane. Doug Miller, who is the Executive Director at Beverwyck, repeatedly has staff meetings and routinely tells his staff to only use Beverwyck Lane and do not find shortcuts out through any of the other surrounding neighborhoods. At the neighbors request who raised this question, we did work with the Town to investigate the possibility of installing some signage. Neighbors were looking for a potential stop sign here, as well as, a no through traffic sign here to again try to steer the public from driving through their neighborhood. Having said that, we received back a letter from the Town that has been shared with the neighbor, basically the signs were deemed not to be warranted. And, at this point in time, you know, Doug has stationed his campus security out there to try to get a snapshot of staff driving patterns. Every time they have been out to do that he has not seen anything So that being said, we really believe at this point in time we've done everything in our power to work with the neighbors to try to come to some resolution but the reality is, once they leave our private facility system, staff is on public roads. And, you know, that the position that we've taken thus far with the neighbors, you know, we've tried to help out.

The second item and I'll leave it after this deals with the alignment of the entrance into the new Phase 5 facility. What was raised at the September 25th meeting is that will only encourage individuals leaving the Terrace at Beverwyck and the Phase 5 project to cut through, directly through to Olympian Drive. Mention to the neighbors at that meeting that the original plans that we submitted... actually sat down with the staff here to take a look at, had this driveway aligned with Stricker Ridge which is the stub road here. And, that's actually the existing drive into the community room, as well as, the Terrace. But, do to sight distances... sight distance concerns as well as a desire to align the driveway with a Town road, we were requested to move it up which we have done.

The net effect of these expansions just to give you a sense, Creighton Manning Engineering took a look at, you know, traffic impact if you will and they would estimate at this point 4 1/2 vehicles per hour during the morning peak hours and 6 vehicles per hour during the evening peak hours. Having said that, what we intend to do to try to assist the residents, the neighbors concern, we will intend on putting a stop sign in here on our property for people leaving our facility. Likewise, we would be looking to put in some kind of sign in there that directs anybody leaving our facility to Krumkill Road. So it is not a natural decision to cut through Olympian Drive rather than directed to use Beverwyck Lane to Krumkill Road.

Unless there are any questions from the Board, I will turn it back to you for public hearing.

SUPERVISOR EGAN: Before we open up for comment, do we have any questions from the Board?

COUNCILMAN LENHARDT: Just a question, the gray area I assume is a slopped area down...

MR. WENDTH: That is correct.

COUNCILMAN LENHARDT: I can't see the public wanting to use Olympian Drive when right out to Krumkill Road it seems it's just as fast to go right that way unless there is a sight distance problem on Krumkill that I'm not aware of.

COUNCILMAN GORDON: This might be a question for the Industrial Development Agency, Phase 4 and 5 related to the original pilot agreement in any

way?

MR MILLER: At this point, I believe what my understand is, is that it's all part of that original plan when we have a 20 year pilot. And, what we incurred would be the additional increase in the tax base as everyone does.

COMPTROLLER KEHOE: The original pilot was between the Town and Beverwyck. The IDA was not involved with that because they were a non-profit they voluntarily agreed to..... in lieu of taxes agreement.

SUPERVISOR EGAN: Okay, thank you. Anybody wish to testify in regard to this particular project and this public hearing? Nobody, going once, going twice... any of the residents want to say anything? We love to see you guys here.

MR. KLEMM: Well, I think it's perfectly obvious we're all in favor of this.

SUPERVISOR EGAN: Well, I was going to say you are sitting quietly. Usually we hear from the ones that don't like something but....

MR. ALLEN: Yes, my name is George Allen. I'm a resident of Beverwyck and lived before that 35 years here in Delmar. So, I hope... I'm sure the Board realizes what a treasure you have for senior housing both independent and now we're looking forward to moving ahead to having some more assisted and nursing bed facilities.

SUPERVISOR EGAN: Thank you. Sir, could I just have your name for the record.

MR. KLEMM: Fred Klemm.

SUPERVISOR EGAN: Thank you, Mr. Klemm. Any other comments? Ma'am.

MS. BARRY: My name is Joanne Barry and I'm a resident of one of the cottages at Beverwyck. And, Beverwyck is a wonderful place and I think with the nursing beds it will be a wonderful continuum of life services at Beverwyck.

SUPERVISOR EGAN: Thank you. Okay, any other comments this evening? I just want to say, thank you Doug. I know it's been kind of a long process and although I think what we are getting here at the end is a wonderful product and wonderful service for the community. So, thank you and your staff.

MR. MILLER: Thank you and the Town Board for having us on the agenda. We're pleased to move this along.

SUPERVISOR EGAN: Thank you. Okay, do I have a motion to close the hearing?

The motion was made by Mr. Lenhardt and seconded by Mr. Plummer to close the public hearing at 6:14 p.m. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.

Noes: None.

Absent: Mr. Marcelle.

Town Clerk

The Supervisor asked if the Board wished to vote on the previous hearing. She said there were 3 actions to be considered with respect to this item. She said the first is to adopt the proposed Local Law rezoning the property at Beverwyck. The Supervisor noted there was a positive recommendation from the Planning Board.

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

The motion was made by Mr. Plummer and seconded by Mr. Lenhardt to approve the adoption of Local Law No. 3 of 2005 rezoning certain property from Residential A District to Planned Development District for Beverwyck permitting the construction of the assistive living and skilled services facilities. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.

Noes: None.

Absent: Mr. Marcelle.

