

TOWN BOARD
SEPTEMBER 25, 1991

A Special Meeting of the Town Board of the Town of Bethlehem was held on the above date at the Town Hall, 445 Delaware Avenue, Delmar, N.Y. The meeting was called to order by the Supervisor at 7:00 p.m.

PRESENT: Kenneth J. Ringler, Supervisor
Frederick C. Webster, Councilman
Charles A. Gunner, Councilman
Sheila Fuller, Councilwoman
Bernard Kaplowitz, Town Attorney
Carolyn M. Lyons, Town Clerk

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The motion was made by Mr. Webster and seconded by Mrs. Fuller that the Town Board meet in Executive Session to discuss pending litigation. The motion was passed by the following vote: Executiv
Session

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


Town Clerk

No formal action was taken in the Executive Session.

TOWN BOARD
SEPTEMBER 25, 1991

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

PRESENT: Kenneth J. Ringler, Supervisor
 Frederick C. Webster, Councilman
 M. Sheila Galvin, Councilwoman
 Charles Gunner, Councilman
 Sheila Fuller, Councilwoman
 Bernard Kaplowitz, Esq., Town Attorney
 Bruce H. Secor, Commissioner of Public Works
 Philip Maher, Comptroller
 Richard Webster, Deputy Comptroller
 Jeffrey Lipnicky, Town Planner
 Kevin Shea, Traffic Safety Committee
 Chuck Wickham, Traffic Safety Committee
 Terry Ritz
 John T. Mitchell, Esq.
 Sharon Fisher, Recycling Coordinator
 Charles Manning, Roger Creighton Associates
 George M. Kaufman
 Gordon Hamilton, CLAWS
 Bob Irish
 John Thomas
 Anthony Granito
 Liz McCoy
 Mary LoGiudice
 Arline Wiggand, Bethlehem Ambulance
 Bob Boyea
 Linda Schacht, Bethlehem Ambulance
 Dan M. Pratt, Bethlehem Ambulance
 John Clark
 Jim Reagan
 Wayne Triner, D.O.
 Todd T. DeVoe
 Roy A. Cooke, Jr.
 Randy Conger
 Steve Wright
 Timothy K. Beebe
 Henry Schneider
 Seth Blumerman
 Kevin Murphy
 Ann Reardon, Progress Club
 Dorothy B. Brown, Progress Club
 Bill Cleveland
 Janet Burns
 Al McNamara
 Ilaina Jonas, Times Union Representative
 Carolyn M. Lyons, Town Clerk

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Supervisor Kenneth J. Ringler welcomed everyone to the regular meeting of the Bethlehem Town Board. Tonight we don't have any public hearings, but as with past practice the Board will allow the public to ask any questions at the end of each item on our agenda as time permits, if you do have a question I would ask that you raise your hand and be recognized, and at the end of the meeting, of course, we always open it to the floor to any issue that anyone might want to bring to the attention of the Board.

Report
 Solid
 Waste
 Task
 Force
 Committee
 Report

The first item on our agenda tonight is a Presentation of a report by the Solid Waste Task Force Committee. Our Chairman, Bruce Secor, is with us. He did ask, however, and he wants to test my reading skills, if I would read this report to the Board. It is relatively short compared to some of the other reports that we get, so I am going to do that and then he will add to it later in the meeting for the rest of the members of the Town Board.

MEMORANDUM

TO: Members of the Town Board
 FROM: Bruce H. Secor, Commissioner of Public Works,
 Chairman, Solid Waste Task Force
 DATE: September 16, 1991
 SUBJECT: Solid Waste Task Force Preliminary Report - Disposal Options

The Solid Waste Task Force has been working steadily to develop a consensus on the best options available to the Town of Bethlehem for solid waste disposal. This had included reviewing work done by the engineering firm of Malcolm Pirnie on behalf of the ANSWERS Communities, reviewing the Generic Environmental Impact Statement done for the ANSWERS Facilities, considering information provided by various consultants and vendors who have appeared before the Task Force and visiting numerous disposal facilities. A list of field trips, presentations and other activities is attached as Exhibit 1. Based on this effort, we make the following observations:

- A.) Solid Waste Management is a complex issue involving several types of waste each of which demands unique handling. We are not likely to find a single disposal option as a solution rather several types of facilities, designed to work together will probably be necessary. Possible types of facilities are specialized recycling centers, composting and/or co-composting operations, waste to energy incinerators and landfills. Use of several types of solid waste facilities is generally referred to as integrated solid waste management.
- B.) The Task Force has established a list of seven basic waste streams which require disposal. They are as follows:
- #1) - Municipal Solid Waste (MSW)
 - #2) - Construction and Demolition Debris Materials (C&D)
 - #3) - Recyclables (including paper, aluminum, glass, plastics, cardboard, scrap metal, white goods, tires, etc.)
 - #4) - Sludges (Water and Wastewater)
 - #5) - Yard Wastes
 - #6) - Industrial Non-Hazardous Wastes
 - #7) - Other (Medical, Household Hazardous, Dead Animals, Street Cleanings, Sewer Cleanings, Debris, etc.)
- C.) Based on meetings with the Town of Guilderland, Town of New Scotland, Town of Colonie, Eastern Rensselaer County Solid Waste Authority and numerous private firms, the following disposal options have been discussed:
- 1.) Continue with ANSWERS Program.
 - 2.) Consider proposed ANSWERS Authority.
 - 3.) Withdraw from ANSWERS and construct a Town Sanitary Landfill. The Town could also contract with neighboring municipalities to create an integrated management system.
 - 4.) Contract for solid waste services:
 - a.) Proposed Incinerator/Green Island Proposal.
 - b.) Proposed Incinerator/Bethlehem
 - c.) Proposed C&D Recycling Partnership, C&D Landfill, Bask Road.
 - d.) Mixed waste composting & other alternatives yet to be identified.
 - 5.) Haul out-of-town - transfer station.
- D.) The Solid Waste Task Force has developed a chart with eight categories of comparison for each of the potential disposal options. The purpose of the chart is to organize the analysis, to show how each proposed option would handle the seven solid waste streams, and to compare positive and negative impacts. The categories of comparison are as follows: Facilities Required, Tipping Fees, Reliability, Viability, Degree of Local Control, Public Acceptance, Economic Impacts, Environmental Impacts (under Environmental Impacts, we have developed ten sub-categories for air, water, traffic and transportation, noise, visual, plant and animals, agricultural and land use, energy, public health and safety, and impact on community growth and character.) Attached as Exhibit 2 is a copy of the outline of this chart.

It has been very difficult to make a complete analysis of the above options because of insufficient and changing information. For example, many neighboring communities are reluctant to make specific plans until the outcome of Green Island's incinerator proposals and the future of ANSWERS are determined. The Task Force is unable to make specific final recommendations at this date.

- E.) The option of a town-owned landfill in conjunction with an integrated system of intensive recycling, waste reduction, composting of yard wastes, continuous household hazardous waste collection and related programs would address all seven of the solid waste streams in a comprehensive fashion with direct local control. Although more information is needed and new proposals may be forthcoming based on the information available at this time, this option would give the Town of Bethlehem the greatest degree of local control, address all seven components of the waste stream, allow the highest level of reliability and provide local control of economic impacts. The economic reality of this "go it alone" option is that the cost of constructing an adequately sized sanitary landfill is \$6 to \$10 million. It will be necessary for the Town to join with one or more neighboring municipalities in a cooperative effort to make this system economically feasible. This also may be necessary to meet requirements of NYS Law for a planning unit. Such a joint effort would be regarded as being compatible with the requirements of current Town Law which prohibits the importation of solid waste but also allows the Town to contract with another municipality to accept solid waste.
- F.) In order to facilitate a more complete analysis, the Solid Waste Task Force recommends that the Town Board solicit proposals from both adjoining municipalities and from private industry for integrated solid waste management systems or for participation in a Bethlehem system. These proposals should address as many as possible of the seven basic solid waste streams identified. Once we have specific proposals before us it will be possible to sit down and make an understandable analysis and compare these alternatives. The Solid Waste Task Force has developed a draft Request for Proposals which is intended to encourage maximum imagination on behalf of possible proposers. A copy of the draft RFP is attached as Exhibit 3. This could open the door to cooperative negotiations with other communities for example, trading compost space for landfill space.