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Supervisor Egan said the second consideration was to adopt the resolution having to do with the open development area. She said this is basically pursuant to Section 280 of the New York State Town Law to accommodate the proposed access to Phase 4 for the cottages by means of private streets. The following resolution was presented for adoption:

TOWN BOARD
TOWN OF BETHLEHEM
RESOLUTION
ESTABLISHING AN OPEN DEVELOPMENT AREA
**BEVERWYCK PLANNED DEVELOPMENT DISTRICT
PHASES IV AND V**

WHEREAS, the Town Board of the Town of Bethlehem has received an application from Beverwyck, Inc. and Beechwood Inc. for the rezoning of two parcels to Planned Development District (PDD) as an extension of the existing Beverwyck PDD (a.k.a. PRD No. 12); and,
WHEREAS, the purpose of said rezoning is to allow the construction of seven duplex cottages (Phase IV) and an addition to the existing assistive living facility for 20 skilled nursing beds and 18 additional assistive living units, for seniors with Alzheimer's disease (Phase V); and,
WHEREAS, the Phase IV portion of the project as proposed would not meet the access requirements of NYS Town Law §280-a, since both streets providing access to the property, Hickory Drive and Stryker Ridge (a.k.a. Carrol Drive), are private streets; and,
WHEREAS, after referral of the application to the Planning Board by the Town Board, the Planning Board, in a resolution adopted September 20, 2005, made a recommendation that the Town Board establish the expanded Planned Development District also known as PRD No. 12 as an open development area pursuant to NYS Town Law §280-a.4, subject to the provision of a suitable access easement from Beverwyck Lane over lands of Beverwyck, Inc.; and,
WHEREAS, the Town Board has considered the Planning Board's recommendation;
NOW, THEREFORE, BE IT RESOLVED,
that the Town Board hereby establishes the Beverwyck Planned Development District, also known as PRD No. 12, as an open development area pursuant to NYS Town Law §280-a.4, subject to the provision of a suitable access easement to the Phase IV portion of the project from Beverwyck Lane over lands of Beverwyck, Inc.

On a motion by Mr. Plummer, seconded by Mr. Lenhardt, and a vote of 4 for, 0 against, and 1 absent, this RESOLUTION was adopted on October 26, 2005.

- - -

Supervisor Egan said the third action was to adopt a resolution regarding parkland and fee in lieu of parkland for Phase 4 of Beverwyck, in accordance with Section 128-60 of the Bethlehem Town Code. The following resolution was presented for adoption:

TOWN BOARD
TOWN OF BETHLEHEM
RESOLUTION
RESERVATION OF PUBLIC PARKLAND
**BEVERWYCK PLANNED DEVELOPMENT DISTRICT
PHASES IV AND V**

WHEREAS, the Town Board of the Town of Bethlehem has received an

application from Beverwyck, Inc. and Beechwood Inc. for the rezoning of two parcels to Planned Development District (PDD) as an extension of the existing Beverwyck PDD (a.k.a. PRD No. 12) for the purpose of constructing seven duplex cottages (Phase IV) and an addition to the existing assistive living facility for 20 skilled nursing beds and 18 additional assistive living units, for seniors with Alzheimer's disease (Phase V); and,

WHEREAS, §128-44 of the Code of the Town of Bethlehem provides the Town Board with the authority to review and approve Planned Development District applications; and,

WHEREAS, §128-60 of the Code of the Town of Bethlehem authorizes the Town Board to require the reservation of land for public park, playground, or recreation purposes, or the payment of a fee in lieu of parkland, as a condition of Planned Development District approval for residential developments requiring such approval; and,

WHEREAS, the parkland requirements were adopted by the Town Board after careful consideration of the impacts new housing development is having on the Town's park and recreation facilities, as outlined in a memorandum from the Town Planning Department dated May 15, 2001; and,

WHEREAS, the Town Board has considered the project site and its potential for accommodating a park site for active recreation use;

NOW, THEREFORE, BE IT RESOLVED,

that the Town Board hereby finds that the proposed Phase IV portion of the Planned Development District presents a proper case for the requirement of public parkland, but also finds that a suitable park of adequate size, which meets the criteria outlined in §128-60 of the Town Code, cannot be properly located within the Planned Development District; and,

BE IT FURTHER RESOLVED,

that the Town Board of the Town of Bethlehem hereby requires a fee in lieu of parkland reservation for the proposed Phase IV portion of the Beverwyck PDD, the amount and payment of which shall be made in accordance with §128-60 of the Town Code.

On a motion by Mr. Lenhardt, seconded by Mr. Plummer, and a vote of 4 for, 0 against, and 1 absent, this RESOLUTION was adopted on October 26, 2005.

Supervisor Egan noted this was all set. Councilman Lenhardt said in an effort to save trees and possibly save Beverwyck some money, he returned the plans submitted for this proposal.

Hearing Began: 6:18 p.m.

SUPERVISOR EGAN: Okay, next we have the 6 o'clock public hearing to consider the proposed Local Law amending the Code of the Town of Bethlehem adding a new chapter for the Planning Board. I think we distributed proposed language. Basically, again, it is to kind of mirror what has been done for the Zoning Board through the Zoning Law. This has to be a separate chapter. I know we did get comments from Dan O'Dell from the Planning Board on that. Mike, I know we chatted earlier. Do we have any recommendations in regards to any of the changes in regard to the body that we already have?

MR. MORELLI: Yea, again, this law would just establish procedures and govern the operation of the Planning Board. Just very briefly, we just make a few minor recommendations based on Dan's comments. This was also shared with all of the Planning Board Members so...

SUPERVISOR EGAN: Mike, I'm going to be rude and ask you to sit down one minute because we didn't read the notice of the public hearing.

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 26, 2005 at 6:00 p.m. at the Town Hall, 445 Delaware Avenue, Delmar, NY to consider proposed Local Law amending the Code of the Town of Bethlehem by adding a new Chapter, Planning Board.

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

State of New York)
County of Albany)

LIZA CLINE 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 12th day October 2005.

/s/ Liza Cline

Sworn to before me this 12th day of October 2005.

/s/ Sharon A. Doldo
Notary Public, Albany County

STATE OF NEW YORK)
COUNTY OF ALBANY) ss.:

KATHLEEN A. NEWKIRK, being duly sworn, deposes and says that she is the Town Clerk of the Town of Bethlehem, Albany County, New York and that I posted on October 12, 2005, 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
20th day of October 2005.