The Solid Waste Task Force submits this preliminary report to the Town Board and recommends that the Supervisor be authorized to distribute the RFP as soon as possible.

Please contact us if you have any questions or need any further information.

See Solid Waste Task Force File for Exhibits.

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Supervisor Ringler asked Mr. Secor if he would like to add anything to that?

Mr. Bruce H. Secor, Chairman of the Solid Waste Task Force Committee, indicated just to fill in for a couple of areas, we did not want to write a hundred pages and say what we could say in three pages. We really do not have the information, we have been working at this for over two and a half years and we are really in a state of flux, the ANSWERS system is going through change, many new recycling programs are starting up and intensive recycling is yet to be really tried in this area, and that is something that needs to be looked at, so we developed this chart and he thought that the headings were good, but for example we have on here Tipping Fees, in the proposals shown down in Green Island to his knowledge there are no tipping fees specified, so we sat down and we have got a preliminary cost for the cost of a landfill and we can compute what it would cost us on a yearly basis to run our own landfill and we come up with a tipping fee of \$80.00 to \$90.00 a ton and it may run as high as \$100.00 a ton depending upon how much quantity we actually receive into the landfill, but it is difficult to

compare that against anything else with no numbers. The reality of this is if we were to open up our own landfill at \$100.00 per ton, and there are other options available at \$60.00 per ton, we probably would not get any business, and once the millions of dollars are spent on the landfill that debt services is due every year whether you do business or not, so we have to be very careful as we pointed out in our preliminary report that option of going on our own and being in control of everything is very desirable or looks very good except when you get to the point of trying to compare exactly against other options, because we simply do not have the information. We wanted to give the Board some direction of where we are at and still ask for some additional information. What we would like to see come out of this, whether it be an adjoining Town or a vender who might come in and say we will establish a pro-composting plant, or we will establish a transfer station or we will establish whatever, if they will give us a proposal and say these are the projected tipping fees as we have outlined in the RFP and he knew that they just got the copy of the RFP tonight and have not had a chance to see it. We are saying five years is the minimum contract period but longer contract periods we looked at more favorably. We are really looking for a longer term solution. Because we couldn't get the RFP to you far enough in advance, what we are asking is that the Board consider this and then we will finish the RFP within the next two weeks and get it back, so you will see the final thing and have had a chance to look it over, but it is up to the Town Board what they want to do tonight.

The Supervisor asked if there were questions. He indicated that he was very pleased with this direction, because as we have said amongst ourselves, the options keep changing almost daily and the technology keep changing daily and he thought that it was important before we do make any final decision that we know as best as we can the information to make that decision, and he thought that soliciting proposal from private enterprise has a lot of merit and we may find ourselves with an answer out there from private enterprise at a fee, at a tipping fee, that is much less than we could building our own landfill for, but as you say and as the Committee says before you can make any decision you certainly want to see what is out there, and he certainly would support this. He was wondering to expedite this, however, if the Board would just authorize, if the Board is in concurrence with this report and if we accept it, that we authorize him to submit the RFP's as soon as the Solid Waste Task Force has completed them as opposed to coming back.

Councilwoman M. Sheila Galvin, stated that she thought that it was very important that we move forward on it especially given the proposed date for submission of December 10th as set forth in the RFP and she thought that it was important that we move as soon as possible and she would make that motion.

The motion was made by Ms. Galvin and seconded by Mr. Gunner that the Preliminary Report from the Solid Waste Task Force be accepted and the Supervisor authorized to distribute the RFP's as soon as the Committee comes back with completed proposals. The motion was passed by the following vote:

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

Supervisor Ringler thanked Mr. Secor, indicating there were several members of the Solid Waste Task Force present that you might want to identify them here and he thanked the Committee for their efforts to this point, but your job isn't done yet, laughter, but he wished it was.

Councilwoman Sheila Fuller stated that she was sure that this is what they would like to hear, there job is done.

The Supervisor stated that the next item on our agenda is a request from Charles Manning, President of Roger Creighton Associates, for approval of a proposal to be submitted to the New York State Energy Research and Development Authority in regard to Municipal Solid Waste and Industrial Waste Reduction Demonstration and Evaluation Program. He

asked if Mr. Manning was here and perhaps he could briefly tell the Board what he was proposing here.

Mr. Manning thanked the Supervisor and indicated that he did not realize that Solid Waste was going to be the first two items on the agenda tonight. Supervisor Ringler stated that they seemed to be the first two items on any agenda. Laughter. Mr. Manning continued that what they had done and they have been doing a number of projects with the Energy Research and Development Authority and as a result of that they send us all of their requests for proposals, program opportunity notices and so on, and we recently got one which was for ways to reduce municipal solid waste and one of the types of projects that was suggested in that request for proposal was on site composting and so he thought about it a little bit and what they did was come up with a project to initiate with the assistance or through the Town of Bethlehem which would result in on site composting by homeowners in the Town, thereby reducing the generation of yard waste and the amount of yard waste that would have to be picked up by the Town trucks going around through the Town. Mr. Manning continued and the way the proposal is put together it is really set up as a two year program and in the first year of the program what they would be doing is monitoring the volume of yard waste that is currently collected in the Town and then determining how much energy was used for that, what the cost of that pickup was, what the volume of waste was, and where it is currently going, then over the winter period when the Town is not picking up yard waste any more at that point in time what they would be doing is setting up a program in cooperation with the Recycling Coordinator in the Town, to actually provide some incentives to homeowners to start doing their own composting of yard waste at home in their own back yards or whatever for the following year, and the way they are looking at it is nothing to dramatic it is simply providing people who are willing to sign on to the program with a composting bin or some type of enclosure that they can use in their own back yard to do the waste composting so that they can compost their own grass, their own leaves, their own small shrubbery, their own tree clippings and that sort of thing, and the objective of all of this would be try and get a reduction in the yard waste pickup in Town of about twenty percent, and during the second year of the grant what they would be doing is measuring the volume of waste that was being picked up again by the Town, and we would be comparing that, what was picked up the second year with what got picked up the first year, so we could have sort of a before and after type of analysis in terms of the cost and also the volume of waste that was being picked up.

Proposal
Under
Municipal
Solid
Waste
and
Industrial
Waste
Reduction
Demonstration
and
Evaluation
Program

Mr. Manning continued now included in this in addition to the cost of the materials which is included in the grant, the cost of the composting bins and so on, we have, also, included a allocation for about ten chippers and shredders. Now we included this in the grant because we felt it would be useful if it would be possible to provide people with the chippers and shredders if they have larger type branches and so on. In many parts of the Town that is not going to be necessary because in the newer parts you are not going to have larger branches, but in some of the older parts of Town that type of thing might be necessary, so we have included that in the grant as well and what he would like to do is discuss that particular part of the proposal as well as the rest of it with the Board. In conclusion he thought this particular grant offers the Town a number of advantages because it offers them a chance to reduce the energy use and so on from trucks going around Town and picking up the waste. If it is successful it provides for a potential reallocation of some of the personnel who are currently involved in that from the Highway Department to other tasks, it provides the homeowners in Town with a useful product in terms of something that they are currently throwing out and gives them some compost and so on to be used in the garden or around flower beds and finally he thought that the other thing that it does is provides the opportunity for the Town to continue to lead really in terms of recycling efforts. He thought that this Town has been one of the leaders in the capital district and this was just another step they can take to do that, so at this point in time he would ask for your questions.