/s/ Julie S. McNeil
Notary Public

The motion was made by Mr. Plummer and seconded by Mr. Gordon to indent the Notice of Public Hearing, Affidavit of Publication and Affidavit of Posting on the minutes of the meeting. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.
Noes: None.
Absent: Mr. Marcelle

SUPERVISOR EGAN: Okay, Mike, sorry.

MR. MORELLI: Again, this local law is intended to govern the operations and establish procedures for the Planning Board. We did get some comments back

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from Dan O'Dell, one of the Planning Board Members. Just wanted to briefly walk you through it.

On page 1, paragraph 2, it says this local law is intended to supersede and amend – we recommend that you delete and amend. Same page, paragraph B1, appointment of members, it talks about the Town Board shall appoint Members of the Planning Board and shall designate a chairman or chairperson, excuse me. We recommend that you also add, and Acting Chair which is actually referenced on second page. So, we would add, and Acting Chair.

Again, I think it is just a technicality. I don't know if it's really critical but in B3 it talks about the Members of the existing Planning Board now holding offices or terms which do not expire at the end of the calendar year. That does not apply, it is not applicable to any of the existing members so I don't know if you need that language there.

SUPERVISOR EGAN: Which one are we on, Mike, I'm sorry, Section 3.

MR. MORELLI: B2, I'm sorry, B3 talks about existing members. They all... their terms expire at the end of the calendar year so I don't know if that language is needed.

SUPERVISOR EGAN: I think we are good on that.

MR. MORELLI: And, then if you go to page 2, you will see under 7C where it talks about appointment and then reference Acting Chair. So, we thought it should be added on the first page. And, then really the only other thing we have is on page 4, the training requirements which we think is really a terrific addition to this law. In fact, 3 Planning Board Members attended training, New York Planning Federation held a conference in Saratoga. Three of them on their own time attended that. But, we just thought we would add... I'm sorry delete C1 within the first 2 years and just delete and. So it would read, within the first 2 years after initial appointment. Those are minor changes but we wanted to bring them to the Town Board's attention.

SUPERVISOR EGAN: Mike, can you just go... the last change we are on C1.

MR. MORELLI: C1.

SUPERVISOR EGAN: Is that what you said? I just want... the last...

MR. MORELLI: Page 4, yes, within the first 2 years after initial appointment.

SUPERVISOR EGAN: So, get rid of the word and.

MR. MORELLI: Yes.

SUPERVISOR EGAN: Just want to get it so Kathy gets it. So, we had the local law reading correctly.

MR. MORELLI: And, that's all we have.

SUPERVISOR EGAN: Okay.

COUNCILMAN PLUMMER: Let me ask you while you are there, okay Mike.

MR. MORELLI: Sure.

COUNCILMAN PLUMMER: It does bring up here the appointments of alternative members.

MR. MORELLI: Yes.

COUNCILMAN PLUMMER: Is there a need for that? I mean, I asked Parker earlier, you know, if there's been situations where people have had to recuse themselves.

MR. MORELLI: Yes.

COUNCILMAN PLUMMER: I mean is that something...

MR. MORELLI: Dan, actually no, we just think it's a tool that should the Board ever need it, it's available. The attendance at the Planning Board has been very good, we've always had a quorum. It's a tool that could be considered, God forbid if a Board Member needed... for a medical reason perhaps had to be away for some period of time or something it would allow the Board to, you know, appoint an alternate member.

COUNCILMAN PLUMMER: So, you're not looking at just appointing an alternate member right now.

MR. MORELLI: We don't feel the need right now, no.

COUNCILMAN PLUMMER: Only if there was a situation where it was needed.

MR. MORELLI: Yes.

COUNCILMAN PLUMMER: Yea, okay, because he does make a good point. Just about the additional expense not to the Town but to the applicant as well.

MR. MORELLI: No doubt about it. Right and I like the fact that it says, may not shall. So, it gives you the option...

COUNCILMAN PLUMMER: Yea, all right.

MR. MORELLI: ...if you feel at some point in the future, we don't feel it is needed right now at all. We have good attendance by our Planning Board Members but it does give you the tool and the opportunity to do that if the need ever arose.

COUNCILMAN PLUMMER: Okay.

MR. MORELLI: Anybody else have any questions of me, otherwise I will step aside.

SUPERVISOR EGAN: Okay.

MR. MORELLI: Thank you.

SUPERVISOR EGAN: The only other question... Dan, I know I had a discussion with Parker before this and it is something that is not in here... There was a discussion about do we want to consider term limits. You've got a Planning Board that these terms are 7 year each. We haven't done that in the past. You know, I throw that out there, you know in regard to you know if anybody wants to kind of grapple with that now it sure would be a good time but certainly we're not precluded from doing it at some other time. But, Parker, I don't want to misspeak for you but I think we had a very brief.... I kind of hit him with it cold when he walked in tonight.

MR. MATHUSA: The Planning Board is an opportunity for people to make a contribution to the Town. A 7 year term is a long term. I would suggest that it be a limit of no more than 2 terms which would be 14 years. It is supposed to be, in my opinion, a contribution to the community as opposed to a career. So, I would seem to think as the world changes and people somewhat age a little bit that 2 terms would be adequate in terms of contribution by a citizen to the community.

COUNCILMAN GORDON: Do we have anyone on the... serving in their 3rd terms to your knowledge? Ever had?

MR. MATHUSA: I know some people have already had... are pretty close to the end of their 2nd term and it's just a question of whether they go for another 7 years.

COUNCILMAN LENHARDT: This is a legal point... or question or whatever... the reason it is 7 years is because there are 7 members of the board whereas the Zoning Board is 5 years due to 5 members. If, in fact, the composition of the Board should be reduced in the future, would that reduce the number of years for their term? It's just something to consider when you are thinking about term limits.

TOWN ATTORNEY POTTER: That would make sense, sure.

MR. MATHUSA: As the Board knows, there's a member comes up every year, December 31. So, you have a chance to either appoint somebody for another... say a 3rd term or just say I think we will just have a mix. So, you don't really have to make that change if you want to do it but we give you a little bit more in terms of planning purposes to be able to let's say easier to make the transition.

SUPERVISOR EGAN: And, I know and again what I share with Parker, I mean, even in 7 years the community changes so much that is it 1 term the appropriate one because you know, you really have a different community 7 years from the time that you start a term. So, I don't know if anybody feels strongly about it. If we want to go ahead and pass with the modifications that Mike has talked about and continue... think about the term you know, if we want to try to grapple with it now. I don't know what your feelings are.

COUNCILMAN PLUMMER: My sense is I would not impose the term limits. That's how I feel. I just... there may be an individual like Parker that, you know, who does an excellent job that may want to continue serving and obviously he is a real asset to the community. And, I think every board... the board that exists during a given time is going to have an option to review. So, I'm not saying absolutely no but I think it is maybe something that we can act on this now and consider it. But, that's just my sense right now.

SUPERVISOR EGAN: That's fine.

COUNCILMAN GORDON: Yes, Planning Board, Zoning Board members they serve at the pleasure of the Town Board or be appointed so I don't see any really need for a term limit.

SUPERVISOR EGAN: Okay. So, public, anybody want to comment, testify in regard to this? Jarod, let's restrict our comments to a short period of time, okay?

MR. KING: Yes, I'll be short. First a quick question, Planning Board Members can be removed at any time for any reason, at will by the Town Board?

SUPERVISOR EGAN: I don't think it's for just any reason.

COUNCILMAN LENHARDT: I think it would be valid reasons.

SUPERVISOR EGAN: Right.

MR. KING: No, I mean that seriously. Basically it seems to me that the Planning Board does ... should serve at the behest of an elected body being the Town Board. It seems to me for whatever reason...

TOWN ATTORNEY POTTER: Well, I think it's contained in the Town Law and I don't know the answer to that. I suspect that if you are appointed for a term, you can only be removed for cause as defined in the appropriate section of the Town Law.

MR. KING: Okay. I happen... then my public comment is that I happen to share our Town Supervisor's opinion about term limits. I have had a lot of experience now working in State government in terms of trying to get legislation passed and I can tell you that the biggest problem – and this is an opinion shared by Pat

Marinelli who I am sure you are very familiar with – is that you get Chairman that sit around forever and they become so powerful that it is impossible to deal with them. Even the rank and file in this case the Democratic party would be in favor of this legislation, and Jack McEneny, etc. nothing would get out of committee.

Now, with respect to the Planning Board, obviously, we're not dealing with that kind of situation per se but I have always felt and see with the ... food coop where term limits gets new blood, new ideas. It's refreshing. What I'd like to see and what I would do if I were going to do term limits is not a maximum limit but... in other words, instead of having 7 years that I think is a long time, let's say people serve for 4 years at a time, they take a year off. You get some new blood in and then they can come back and serve. And, they can do that for the rest of their lives as they see fit but they get new perspectives when they get out in the regular world etc. And, I think that is very healthy to bring in new people and new perspectives all the time challenging new ideas. So actually, I think it's a great idea and I would incorporate that.

SUPERVISOR EGAN: Thank you. But, just so the record is clear, I didn't say I was in favor of it, I just raised the issue.

MR. KING: Okay.

SUPERVISOR EGAN: So, thank you. Mike, you have to come up because it is a hearing. Sorry.

MR. MORELLI: In response to Jarod's comment, I would just refer you to the bottom of page 1 item 6 which outlines the reasons for removal of members. So, it is in there.

SUPERVISOR EGAN: Right and it is for cause after public hearing.

MR. MORELLI: Yes.

SUPERVISOR EGAN: Thank you.

COUNCILMAN GORDON: It's not really at the pleasure of the Board but as appointed by the Board.

SUPERVISOR EGAN: Right. Okay any other comments on this public hearing?

MS. JASINSKI: Alternates, you would only be appointing them if there is a need for them not as a constant, there are certain alternates available. Kind of thing or is this one of those you are not going to answer my questions, it's only a public hearing and my comments?

SUPERVISOR EGAN: No.

COUNCILMAN PLUMMER: That's my understanding and that's what Mike just told me. That's why I'm, you know, okay with that.

MS. JASINSKI: I see no reason to appoint alternates. The Planning Board has worked well, we don't need to spend the money on them and as far as term limits are, I guess Parker won't be taking another term then cause he will be on his second one.

I do agree we should have term limits but what's that saying – power corrupts things...

MR. KING: Power corrupts and absolute power corrupts absolutely.

MS. JASINSKI: Thank you. I think 1 term limit because it is 7 years is a long time and yea, it doesn't have to be a lifetime 1 term limit. It's 1 term limit, you go away for a while and you can come back the next time if you are really that good and the people want you.

SUPERVISOR EGAN: Thank you. Any other comments?

MRS. CARKNER: Barbara Leonard Carkner. Yea, I have a couple things too. First of all, I would like to recommend that the next vacancy on our Planning Board that the Town put on the Planning Board a member of the farming community and I don't have all the documentation with me tonight but I can certainly present that. That a member of the farming community is advocated by the State of New York.

Also, term limits. I am in favor of term limits. I agree with that statement absolute power absolutely corrupts. You folks are elected and that is wonderful because our community has voted you in and you are only here for your term and then if we don't like you the community as a whole, we vote you out. And, that puts the power back in the hands of the citizens of the Town of Bethlehem. Our Planning Board is appointed. When you have an appointed person the normal citizen does not have access or the same power to remove someone who they don't believe is working in a favorable capacity for the Town of Bethlehem. Therefore, I do agree with term limits.

So, I'll just make a recommendation on that too and the alternate Planning Board appointees. I am against that. Firstly because of the financial impact it may have on the Town especially in light of the cost that are recently... everyone's suffering for the fuel and... for the fuel and other things. And, secondly... kind of lost my train of thought here. Okay, when... nay I'll leave it at that.

Okay, thank you very much.

SUPERVISOR EGAN: Thank you, Mrs. Carkner.