Supervisor Ringler asked what would the total grant application be? Mr. Manning responded that the total grant, including the chippers is \$209,000.00. Supervisor Ringler continued that he did not know if

Mr. Manning had talked with the Highway Superintendent today, as he was going to try to reach you on that, and Mr. Manning indicated that he had talked with the Assistant, and Supervisor Ringler continued that he and I were discussing that today and the proposal. Mr. Manning stated that it is an interesting issue now. The Supervisor stated that he was not aware of that because it was not in his original draft and had missed him until he saw the final point, and he has no problem with implementing this proposal at no cost to the Town as he views it, with the exception of that item and that item of hauling these around but more importantly and he was concerned to with the liability aspects of that type of machinery that people who are unfamiliar with the using it would be able to get their hands on and he thought could cause an accident. Mr. Manning indicated that this certainly was a concern and Supervisor Ringler stated that this would be a major concern on his part for the Town to be suggesting people do that. The Supervisor asked if there were any other thoughts.

Councilman, Charles A. Gunner, indicated in reading the proposal he supported it and thought it was a good effort and was glad to see that there were grants for that type of study available, he would just where you say that the project will provide the Town with a number of benefits, he really hopefully say it will come true, but until it does we have to say may provide, because if we are studying it sometimes we learn the other things so that would be his only thing. Supervisor Ringler indicated that he agreed.

Councilwoman Galvin stated that her concern was already voiced by you, about the potential liability of the chippers and shredders. Councilman Frederick C. Webster indicated that they had discussed that earlier.

Supervisor Ringler asked Sheila Fuller if she had anything and she indicated that she knew that the Solid Waste Task Force had discussed this a couple of weeks ago and they were all very supportive of it. The Supervisor indicated the Solid Waste Task Force, the Highway Superintendent and also our Commissioner of Public Works were all in support of the proposal.

Councilman Gunner stated that he had just one other questions, after the project is complete and all of the reports are made will the chippers and shredders become the property of the Town or go back to the government or do they remain with Roger Creighton Associates. Mr. Manning indicated that they did not remain with us, they would become the property of the Town and either the Town of Bethlehem could sell them as surplus or whatever. Supervisor Ringler asked what are your thoughts on the consensus of the chippers and shredders should that come out of the proposal from your group. Mr. Manning stated that if it was the desire of the Town to take it out, he could take it out, the only other suggestion he might make is he could reword it to say we could leave it in with the exact type of distribution to be worked out at the approval of the Town, if there was any feeling that there might be a way to involve a local garden shop or something like that, or even a local volunteer organization, he did not know if you have people, because he was not a lawyer, if you got people to sign up to go to some sort of training and then if they went to the training and then signed an affidavit that they have been to the training and won't hold anybody liable, if that is viable or not. Supervisor Ringler indicated that they could write that all they want but if they are going - Councilman Webster stated that it was going to be implied. Mr. Manning asked then you think that that part should be taken out. Councilwoman Galvin stated that she would like to see it deleted. Councilman Gunner indicated that he was uncertain at this point. Councilwoman Fuller stated that it does not really make a difference and Councilman Webster stated that this was fine with him and Supervisor Ringler stated then we will take it out.

The Supervisor asked if anyone would like to offer a motion to authorize Roger Creighton to submit this proposal to the State.

The motion was made by Mrs. Fuller and seconded by Mr. Gunner that Roger Creighton Associates Incorporated be and they hereby are authorized to submit a proposal to the New York Research and Development Authority for a comprehensive municipal solid waste

reduction demonstration and evaluation program for the Town of Bethlehem. The motion was passed by the following vote:

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

The Supervisor thanked Mr. Manning.

Report
By
Emergency
Medical
Services
Task
Force

The next item on the agenda was a presentation of a Report by the Task Force on Emergency Medical Services in the Town of Bethlehem. Just to bring everybody up to date before he introduced the chair of that Committee, several months ago a group of representatives from the medical services in Town came to him pointing to a problem that they felt was developing, the problem being the loss of paramedics to provide the advance life support program for our Town and part of the problem being the educational requirements and so forth for paramedics that are in place and it is very difficult to get volunteers to do it. At that time he asked a group of people, residents, fire company officials and Mr. John T. Mitchell to Chair a Committee to look into this and to provide a report to the Town Board and some recommendations. They have done an outstanding job in their work here and we have a very extensive report and he was not going to read all of this one because we might be here all night if he does, he would ask Mr. Mitchell if he would to basically give us a synopsis of what is in the report, and perhaps he might want to introduce some of his other people that are here tonight. Mr. Mitchell indicated that he would be pleased to do so - Mr. Supervisor and members of the Town Board and Mr. Kaplowitz, about a year ago Ken Ringler appointed a Committee to study the Emergency Medical Services in the Town of Bethlehem. That Committee was comprised of himself as Chair and certain other members of the community where appointed based on their expertise in this particular area, they come from different organizations and it should be noted that they speak for themselves and not necessarily reflect the viewpoint of that particular organization.

Mr. Mitchell continued that the Committee met approximately once a month starting in December of last year and we drew our report in August and submitted the report to the Supervisor toward the end of August. We found that in our study which was basically the gathering of information from different sources that there is a common problem that most localities in this area have encountered and that is as the towns grow the availability of volunteers shrinks and that the various localities surrounding us have addressed that issue by some direct assistance or some direct aid in the providing of services to the Town citizens. Basically the problem comes up in the staffing at the paramedic level from six o'clock in the morning to six o'clock in the evening and it is within that time frame that the volunteers are not there. On the other twelve hour shift the volunteers are back in the town from their various jobs and so forth and there doesn't seem to be a problem. Coupled with that is the fact that the certification requirements for paramedic training are becoming so stringent that it really takes a very very dedicated person to go through the program to get himself or herself qualified to remain certified. So there is a drying up of the source of the volunteers for this particular service. We have made certain recommendations to the Board and they can be found on page 15 of the report. The report is rather complete he thought and addresses all of the issues that they were asked to address, and basically what they came up with on their recommendations are as follows:

1. They recommend that the Town of Bethlehem establish a paramedic program to provide advanced life support service town-wide.
2. We recommend that the service supplement, not supplant, the existing ambulance services in the town. These services can and should continue to provide both treatment at the basic life support and patient transportation.
3. We recommend that the program provide for both an EMS coordinator and a training coordinator to help strengthen emergency medical services town-wide.

4. We recommend that a second extension to the existing ambulance district be established. Once established, the three districts will encompass the entire area of the town. We further recommend that the cost of the program be levied uniformly across the three districts in order to firmly establish a link between the program's cost and benefits.

Mr. Mitchell asked if there are any questions that the Board may have concerning the report, they have various members of the committee here, who were instrumental in the drawing of the report and we would be glad to entertain any questions.

Supervisor Ringler stated just to clarify a couple of points, right now we provide ALS in the Delmar, Elsmere and Slingerlands area, and Mr. Mitchell indicated also North Bethlehem, and the Supervisor continued and BLS in the Bethlehem Ambulance District, is that correct? Mr. Mitchell responded, correct. Supervisor Ringler continued and as I read the report that this is the only paramedic program in the county that is not paid, the Delmar program, is that right. Mr. Mitchell indicated that he would believe that that would be true. Councilman Webster asked can the ALS services that our provided in North Bethlehem, that are provided by the Town of Guilderland, are backed up by a first responder unit out of North Bethlehem which is not advanced life support, so that we actually contract through a contract with the Western Turnpike Rescue Squad on an annual basis. Mr. Mitchell stated that what we have in place is going to be there for a while, but as time goes by and the volunteer pool dries up, we are going to have a lessening of services and that is what you asked us to address.

Supervisor Ringler asked if there were other questions. He asked Councilman Gunner and Councilwoman Galvin stated that it was a very comprehensive report and Councilman Gunner indicated a good report. Councilman Webster stated that he did not have any questions as he worked with them for the last year or so. Mr. Mitchell indicated especially in light of the chipper report that we just had - Laughter and Supervisor Ringler indicated that he saw some of the folks cringing out there. The Supervisor continued that one of the potential problems he saw and other communities have been through it, is where does this or how do the volunteers and the paid people work together, does that create problems. Mr. Mitchell responded smoothly and efficiently - and Councilwoman Fuller asked says who - Mr. Mitchell continued well that is something that we will have to - and Supervisor Ringler asked has that been historical in the other communities that this has worked out - do you start losing volunteers because the same person that is arriving at the scene is on the payroll. Mr. Mitchell indicated that they had a report from Guilderland and it seems that they have adopted a semi system and their volunteer membership actually has increased at the BLS level as he understands it, so he did not think that it was a problem that was insurmountable, he thought that as in anything leadership would be a key and to smooth over the problems that may exist in the initiation of any change or proposed change he thought the program will be as good as the people that run it.