COUNCILMAN GORDON: Thank you.

SUPERVISOR EGAN: I'm sorry, we're just discussing whether or not... what the language has to be in in regard to the alternate, alternate alternate. Hold on one second. Okay. We're just trying to decide the best way to do this. I think what I'm hearing from the Board level is we don't want to consider term limits at this point. We want to consider the amendment requested by Mr. Morelli and that we want something in there that would allow the Town Board, if needed, to do alternates but we're not doing alternates right now. Is that correct?

COUNCILMAN PLUMMER: Yea and I think... does that accomplish, Mike, what you are setting out to do here?

MR. MORELLI: Yea, again, the language just says may, gives you that opportunity to...

SUPERVISOR EGAN: Mike, is that in there now?

MR. MORELLI: Yes.

TOWN CLERK NEWKIRK: Mr. Morelli, microphone please.

SUPERVISOR EGAN: Sorry, Kath.

TOWN CLERK NEWKIRK: That's okay, I have to transcribe him.

MR. MORELLI: Just refer you to page 2.7, alternate members, the Town Board may appoint.

COUNCILMAN PLUMMER: But, it's still an appointment by the Town Board so you would have to come before the Town Board...

SUPERVISOR EGAN: Correct.

COUNCILMAN PLUMMER: to do it... So I mean, I don't know that we need an amendment. I mean it's not needed.

SUPERVISOR EGAN: No, we don't. It's in there. Right.

COUNCILMAN PLUMMER: It's just... I was just asking to find out where you're going with it and I support what you are saying.

MR. MORELLI: It gives you the option.

COUNCILMAN PLUMMER: Yea, if there's a need to have an alternate because of whatever circumstances.

MR. MORELLI: Right.

COUNCILMAN PLUMMER: Then, it has to come before the Town Board so I think that that really accomplishes what everyone is setting out to do here.

SUPERVISOR EGAN: Right.

COUNCILMAN LENHARDT: However, there is that final sentence in 7 that says each such alternate voting member shall serve for a term of 5 years. I think you are thinking of appointment as an alternate to deal with a situation where an existing Board Member has to recuse himself.

SUPERVISOR EGAN: Well, what if were to do the Town Board may appoint one or more alternate voting members of the Planning Board to serve at the pleasure of the Board for the term determined by the Board. So, if it's a matter of...

COUNCILMAN LENHARDT: That would make more sense.

SUPERVISOR EGAN: ...disability, you've got somebody... I don't know, deployed, you have.... I mean just take out that last sentence.

TOWN ATTORNEY POTTER: Let me suggest we table it then because I'm not sure if that's allowed in Town Law. I would have to check that.

SUPERVISOR EGAN: So, just check having to do with that whole thing, George, again, 7 members 7 years. That whole thing. But, with... I think we've got a consensus with the changes that we've got we just need to look at that last sentence. And, what we will do is look at it, table it, provide the language change if any that is needed. Get it to you and put it back on for November 9. How's that sound?

COUNCILMAN PLUMMER: Okay, that's good.

SUPERVISOR EGAN: Thanks, Mike. Okay, do I have a motion to close this hearing?

The motion was made by Mr. Plummer and seconded by Mr. Gordon to close the public hearing at 6:43 p.m. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.

Noes: None.

Absent: Mr. Marcelle.

Town Clerk

Hearing began: 6:45 p.m.

SUPERVISOR EGAN: Okay. Third and final hearing for this evening. Kathy, we'll do this right. Could you read the notice?

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

TOWN CLERK NEWKIRK:

NOTICE OF PUBLIC HEARING
UPON PRELIMINARY BUDGET

NOTICE IS HEREBY GIVEN that the Preliminary Budget for the fiscal year beginning January 1, 2006 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 26th day of October 2005 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 439-4955, Ext. 183. 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	\$96,880
Councilmen (each)	12,783
Town Clerk	63,300
Superintendent of Highways	86,700
Receiver of Taxes & Assessments	56,150

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 12, 2005 and the TIMES UNION, an Albany newspaper, on October 12, 2005.

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

State of New York)
County of Albany)

LIZA CLINE 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 12th day October 2005.

/s/ Liza Cline

Sworn to before me this 12th day of October 2005.

/s/ Sharon A. Doldo
Notary Public, Albany County

STATE OF NEW YORK)
COUNTY OF ALBANY) ss.:

KATHLEEN A. NEWKIRK, being duly sworn, deposes and says that she is the Town Clerk of the Town of Bethlehem, Albany County, New York and that I posted on October 12, 2005, 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
20th day of October 2005.

/s/ Julie S. McNeil
Notary Public

The motion was made by Mr. Plummer and seconded by Mr. Lenhardt to indent the Notice of Public Hearing, Affidavit of Publication and Affidavit of

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

Posting on the minutes of the meeting. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.

Noes: None.

Absent: Mr. Marcelle

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SUPERVISOR EGAN: Okay before we start with testimony this evening on this matter, as I indicated before when we were talking about the management committee. Since the last Board meeting and certainly since the last budget workshop there has been several meetings here in Town hall with myself, department heads and staff trying to find ways to lower the overall tax rate, as well as, the highway tax rate. In an insane light with a fiscal foresight of not depleting the reserve accounts beyond the level that our Comptroller was comfortable with. As a result and I think Gregg is still here, I want to give my thanks to Gregg Sagendorph. He's been beat up on pretty good for the last 2 weeks.

So, but one of the things that I asked all the department heads to do over the last several weeks and actually we'll be having a meeting on it on Friday is to look at the 3rd quarter break down of the 2005 budget to assess where exactly you are with respect to the budget process and the funding this year to see if there will be any funds left over basically at the end of this year that we could use to help offset and use to get into the highway fund to reduce that tax which would reduce the overall general tax rate. Judi, I think I said all that correctly.

Thanks to Gregg and his hard work, I think we've been able to and basically thanks to mother nature over the last 6 weeks because of the rain, and the relatively mild spring, there's been some savings that are going to be realized, hopefully, before the end of this year if mother nature doesn't turn on us for snow plowing and salting the beginning of this year, as well as, inability to pave over the last several weeks because of the weather.