Supervisor Ringler indicated now as you said in your opening statement that people were there as individuals and were not necessarily representing the views of their departments. He asked have the department seen this report and has there been any feedback from those groups? Mr. Mitchell responded that the report was as they interpreted their charge, we submitted the report to yourself and the Board. We have not distributed it in any other fashion but would leave that to the Board to do. Supervisor Ringler stated that some of your other members are here and he was sure that they have discussed it with their members, is there any sense of any potential problems within the various departments. Mr. Mitchell indicated that he would leave it to the members if they have any thoughts or any feelings along those lines.

Councilman Frederick C. Webster indicated that there are quite a few members here that were not on that committee and maybe some of them would like to say something. Supervisor Ringler indicated sure we can open it to the floor for a few minutes - does anybody have any thoughts on this subject that are here.

Arline Wiggand stated that she sat on the Board of Directors for the Bethlehem Ambulance and they were not aware that this Task Force

convened at all, it has never been brought up at one of their meetings in fact they had one last Thursday night and we set nine people on the Board and we are the governing body and our president is back there, he is the chief officer of the entire Ambulance District and none of us were aware that this even continued on and she did not really think it was fair. Supervisor Ringler indicated well we did invite a Board member from your organization to be on the committee, so we certainly did not leave you out of it. Councilman Webster indicated that they had two.

Janet Burns indicated that she would not get into an argument with Mrs. Wiggand at this point she would discuss it with her later. If she went to a regular Board meeting it was discussed at regular meetings on the floor. Supervisor Ringler asked and is there any feedback from your Board at this point in time on this proposal. She indicated that she heard discussion that a paramedic arrives on the scene and the MT will be put down and there will be nothing for us to do when we get on the scene, in talking to Jim Reagan who works as a paramedic in Guilderland and she has worked with Al, a paramedic from Delmar, they seem to think and in working with Al if it is a BLS call they will allow the MT's to take over. In her area, South Bethlehem and Glenmont and Selkirk they also have the first responders. When they get on the scene if the ambulance is in say Glenmont the first responders go from South Bethlehem or Selkirk to the scene, it will be the same situation, the MT down there has already done their work and she did not feel that it was going to be any different for a paramedic to arrive on the scene than an EMT from another squad, she did not know how the other people feel, but this was the feedback that she heard.

Councilman Webster indicated that he thought that the opening remarks of Mr. Mitchell said that this was to supplement not to supplant the volunteer service is what was a kind of a thread that was woven through the committee in its entire discussions throughout the year. There was always the fear he thought on the part of those who are on the EMT level that they would be ousted so to speak by the paid paramedics as they arrived on the scene and that went through the committee in its entirety throughout the whole year that in a situation when the paramedic were to arrive on the scene and obviously if he was paid and in a vehicle of some kind he would be there first, if upon the arrival of the volunteers in the ambulance and it was a basic life support situation, he would withdraw and leave the scene and that was the thread that went through it in its entirety that they didn't want to destroy the volunteer aspect and he thought that Bill Cleveland brought that out in talking about the Guilderland and the Western Turnpike Squad he thought that their membership has actually grown since this has happened, hasn't it Bill. Mr. Cleveland indicated almost doubled. Councilman Webster continued so the fear of losing the volunteers really if the program is put together properly and this committee was striving to do that, is really lost, it shouldn't even be there. There is going to be that fear in the beginning he was sure, and the volunteers are going to feel that they are going to be replaced but the goal here was not to do that, certainly not to do that, but to supplement them with quick on the scene and get that first valuable golden four minutes when it is necessary and use them for their value.

Wayne Triner indicated that he worked in Albany Medical Center and with the exception of one paid ALS service you are facing with a volunteer BLS service, and in his daily job duties he sees ALS and BLS services every day and he thought that the people do get along very well together. In our system from what he knows there may be some turnover of people who are not going to become fully involved with the system but other people will come into the system as well, who will be become fully certified. It raises everybody's level of performance the ET's will be busy they will have stuff to do there is certainly no one who will be alienated from this system, but in the overall sense of things it will elevate the level of the hospital medical care that comes in here from that which exists currently which is not great.

Supervisor Ringler stated as he read the report most of the metropolitan areas now have paramedics responding to the calls, or all do, Schenectady, Albany and we have been fortunate in this Town with volunteers and as a matter of fact he thought some of the other outlying suburban communities or hill towns even have benefited from our program of volunteers, he thought that they get called out

frequently to assist the hill towns coming into town and so forth. This is something that no one thinks about until it happens to them and he was glad that we are looking at it and he thought that we should proceed with it at least in looking into how it would be actually be implemented. He asked Councilman Webster if he had any thoughts on that.

Councilman Webster indicated that he thought that the Committee has done a super job here. He thought that they tried to cover all of the aspects and tried to cover what they know as fears from the volunteer level, and tried to counteract those fears with some support that they wouldn't be replaced or removed. He would like to see the report accepted and he would not like to see the Committee discharged - Laughter - Mr. Mitchell indicated point of order - Laughter - and Councilman Webster continued that he knew that Terry was dying to carry this another step. Mr. Mitchell stated that he just wanted to see it in place before he needs it - Laughter - and Councilman Webster continued that he would like to see a Committee established now of some sort maybe you don't call it a Committee but whatever you want to call it, to try to put this program now down or finalize it on paper and look at the revenue situation, the expense situation and also work perhaps with the Town Attorney in connecting this to the existing Ambulance District and for funding purposes, not make it a general fund situation but an Ambulance District cost and sit down now with those people within the volunteer ambulance companies and iron out all of the - there may be just a couple of little odds and ends here and there - but iron out all of the problems that may exist out there on the volunteer level and come back to the Board with a final report for an installation perhaps at the beginning of some budget period.

Supervisor Ringler asked if anyone else had thoughts.

Councilwoman Sheila Fuller indicated that she thought that it was important that we consider the other people as Fred has mentioned so that everyone is on board with the report and not having two different - Councilman Gunner stated also he would like to see some sort of committee and he guessed that this left him a little nebulous - and Councilman Webster indicated well be it a committee or a board or whatever - and Councilman Gunner continued well he did not know whether it be the committee that is here is reconstituted and gone on, but at any rate he thought some users of the services, just plain citizens, which may not have a background but has input otherwise should be included in that committee.

David Pratt, Captain of the Bethlehem Ambulance, indicated that he personally feels that if this is going to effect all of us as ambulance people, that at least one or two of their Board people that are answerable to the Board and will bring back reports on the workings of the board to help smooth out some of these problems out be included on this and not somebody that is going to be on the past committee who does not come back to the Board and give them direct feedback at every meeting as to what is going on so that they have their input from the Board, which will be effecting all of us. Councilman Webster stated that this was a must, we can't have any unanswered questions and certainly don't want to wind up with any unhappy people. Supervisor Ringler indicated that he thought that this was what Fred was suggesting at this point in time let's look at the action phase of this and work out the bugs with it and open those lines of communications to look at what real problems will take place and how we would take care of them, and we certainly want participation from those people who are providing the services, that is why when this committee was established we went to all of them and asked that they participate and we got a broad spectrum of people.