So, as a result of that, it appears that we'll be able to find I think it was \$135,000 that we will be able to basically use in the highway fund that will be able to drop that tax which will drop the overall tax to about 3 percent. We're still working on it but it looks like we're going to be able to try to do that. However, with that being said, it does not diminish my concerns that I expressed for quite a long time at the budget workshop in regard to where we're going and forecasting and as we move forward not just for 2006 but, you know, looking much more long term. Not only that we should be doing to be fiscally responsible but also because we're required to out of the State Comptroller's office now. So, we will be providing additional amended numbers in regard to that as we move forward and certainly before the proposed amendment or vote date on November 9th but it does appear that we're going to be able to at least get to that point now and we will be looking for further revisions in the 2006 budget especially with the recommendations coming out of the management committee.

So, with that being said, testimony to be taken on the 2006 preliminary budget.

COUNCILMAN LENHARDT: May I ask a couple questions first?

SUPERVISOR EGAN: Sure.

COUNCILMAN LENHARDT: Have we received our 3rd quarter sales tax revenue?

SUPERVISOR EGAN: Judi, you have to come up front, sorry.

COMPTROLLER KEHOE: Figured that would be the first question that you had this evening. Yes, we did get the 3rd quarter sales tax check. I had estimated it would be about \$2,265,000, the actual check was about 2.4 million dollars. So, slightly ahead of what I had projected.

COUNCILMAN LENHARDT: Good.

COMPTROLLER KEHOE: I did bump up the 4th quarter amount based on that actual receipt for the 3rd quarter which would generate about an additional \$265,000. What that means is, instead of having about a \$900,000 deficit, we go to about a \$700,000 deficit. Still within the \$800,000 that was the planned deficit proposed for the 2005 budget but none-the-less a deficit.

COUNCILMAN LENHARDT: Thank you that's encouraging.

SUPERVISOR EGAN: Thank you.

COUNCILMAN LENHARDT: No, I don't have. I want to commend the Supervisor in finding the resources in order to bring this from a 5 percent to a 3 percent. As we discussed in the budget work session, I think considering the cost of fuel oil or our gas or whatever it's costing to heat our homes this winter, that 2 percent savings will be eaten up for other purposes. But, it certainly will help our seniors to a certain degree. And, as long as the numbers keep coming that way, as I said in the budget work session, until I see a real one, I'm not going to be as concerned. Thank you.

SUPERVISOR EGAN: Thank you. Does the Board have any other comments before we take public testimony? Thank you, testimony from the public. Mr. Messina.

MR. MESSINA: My name is Sam Messina. I live at 17 Egmont Court in Delmar and I would like to just make a couple comments on the budget. First of all, I think Boards don't hear this enough. I want to thank you for your openness; for the public work shops, for actually grappling with a difficulty of taxing and spending issues in a public environment. And, not being disagreeable in the process. I think those sort of things make Bethlehem pretty special.

I don't presume to know all the numbers, as well as, Judi and you do because you work with it all the time. But, I have read the budget and I am confident that it is a stable, fiscal proposal.

I have a couple of comments specifically I'd like to make. If there is ever an area where you want caution, it's with the fiscal side of things because what's done there for one year impacts many of your programs. So, the fiscal prudence that I've seen on the Board and as recommended by Judi Kehoe I think is the appropriate place to be. The notion of multi-year considerations has been raised by the Board. I like to hear that because looking at one year's budget is not enough when you know down the road you're decisions now are going to impact something that may be a difficulty and frankly, a surprise that no one really should have.

I know that there is a COLA in this budget and I want to make this comment. Even though it is a cost factor, I don't think you ever show the people that you work with, the staff, what you think of them more than when you are willing to go to bat for a reasonable for a job well done. So, I support what can be done for the people once again within the confines of fiscal appropriateness and stability.

Structural imbalance, Supervisor Egan, I think you mentioned that a little bit earlier and I think that's one of the big hitters. No matter what department it's in to focus on that in the future. It may take more than 3 months to deal with those things and that relates to the other comment I want to make on your management advisory committee. With all due respect, a 3 month window is a very short window and you and this Board have accomplished a lot over 2 years by setting deadlines but it would seem to me to make it realistic, as you develop your scope of services for what you're going to do internally with that management committee, the focus on budget and economy and effectiveness rather than some of the other management areas like strategic planning, leadership and all of that is probably a better place to be.

So having said that, I think a job well done and thank you for your efforts.

SUPERVISOR EGAN: Thank you.

MR. JASINSKI: Thank you very much for hearing me. Robert Jasinski, Bender Lane. I'm going to start off with an expense. We seem to have lots of problems with these microphones and everything. I would suggest that you do spend a little money and perhaps one of these young men or ladies would carry a portable mike and every time they attend because they do have to attend, it is almost mandatory for their class that maybe they will volunteer to take the mike from person-to-person because we miss so much in the back. That's one thing.

Now, to go on to saving money. I suggest you have somebody do something about the heat and cooling system. It seems it is not regulated properly. So, perhaps you have to look at that.

I believe that 4 percent increase is a little out of line. I think 3 and ½ for your workers. It's normally a 3 percent 3 and ½ percent that is negotiated. I also think that the head of your departments that are paid over \$60,000 ought to forego a raise this year. And, this is due to a fact that it really sends a bad message in tough times to the people of the Town when they are paying for fuel and gasoline so much. Don't forget we got the reval coming in the spring. All these things are going to start hitting so one year, I know it's hard to swallow. I remember when I used to love my little 2 percent pay increases but I suggest that.

The third thing I suggest is the Town of Berne has saved over \$80,000 by self-insuring. Now, I'm wondering if this Town Board, the Town... Ms. Kehoe...

SUPERVISOR EGAN: Comptroller.

MR. JASINSKI: Comptroller has considered self-insuring. I think it is a way to save money and unless I'm remiss and I don't understand something that is taking place here, can we possibly be self-insured?