Mr. Pratt continued right but right now as far as ambulance people there are a lot of people out there with a lot of misconceptions because they have heard rumors and those rumors have not been straightened out and they are not told the truth in writing or reports or so forth. The Supervisor stated that they would certainly get copies of the reports out and will put together a group that will work together with you on the implementation of this and come back with the final recommendation to the Board. We certainly want to work with you, the last thing we want to do is do something that offends your group, because we want to work with you, you have been providing wonderful services to our community and we appreciate that. Mr. Pratt indicated

that he just wanted to get clarification on that aspect. Supervisor Ringler stated that he did not want anyone to think that we are trying to put you out of business or undermine you, this was brought to our attention because it was felt that we were losing paramedics and perhaps it should be expanded to be able to provide paramedics throughout the entire Town, to assist those people, not to put you out of business. Mr. Pratt indicated that he did not think that they thought that this was the idea that they thought they were going to be put out of business it was just that their two cents as a group and as the managing part of the ambulance squad were being asked what their feelings were, what their opinions were on any of these things run along. Supervisor Ringler indicated well as he said we did have two of your members on there so he was sorry that communication broke down there, if it did. Mr. Pratt stated well as he said there in the beginning they were acting more on their own and speaking for themselves and not for the board. Supervisor Ringler indicated OK very good.

Mr. George Kaufman asked if any implementation would require a public hearing by the Town Board. The Supervisor responded that this was something they would have to look at, if it is an extension of a district, we will probably - Town Attorney, Bernard Kaplowitz, stated that he did not know if we would be extending or actually creating a whole new district encompassing the Town's geographic lines, he was not sure, George, but he thought that it probably would. Supervisor Ringler indicated to Mr. Kaufman that he would think even if not, if the citizenry wants to hold a public hearing we will work one into the system. Mr. Kaufman continued that he just thought that it might give people a chance to be familiar with the plan and everybody will have an opportunity to comment.

Mrs. Arline Wiggand indicated when you speak Ambulance District now, we already are a District, we are she thought the only Ambulance District, every other ambulance is affiliated with a fire department. Now are you talking about extending our Ambulance District. Supervisor Ringler no we are talking about with this report - and Mrs. Wiggand continued or operating it the same way. The Supervisor indicated that what the report was talking about is for legal purposes, and Bernie jump in here at any point, is using that existing Ambulance District for the funding and the taxation of this. You would still operate as this initial report says as you do now, OK, it would not be anything at this point in time, it was not being recommended that this thing be integrated into one Ambulance unit as they did in Colonie. What it is doing is it is going to supplement this with - what kind of a car do they call that - a Fly Car - possibly where paramedics could go to the scene and assist you in what you are trying to do, OK, I will get this terminology down after a while. Councilman Webster indicated to Arline that our contract with the Western Turnpike Ambulance Squad is actually an extension of your district, you probably did not know that, but that contract with Western Turnpike is attached to your legislation, in other words your district was established by legislation and the Western Turnpike Ambulance District so to speak, that services North Bethlehem, was added to your district legislation. Mrs. Wiggand indicated that she did not know that but OK and Councilman Webster continued but it is a separate taxing district and Mrs. Wiggand stated so they just fell in on all of our hard work. Laughter and Councilman Webster indicated again but it is separately taxed.

The Supervisor asked if there were any other questions. Councilwoman Fuller asked if they were looking to add to the present task force that you have so that everyone has input. Supervisor Ringler indicated that they would certainly put a group together that is representative of everyone's interest hopefully, and including Charlie's suggestion of getting just some general public that have nothing to do with any fire company or ambulance district so that we have a broad cross section.

The motion was made by Mr. Webster and seconded by Ms. Galvin that the Town Board accept the report of the Emergency Medical Services Task Force and that we do establish a Committee to carry forth on their recommendations. The motion was passed by the following vote:

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

Supervisor Ringler stated that he wanted to again thank you for your efforts, he thought that this was an outstanding job, and we will move forward with this because he felt that our residents expect the type of care that you are proposing and we will put a plan together. Thank you.

Supervisor Ringler indicated that the next item on our agenda is a request from Brian Lastra, Assessor, for consideration of Local Law No. 6 of 1991 which would amend Local Law No. 3 of 1990 regarding Chapter 611 Senior Citizens Exemption to add two income increments in the sliding exemption percentages. Just for explanation purposes, under State Law we are allowed to give senior exemptions from real property assessments, however, they set the income levels and we have to act on them, it is enabling legislation, and the Town has historically always given our seniors the highest exemption available. This past legislative session has now upped the income to \$19,799.99 on which a person could receive a ten percent exemption and up to \$19,199.99 they could receive fifteen percent. Those are the only changes and he did have the other numbers but he would not read them, the only changes that would be made to this legislation, but he would recommend that we move forward with this and if we do would have to hold a public hearing and we could do so on October 23, 1991 at 7:30 p.m.

The motion was made by Ms. Galvin and seconded by Mr. Gunner that a public hearing be set for October 23, 1991 at 7:30 p.m. to consider Local Law No. 6 of 1991 to Amend Chapter 611 Taxation - Article I Section 111.1 of the Code of the Town of Bethlehem to permit a partial real property tax exemption to persons who turn 65 between March 1 and December 31 of a calendar year with Up to \$19,199.99 receiving a fifteen percent exemption and Up to \$19,799.99 receiving a ten percent exemption. The motion was passed by the following vote:

Public
Hearing
Set
Senior
Tax
Exemption

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

The next item is discussion regarding Local Law No. 5 of 1991 Zoning District change. This was tabled would anyone like to make a motion to remove this from the table.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to remove the request for Zoning District Change from the table. The motion was passed by the following vote:

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

Supervisor Ringler indicated that at our last meeting the Board basically reached consensus on this Local Law for this Zone Change that we had held a public hearing on. At that point in time the Local Law had to have a couple of minor modifications to it and we could not act on it until it had sat on our desks for at least ten days. Mr. Lipnicky has also prepared the resolutions regarding the SEQR and he is recommending a negative declaration, and he is, also, recommending that the Town Board in this resolution declare its Lead Agency and that based upon this review and the long form Environmental Assessment form, that there is not a significant effect to the environment and recommends that we pass that resolution. He asked if anyone had any questions on that?

WHEREAS, the Town Board of the Town of Bethlehem is considering adoption of Local Law No. 5 of 1991 to amend the Town Zoning Map so as to change the zoning district designation of certain lands in the Town from Planned Residence District and Residence A District to Residence AA District and Residence AAA District; and,

WHEREAS, the purpose of this local law is to provide a more rational relationship between the zoning district designation and the environmental and infrastructure constraints of the land; and,

WHEREAS, the State Environmental Quality Review Act regulations found at 6 NYCRR Part 617.3(a) require that no agency shall carry out, fund or approve an action until it has complied with the requirements of SEQR; and,

WHEREAS, 6 NYCRR 617.5(a) requires that as soon as possible in an agency's formulation of an action it proposes to undertake it shall determine: (1) whether the action is subject to SEQR; (2) whether other agencies are involved; (3) the appropriate classification of the action; and, (4) whether a short or long environmental assessment form (EAF) is necessary; and,

WHEREAS, 6 NYCRR 617.6(a) indicates that when a single agency is involved that agency shall be the lead agency and determine the significance of the action; and,

WHEREAS, 6 NYCRR 617.6(g) (1) requires that a lead agency must determine the significance of an unlisted action in writing and in accordance with 6 NYCRR 617.6 and Part 617.11; and,

WHEREAS, the town Board has received an environmental assessment form prepared by the Town Planning Department which addresses the proposed action and said document indicates that: (1) the proposed action is unlisted and subject to SEQR; (2) there are no other involved agencies; and (3) the proposed action is unlikely to have a significant impact on the environment; and,

WHEREAS, the Town Board has held a public hearing on the proposed Zoning Map amendment and has considered comments received at said hearing; and,

WHEREAS, the Town Board has considered the potential environmental impacts of the Zoning Map amendment applying the criteria of effect found at 6 NYCRR 617.11;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Bethlehem hereby determines that adoption of Local Law No. 5 of 1991 is an unlisted action subject to SEQR and that there are no other involved agencies with respect to this action; and,

BE IT FURTHER RESOLVED, that the Town Board hereby determines that it is lead agency with respect to this action and that a long environmental assessment form, with supplement, is sufficient for determining whether the proposed action will have a significant impact on the environmental; and,

Local Law
No. 5, 1991
Approved
Zoning
District
Change
and
SEQR
Resolution
PRD and
Residence A
To
Residence AAA
and AA

BE IT FURTHER RESOLVED, that based upon its review of the proposed Zoning Map amendment, public comment concerning the proposal, the hereto attached environmental assessment form which is hereby made part of this resolution, and comparison of the action with the Criteria for Determining Significance found at 6 NYCRR Part 617.11, the Town Board of the Town of Bethlehem hereby determines that adoption of Local Law No. 5 of 1991 constitutes an action which will not have a significant impact on the environment and therefore, does not require preparation of a Draft Environmental Impact Statement; and,

BE IT FURTHER RESOLVED, that this determination shall be considered a Negative Declaration made pursuant to Article 8 of the Environmental Conservation Law; and,

BE IT FURTHER RESOLVED, that a copy of this determination shall be filed in the Office of the Town Clerk.

On a motion by Mr. Gunner, seconded by Ms. Galvin, and by a vote of 5 for and 0 against, this RESOLUTION was adopted on September 25, 1991.

The motion was made by Ms. Galvin and seconded by Mr. Webster that Local Law No. 5 of 1991 Amending the Zoning Map, Town of Bethlehem, New York by changing the Zoning Designation of PRD 6 and Other Adjoining Lands from Planned Residence District and Residence A District to Residence AAA District and Residence AA District as presented. The motion was passed by the following vote:

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

Noes: None.

See Local Law No. 5 of 1991 following page 56.

Next the Supervisor acknowledged receipt of the Conditional Approval of Final Plat for the proposed STONY HILL FARMS Subdivision for informational purposes.

The Supervisor indicated that they would next like to discuss the thirty-five mile per hour speed limit on Beaver Dam Road. The public hearing was held at our last Town Board meeting and as you recall the Traffic Safety Committee had made a recommendation that the speed limit be reduced from forty to thirty-five. At the public hearing several residents still felt that thirty was more appropriate and as you know the traffic safety committee felt from a technical standpoint that thirty-five was sufficient. He asked if there was any comments.

Public
Hearing
Speed
Limit
Beaver
Dam Road

Councilman Gunner asked will that make it, if you are driving for example, he feels that people usually set their own speed limits no matter what is posted, if they see nothing in view and we have a good straight away they may not even know it and they will go above thirty five or below it depending on what the individual driver is about, but that street then will have what forty or thirty-five strips to it or forty and thirty is that correct. Supervisor Ringler indicated what is being proposed now and what we held the public hearing on it was change the entire length of Beaver Dam Road from the intersection with Maple Avenue to Route 144 from forty to thirty-five is that correct, Carolyn, it was the entire length of it that was being proposed, their recommendation was to do the whole thing and that is what we had the public hearing on. Councilman Webster asked isn't there a piece of it that is thirty-five now though. Councilwoman Fuller indicated, yes, that is what their concern was, she thought. Councilman Webster asked did we see a piece that was thirty-five and Councilman Gunner indicated that it had a thirty-five statement but he thought that somebody said that this was advisory. Councilman Webster stated that there were three suggested areas where there were curves where it was reduced to twenty-five. Charles Wickham, Member of the Traffic Safety Committee indicated that it was all forty now, and the recommendation from the committee was make the entire length thirty-five miles and hour. We did do speed checks on two different locations on Beaver Dam Road in both the easterly and westerly direction and the eighty fifth percentile of the traffic was going about forty three miles per hour, so we felt that if we went to thirty miles per hour we felt that people would drive much higher than that. Supervisor Ringler asked where did you do that speed check on that road? Mr. Wickham indicated that he was not one hundred percent positive but one was by somewhere he thought where TeRiele or Raynor lives, which is in that group of houses closer to Maple Avenue and then on the other end the group of houses closer to Route 144 between the Thruway Bridge and 144. Councilman Gunner asked about the speed limits on Clapper Road and Wemple Road. Chuck Wickham responded that he believed they were all thirty and Councilman Gunner than asked what is the different, he meant specifically if you and he was sorry that he would ask this question but - Supervisor Ringler indicated that Chuck was on the Traffic Safety Committee and made the mistake of coming tonight - Mr. Wickham continued that there were three major sections, from Maple Avenue to the railroad tracks, and he thought that they were familiar with that, and a portion of that is pretty - the houses are closer together and their are children playing and so on, the middle section between the railroad tracks and the Thruway Bridge the houses are three or four hundred feet apart and a straight shot, clear, good sight distance no problem, and then on the last section between the Thruway Bridge and 144 again you have a lot of houses that are close together, trees close to the road, your have a sight distance on a steep hill just before 144, so he thought that most of us anyway have driven the road and whether it is thirty, thirty-five or forty, that would be it. Councilman Gunner stated that he guessed what he was asking is if Clapper Road and Wemple Road are thirty-five and they connect 9W with 144, so does Maple Avenue indirectly connects 9W via 396 right and Mr. Wickham indicated right, and Councilman Gunner continued then why would one be thirty-five and the other two thirty.

Mr. Wickham responded that he thought that it was just the characteristics of the road, houses - and Councilman Gunner indicated less curves and so forth. Councilman Webster asked how long would you say that Beaver Dam Road is? Chuck Wickham responded a mile - and Councilman Webster asked a mile and a half maybe and indicated in that mile and a half he thought they counted three twenty-five mile an hour warning signs, in other words signs which give a suggested speed of twenty-five miles an hour which means he thought there were three spots on that road that you can't travel over twenty-five miles an hour, yet the speed limit is forty and it is considerably windier and hillier with less sight distance than either Wemple Road or 396 or Clapper Road even. Mr. Wickham indicated that he thought there was only spot particularly by the railroad tracks where it was pretty sharp and he could not remember but he thought that Mr. Sagendorph was going to double check this. Supervisor Ringler stated but as Fred said there are several warning signs, you know the yellow signs, which are not stated speed limits where they recommend either twenty-five or thirty as he recalls along that road.

Charles Wickham indicated when they looked at the speed counts it wasn't maybe a fifty fifty, a lot of the members wanted it to be left at forty and a lot of members wanted it at thirty-five to drop it, but again the eighty fifth percentile showed that it was higher and they were afraid that even though it is thirty miles if you do post it thirty miles per hour the traffic is still going to go forty miles per hour anyway, so we just do not know if they are going to obey it. Supervisor Ringler stated that he drove it the other day himself and he would be frank he did not think thirty is out of the ordinary particularly in the populated area there where the mail boxes are sticking out over the road or right on top of the road and he felt that thirty was appropriate and he rarely disagreed with your committee but in this particular situation he just looked at that section of the road and he drove thirty and did not feel comfortable, he drove forty and he felt that he was driving too fast. He asked Councilman Frederick C. Webster if he had any thoughts because he was with him - Laughter - and Supervisor Ringler stated I don't want you commenting on my driving - Laughter - Councilman Webster indicated let me comment on his driving first- Laughter - and continued no, no I agree with him we did go over it and at least that section from Maple down to the Railroad Tracks he thought which is pretty heavily populated for that section of road, or for that kind of a road rather, certainly deserves some consideration for reducing the traffic speed down and he did not think that thirty in that area would be too much to ask for. Supervisor Ringler asked Charles Gunner, Charlie you drove it too, how do you feel, Councilman Gunner indicated that he guessed if you are considering doing that then he did not see why you wouldn't go the rest of the way for the entire length - and Councilman Webster stated for the entire length and Councilman Gunner continued for the entire length because there are some sighting problems there and he did not see where the difference is, and he was not a specialist in that area, although he did believe in traffic safety, so would there be a real difference to make that last block thirty-five and make the first half thirty. Mr. Wickham stated well you can make it whatever you want, but people are going to still drive on it and Councilman Webster stated and you are still going to speed. Supervisor Ringler asked well it is such a short area and Councilman Gunner indicated if we are going to do what Fred said and do part of it he would just as soon do the whole thing. Councilman Webster indicated do the whole thing.