SUPERVISOR EGAN: These are comments, Mr. Jasinski, not question and answer so just keep going.

MR. JASINSKI: You know, I dislike that. I'll tell you why because I'm not...

SUPERVISOR EGAN: Well, that's what a public hearing is for.

MR. JASINSKI: ... privy to what you people have in front of you and yet as a resident I'm supposed to stand up here, represent people and then not get an answer.

SUPERVISOR EGAN: That's not true, Mr. Jasinski. Any time you've come in to ask anything everybody has been very accessible to you. Right now this is a public hearing, we're soliciting testimony.

MR. JASINSKI: Okay. Let's see we got the self-insurance, we got the increase and oh, I wanted to ask you about fuel. Is there a State contract for fuel? There's another question. Now, I'm not going to get the answer I assume so I'm wondering if you have a contract for fuel. How are you buying your fuel? Should you go out for contracts for say 2 months, 3 months, 6 months. Some way to find out how much you can get the fuel for or are you just going out and just buying it for anybody that can deliver it? And, is it one party?

Thank you very much.

SUEPRVISOR EGAN: Thank you. Anyone else?

MR. MORAND: I'm Norman Morand. I live in Slingerlands and I've been a resident of the Town for 27 years. And, I guess I came from the General Electric Company management positions and we never gave raises out unless we were making money. And, in the public sector, they just take and give out raises, they

absorb costs and stuff like that and just pass it on to the taxpayers and expect taxpayers to continually accept it. And, I don't understand that.

Last year we had a 5 percent increase in taxes, we had a 7.9 percent increase in the school and it just keeps going up. And, what's being done to cut cost. You added 2 police officers, why? I walk around... I drive around the Town of Bethlehem, I see State Police, I see Sheriff's patrols, why are we adding more cops? We should be looking at cutting costs not adding cost to the taxpayers.

And, another thing, why do we have a Police Department? Town of Clifton Park is as big as our Town is. They don't have a police department. They farm out the police protection to the Sheriff's Department and also the State Troopers. Why don't we do the same thing here. Why don't we present a referendum or an item on the ballot and ask people if they want to pay for police protection for what it costs. Do an analysis and determine what it would cost you to get State Police and Sheriff's patrol in here rather than the Police Department. I know the Police Department got a terrific... nice raise 2 years ago something like 20 percent wasn't it, George?

COUNCILMAN LENHARDT: I don't know if it was that much but it was significant.

MR. MORAND: And, every time I hear people talk they say well, this community or that community increases their taxes or did this or that. I don't really care what happens in other communities. I care about what's happening in this community because it is affecting me. I've been retired since 1994 from General Electric and I have had zero increase in my pension. I get Social Security. I pay 85 percent of my Social Security is subject to tax. And, that's something that my employer paid for and I paid for and I have to live until I'm 85 years old to get back what I paid into it, as well as, my employer under the current regulations. Yet you people keep increasing taxes, adding people, doing whatever you want to do.

I was kind of buffaloed like the street out here, Kenwood, when they were going to raise the sewer covers up, I called the Highway Department figuring that came under the Highway Department. Well, it didn't come under the Highway Department, it come under the Public Works Department. And, I said to myself we got a Sewer Department, got a Highway Department, we got a Public Works Department. Why do we have all 3? Can't we consolidate that? I don't think we have workers separated for each one or the departments. If we do, we probably got overriding jobs.

And, another thing, you're paying 1.6 million dollars, rounded, for medical expenses... to pay the medical expenses for your workers. And, I don't know anybody, even in private industry, that's getting free medical insurance. Between you people at 1.6 and the school district of 7.4, that's 9 million dollars that the taxpayers in Town of Bethlehem are paying for medical insurance that they get no benefit from.

And, another thing I continually see this item about the... I think it's the Adams Street district... fire district, I'm not sure what they call it but they're the ones that want new facilities.

SUPERVISOR EGAN: Delmar Fire District.

MR. MORAND: Okay, Delmar. Well, if you look at it, Delmar Fire Department... the Elsmere Department is 2 miles... less than 2 miles from the Delmar. Slingerlands is about 2 miles away. Why don't we just do away with the Delmar Fire Department and maybe put additional facilities in Elsmere and Slingerlands. That would save us money, I am sure and, still service. The City of Schenectady, City of Troy, City of Albany have done away with a lot of these regional stations. They've consolidated them. Why don't we do the same thing?

You know and if you want to volunteer on this changing... review of departments, I'm one of your men. I'll sign up for it, okay. And, if you want my credentials I'll give them to you.

SUPERVISOR EGAN: Thank you, Mr. Morand.

MRS. CAPONE: This man is right. You voted a raise to the Town employees but us senior citizen we never get a raise. We just have live with what we are getting. You're asking us... the man that says the air here is poorly done on the air condition and the heat. That was Bruce Secor that was in charge of that. You'll have to have him come back to help you there.

How can we discuss anything about the budget? We have to go the library to look at it at the internet. It's not available to the community. That's not open government and that's what the people have to remember on Election Day.

SUPERVISOR EGAN: Thank you. Mr. King.

MR. KING: Hi, I just have a couple of quick comments. First, is your name Julie, is that right?

COMPTROLLER KEHOE: Judi.

SUPERVISOR EGAN: Jarod, the silver one. Judi.

MR. KING: I'm sorry, Judi. Last time we had a public hearing you had mentioned the fact that the Town of Bethlehem is too small to enter into certain relationships to obviously... say create your own medical team inside but that you can't work together with other municipalities. There was an article in the Times Union that the County of Albany is doing something, I'm not sure exactly like that, but something to reduce their health care cost as a municipality and I would suggest that you give a call to Mike Breslin and find out what they are up. And, if we can, you know, tag into that it might be a good idea.