Supervisor Ringler stated that we will have to rehear this to do that, OK, if that is the consensus he would entertain a motion to conduct another public hearing regarding the change in the entire length to thirty miles per hour and we could do that 7:45 p.m. on October 23, 1991 and he did not think that the Senior Exemption hearing would be that long.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller that a public hearing be held on October 23, 1991 at 7:45 p.m. to consider amending the Traffic Ordinance of the Town of Bethlehem for a Thirty Mile Per Hour Speed Limit on Beaver Dam Road for its entire length. The motion was passed by the following vote:

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

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~~~City~~

Town

of BETHLEHEM, ALBANY COUNTY

~~Village~~

Local Law No. 5 of the year 19 91

A local law Amending the "Zoning Map, Town of Bethlehem, New York" by Changing the Zoning Designation of PRD No. 6 and Other Adjoining Lands from Planned Residence District and Residence A District to Residence AAA District and Residence AA Dis

Be It enacted by the Town Board of the
(Name of Legislative Body)

~~County~~~~City~~

Town

of Bethlehem, Albany County, New York as follows:

~~Village~~

SECTION 1. FINDINGS AND INTENT

The Town Board of the Town of Bethlehem hereby finds, upon its own review of the matter, and upon the recommendation of the Town Planning Board and Town Planning Department, that certain parcels of land within the Town, hereinafter described in Sections 2, 3, and 4, of this local law, are currently zoned Planned Residence District or Residence A District, either of which would allow a density of development inappropriate to the environmental characteristics of such land and the existing infrastructure in the vicinity of the parcels. In particular, the Board finds that the topography, soils, depth to water table, wetness of the land, and available transportation access, among other factors, pose significant constraints to development of the parcels at currently permitted density, and if so developed could result in deleterious effects to the environment.

The Town Board further finds that the original re-zoning of portions of the parcels to Planned Residence District was premised upon a development concept which would have preserved the more environmentally sensitive areas of the parcels in their natural condition, and that this development concept is no longer valid or achievable given a split in ownership of the land.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(1)

The Town Board further finds that it is in the interest of the public health, safety, and welfare to amend the current zoning district designations applying to the parcels so that the permitted density is reduced to a level which is more consistent with the development constraints of the land.

The intent of this local law is to provide a more rational relationship between the zoning district designation and the environmental and infrastructure constraints of the land.

The Town Board has been presented with a proposed development of 64 lots to be located on the premises described in Sections 2 and 3 of this local law.

SECTION 2. CHANGE IN ZONING DISTRICT DESIGNATION: FROM RESIDENCE A DISTRICT TO RESIDENCE AA DISTRICT

- A. The Code of the Town of Bethlehem, Albany County, New York, Chapter 128, "Zoning", Article III, "Boundaries of Districts", Section 128-3, "Zoning Map; determination of boundaries", is hereby amended to change the zoning district designation of the land hereinafter described in subdivision B of this section from Residence A District to Residence AA District, and the official "Zoning Map, Town of Bethlehem, Albany County, New York", shall be amended in accordance with the provisions of this section.
- B. All that certain tract, piece or parcel of land situate in the Town of Bethlehem, Albany County, New York, lying Southeasterly of McCormack Road, being a portion of the lands of Green Shade Consortium, Inc., and being more particularly bounded and described as follows:

BEGINNING at a point on the Southeasterly margin of McCormack Road at its intersection with the division line between lands now or formerly of Bruno as described in Liber 2283 of Deeds at Page 565 on the Southwest and lands of Green Shade Consortium, Inc. on the Northeast, and runs thence from said point of beginning along said Southeasterly

margin of McCormack Road the following courses: 1) North 55 deg. 35 min. 10 sec. East a distance of 263.57 feet to a point; 2) North 53 deg. 47 min. 34 sec. East a distance of 156.49 feet to a point; 3) North 45 deg. 45 min. and 17 sec. East a distance of 153.81 feet to a point; and 4) North 36 deg. 18 min. 32 sec. East a distance of 58.75 feet to a point on the common division line between lands now or formerly of Sanderson as described in Liber 1594 of Deeds at Page 161 and Liber 1703 of Deeds at Page 167 and lands of Stasio as described in Liber 2268 of Deeds at Page 493 on the North and lands of Green Shade Consortium, Inc. on the South; thence along said common division line South 76 deg. 26 min. 23 sec. East a distance of 1,039.47 feet to a point; thence continuing along the lands of Stasio North 69 deg. 33 min. 37 sec. East a distance of 571.51 feet to a point on the common division line between lands of Stasio, in part, and Conway as described in Liber 2274 of Deeds at Page 21, in part, on the Northeast and lands of Green Shade Consortium, Inc. on the Southwest; thence along said division line South 53 deg. 26 min. 23 sec. East a distance of 651.08 feet to a point on the zoning district boundary line between Planned Residential District on the Southeast and Residential "A" on the Northwest; thence through the lands of Green Shade Consortium, Inc. along said zoning line the following courses: 1) South 56 deg. 07 min. 35 sec. West a distance of 2,034.68 feet to a point; and 2) South 85 deg. 07 min. 35 sec. West a distance of 336.60 feet to a point on the division line between lands now or formerly of the Kilmer Estate on the South and Green Shade Consortium, Inc. on the North; thence along said division line the following courses: 1) South 71 deg. 51 min. 24 sec. West a distance of 689.70 feet to a point; and 2) South 70 deg. 21 min. 24 sec. West a distance of 506.30 feet to a point on the division line between lands now or formerly of Wollard and Morris on the West and Green Shade Consortium, Inc. on the East; thence along said division line North 14 deg. 38 min. 36 sec. West a distance of 335.22 feet to a point on the Southeasterly margin of New York State Route 140; thence along said Southerly margin North 28 deg. 39 min. 22 sec. East a distance of 278.65 feet to a point on the division line between lands now or formerly of Bruno on the North and Green Shade Consortium, Inc. on the South; thence along the lands of Bruno the following courses: 1) North 69 deg. 16 min. 12 sec. East a

distance of 1,034.18 feet to a point; and 2) North 32 deg. 43 min. 33 sec. West a distance of 771.00 feet to the point or place of beginning and containing 65.8+/- acres of land.

Excepting a parcel of land 100 feet in width to be used as an access road from McCormack Road through remaining lands of Green Shade Consortium, Inc., the centerline of which being described as follows:

BEGINNING at a point in the Southeasterly line of McCormack Road said point of beginning being 295 feet, more or less, Southwesterly measured along the Southeasterly line of said McCormack Road from its point of intersection with the Northerly line of lands now or formerly owned by Charles J. Herrick; thence running from said point of beginning Southeasterly with a line approximately at right angles to said McCormack Road 520 (540 feet on original P.R.D. application) feet, more or less, to a point; thence continuing Southeasterly with a curve to the right tangent to the last mentioned line and having a radius of 750 feet 298 (235 feet on original P.R.D. application) feet more or less, to a point; thence continuing Southeasterly with a curve to the left tangent to the last mentioned curve and having a radius of 1480 feet, 455 feet, more or less, to a point; thence continuing Southeasterly with a line tangent to the last mentioned curve, 200 feet more or less, to a point on the division line between lands on the Northwest now owned by Green Shade Consortium, Inc. and the above described parcel on the Southeast, said last mentioned point being 550 feet Northeasterly measured along said division line from the Northeasterly corner of lands of the former Kilmer Estate.

Also including in addition to said 100 foot wide strip a 25 foot radius fillet located at the intersection of each side of said strip with both the right-of-way line of McCormack Road and said last mentioned division line. Said right-of-way containing approximately 4 acres of land.