Second comment is about self-insurance. Right now casualty property and casualty rates are very high. There's a lot of reasons for that associated with their actual loses but also in terms of legal type stuff and also the types of claims that are coming in, especially for small things. I would strongly recommend that the Board consider self-insuring certainly any claim that it can afford to pay out at any time. So, that means a higher deductible. I'm not suggesting you go all the self-insurance route, I would take a major insurance policy like an umbrella policy but I would certainly work with your insurance agent on that because I think that's probably an area you could save some money also.

Third comment and fourth comment would be about the police and the fire department based upon Mr. Morand comments. The Town of New Baltimore is a very small town and uses the State Police. There are many of the residents that I encountered when I was facilitating one of their – let's say I call it in Baltimore tomorrow type of events and their were a lot of complaints from residents about the police not getting there in a timely fashion. The truth of the matter is that the State Police put minor type stuff, like you might see on COPS, as a real low priority and if people want the police to get their promptly, you're going to want your own local police department.

The same is true with the fire department. The fact is is that by having fire stations in various places, the response time is much better and I attended the first of the fire departments hearing on their new station and one of the things they mentioned is the fact that they do share equipment. And, I guess Slingerlands does heavy you know jaws of life type stuff, hazardous waste for Elsmere and Delmar I don't remember but obviously George knows. But, basically that they are sharing facilities now and like I said, there is a cost. I'm saying yes you can save money but there's another side of it too which is the levels and the quality of service does deteriorate. Thank you.

SUPERVISOR EGAN: Thank you, Jarod.

MS. JASINSKI: Linda Jasinski. I'm not sure I understand this. During the public hearing on the Planning Board you were answering questions but during the public hearing on the budget you're not answering questions. And, there's no way for people to know whether it is a testimony or question thing and the rules keep changing and that's not right.

I will again bring up the fact that it was difficult to get a hold of this budget. It takes nothing to put a link out on the internet for people to get at it. It costs nothing. You've got an \$80,000 MIS person who should be able to do that very easily and then people can go and look at it.

I don't find a mere 5 percent increase acceptable. I'm not getting a raise like that, even the Town employees aren't getting a raise like that. So, you're actually costing them more even though you are supposedly giving them this raise. It just, you got to get it down lower than that. I don't know why we need to spend so much. I might suggest...

SUPERVISOR EGAN: Linda, just so the facts are clear. What's on the table now is going down. I think that's what we talked about at the beginning of this, it will be down to about 3 percent.

MS. JASINSKI: Well, when it's down to 3 percent then I guess we can come and talk about that too, right. We'll have another public hearing on that?

SUPERVISOR EGAN: Well, it's... there will be a scheduled vote on November 9th.

MS. JASINSKI: But, I don't find 5 percent acceptable. I might suggest you cut the flowers. \$27,000 in the budget for flowers down Delaware Avenue that makes it look just like Albany as you go down Delaware Avenue I find unacceptable. It doesn't do anything for me down in South Bethlehem to pay whatever it may be a dollar a person. I can do other things with the \$3 my family would end up paying for that.

I also don't find acceptable a \$700,000 planned deficit. The fact is you are cutting into our reserves and you are cutting in by a large amount. You can call it a planned deficit and make it sound better but in this day and age when there are so many bad weather incidents, emergencies, and that kind of thing, I think we need to keep our reserves as high as we can. We've had a landslide here that cost us a lot of money. Things like this happen without knowing it and we need to have that money. My own personal budget I always have a good reserve to fall back on and they always tell you to do that kind of thing. Just because it is acceptable to lower it to a certain amount doesn't mean that we should do that.

I also question how much this Katrina fund actually cost the Town. I know we have \$23,000 apparently to give to the charity there but how much did it cost the Town as far as the Town facilities, the employees that were used for that, clean up and that kind of thing and that's not being made known to the public.

Thank you.

SUPERVISOR EGAN: Thank you. Any other comments this evening? Mrs. Carkner.

MRS. CARKNER: Yes. Okay. My concerns about the budget is okay firstly the 5 percent that's that's kind of high and I'd like to see that come down. I'm retired, my husband's retired, our income has been cut in half and our expenses have probably gone up maybe 15 percent just based on taxes and the other things going on in the economy today. I don't get a raise. I would also consider the Town lowering the COLA for the Town employees. Another thing is I do agree with the beautification of the Town. Maybe we can cut back on some of that because basically, again, as Ms. Jasinski had said, it's just in the main thoroughfare of

Delaware Avenue and some part of Kenwood Avenue but the rest of the Town doesn't have that opportunity to even drive by and see unless they come in Town for some particular business. And, I know many folks in the outlying areas don't come into Town very often.

The other way I would suggest you consider cutting costs is, we have in the more suburban compact areas of our Town many sidewalks. Perhaps, people need to shovel their own sidewalks. I have a sidewalk, I'd be willing to shovel it in front of my house. That would cut down on a lot of expense in Mr. Sagendorph's section I believe.

Another thing I would carefully consider training fees for like alternate Planning Board Members or even new Planning Board Members. There are many different alternative means of training and we don't necessarily have to send them to the most expensive place on their own time, which they do and I'm really thankful these folks have volunteered the time to put into our community. But, maybe as part of the administration you can kind of look at where you are sending people and what the Town is actually paying for. I'm a retired auditor for the State so you know, you pinch a penny here, you pinch a penny there and you end up saving some big bucks. So, I think you are on the right track and I would just encourage you to, you know, keep on fine tuning it and thank you very much.

SUPERVISOR EGAN: Thank you very much. Come on, no students tonight want to say anything. You guys still awake? I saw a couple heads bobbing just now. Any other comments. Okay, do I have a motion to close the hearing.

The motion was made by Mr. Plummer and seconded by Mr. Lenhardt to close the public hearing at 7:13 p.m. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.
Noes: None.
Absent: Mr. Marcelle.

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Councilman Gordon thanked everyone that got up tonight and made a comment. He said they appreciate hearing from each person.

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The motion was made by Mr. Gordon and seconded by Mr. Plummer to close the regular Town Board meeting at 7:15 p.m. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.
Noes: None.
Absent: Mr. Marcelle.

Town Clerk