SECTION 3. CHANGE IN ZONING DISTRICT DESIGNATION: FROM PLANNED
 RESIDENCE DISTRICT TO RESIDENCE AA DISTRICT

- A. The Code of the Town of Bethlehem, Albany County, New York, Chapter 128, "Zoning", Article III, "Boundaries of Districts", Section 128-3, "Zoning Map; determination of boundaries", is hereby amended to change the zoning district designation of the land hereinafter described in subdivision B of this section from Planned Residence District to Residence AA District, and the official "Zoning Map, Town of Bethlehem, Albany County, New York", shall be amended in accordance with the provisions of this section.
- B. All that certain tract, piece or parcel of land situate in the Town of Bethlehem, Albany County, New York being a portion of the lands of Green Shade Consortium, Inc., being more particularly bounded and described as follows:

BEGINNING at a point on the Northerly line of lands now or formerly of the Albany and Susquehanna Railroad Company at its intersection with the division line between the Kilmer Estate on the West and the lands of Green Shade Consortium, Inc., on the East and runs thence from said point of beginning along the above last mentioned division line, North 04 deg. 38 min. 36 sec. West, a distance of 1,631.76 feet to a point; thence through lands of Green Shade Consortium, Inc. the following courses: 1) North 85 deg. 07 min. 35 sec. East a distance of 336.60 feet to a point; and 2) North 56 deg. 07 min. 35 sec. East a distance of 2,034.68 feet to a point on the common division line between the lands now or formerly of Conway in part and Mullally in part on the Northeast and Green Shade Consortium, Inc. on the Southwest; thence along the above last mentioned common division line, South 54 deg. 53 min. 23 sec. East a distance of 289.74 feet to a point; thence continuing along the lands of Mullally the following courses: 1) South 88 deg. 48 min. 23 sec. East a distance of 219.12 feet to a point; and 2) South 88 deg. 33 min. 23 sec. East, a distance of 242.88 feet to a point on the common division line between lands now or formerly of Mullally in part, and Wright in part, on the North and Green Shade Consortium, Inc. on the South; thence along the above last mentioned common division line, North 85 deg. 26 min. 37 sec. East, a distance of 65.34 feet to a point; thence continuing along the lands of Wright, South 84 deg. 33 min. 23

sec. East, a distance of 31.02 feet to a point on the division line between lands now or formerly of Guardian Federal Savings & Loan Association on the Southeast and Green Shade Consortium, Inc on the Northwest; thence along the above last mentioned division line the following courses: 1) South 46 deg. 29 min. 56 sec. West, a distance of 249.48 feet to a point; and 2) South 00 deg. 32 min. 26 sec. East a distance of 1328.42 feet to a point on the division line between the lands now or formerly of Leroy on the South and Green Shade Consortium, Inc. on the North; thence along the above last mentioned division line, South 89 deg. 05 min. 10 sec. West, a distance of 142.24 feet to a point on the common division line between the lands now or formerly of Leroy in part, and Hynds in part, on the East and Green Shade Consortium, Inc. on the West; thence along the above last mentioned common division line, South 00 deg. 54 min. 50 sec. East, a distance of 200.00 feet to a point of cusp with the Northeasterly margin of Burtonwood Place; thence along the Northeasterly and Northerly margin of Burtonwood Place the following courses: 1) along a curve to the left having a radius of 25.00 feet, an arc distance of 39.27 feet to a point of tangency (the chord for the above described curve being North 45 deg. 54 min. 50 sec. West 35.36 feet); and 2) South 89 deg. 05 min. 10 sec. West a distance of 50.00 feet to a point of cusp on the division line between lands now or formerly of Seyler on the Northwest and Green Shade Consortium, Inc. on the Southeast; thence along the lands of Seyler the following courses: 1) along a curve to the left having a radius of 25.00 feet, an arc distance of 39.27 feet to a point of tangency (the chord for the above described curve being North 44 deg. 05 min. 10 sec. East 35.36 feet) and 2) North 00 deg. 54 min. 50 sec. West, a distance of 240.00 feet to a point of curvature; 3) along a curve to the left having a radius of 25.00 feet, an arc distance of 39.27 feet to a point of tangency on the common division line between lands now or formerly Seyler in part, and Sterrett in part, on the South and Green Shade Consortium, Inc. on the North (the chord for the above described curve being North 45 deg. 54 min. 50 sec. West, 35.36 feet); thence along the above last mentioned common division line, South 89 deg. 05 min. 10 sec. West, a distance of 114.00 feet to a point; thence continuing along the lands of Sterrett, South 00 deg. 54 min. 50 sec. East, a distance of 150.00

feet to a point on the division line between the lands now or formerly of Martin on the South and Green Shade Consortium, Inc. on the North; thence along the above last mentioned division line, South 89 deg. 05 min. 10 sec. West, a distance of 67.00 feet to a point on the division line between lands now or formerly of Storm on the West and lands of Green Shade Consortium, Inc. on the East; thence along the lands of Storm the following courses: 1) North 00 deg. 54 min. 50 sec. West, a distance of 150.00 feet to a point; 2) South 89 deg. 05 min. 10 sec. West a distance of 49.00 feet to a point of curvature; 3) along a curve to the left having a radius of 25.00 feet, an arc distance of 39.27 feet to a point (the chord for the above described curve being South 44 deg. 05 min. 10 sec. West, 35.36 feet); and 4) South 00 deg. 54 min. 50 sec. East, a distance of 125.00 feet to a point on the Easterly margin of Hunter Road; thence along said Easterly margin, South 89 deg. 05 min. 10 sec. West a distance of 50.00 feet to a point on the division line between lands now or formerly of Hermance on the West and Green Shade Consortium, Inc. on the East; thence along the lands of Hermance the following courses: 1) North 00 deg. 54 min. 50 sec. West, a distance of 70.00 feet to a point; 2) South 89 deg. 05 min. 10 sec. West, a distance of 140.00 feet to a point; 3) South 00 deg. 54 min. 50 sec. East, a distance of 210.00 feet to a point; and 4) North 89 deg. 05 min. 10 sec. East, a distance of 140.00 feet to a point on the Westerly margin of Hunter Road; thence along said Westerly margin, South 00 deg. 54 min. 50 sec. East, a distance of 180.00 feet to a point on the common division line between the lands now or formerly of Leavitt in part, and Berley in part, on the South and Green Shade Consortium, Inc. on the North; thence along the above last mentioned common division line, South 89 deg. 05 min. 10 sec. West, a distance of 266.19 feet to a point on the division line between the lands now or formerly of Berley on the West and Green Shade Consortium, Inc. on the East; thence along the lands of Berley the following courses: 1) North 09 deg. 44 min. 50 sec. West, a distance of 207.90 feet to a point; and 2) South 85 deg. 56 min. 32 sec. West, a distance of 180.00 feet to a point on the centerline of an existing stream; thence continuing along the lands of Berley, along the centerline of said stream, as it winds and turns, the following tie distances: 1) North 27 deg. 45 min. 11 sec. West, a distance of 58.46 feet to a

point; 2) North 28 deg. 44 min. 23 sec. East, a distance of 35.36 feet to a point; 3) North 04 deg. 36 min. 59 sec. West, a distance of 161.52 feet to a point; 4) North 48 deg. 54 min. 02 sec. East, a distance of 62.37 feet to a point; 5) North 12 deg. 01 min. 50 sec. East, a distance of 124.74 feet to a point; 6) North 11 deg. 09 min. 54 sec. West, a distance of 77.47 feet to a point; 7) South 52 deg. 51 min. 12 sec. West, a distance of 82.80 feet to a point; 8) South 81 deg. 52 min. 12 sec. West, a distance of 127.28 feet to a point; 9) North 61 deg. 44 min. 10 sec. West, a distance of 105.59 feet to a point; 10) North 74 deg. 47 min. 01 sec. West, a distance of 259.08 feet to a point; 11) South 66 deg. 05 min. 45 sec. West, a distance of 298.61 feet to a point; 12) South 17 deg. 52 min. 43 sec. East, a distance of 65.15 feet to a point; 13) South 45 deg. 25 min. 06 sec. West, a distance of 96.88 feet to a point; 14) North 36 deg. 19 min. 37 sec. West, a distance of 84.04 feet to a point; and 15) South 88 deg. 22 min. 02 sec. West, a distance of 15.33 feet to a point; thence continuing along the lands of Berley, South 18 deg. 09 min. 40 sec. East, a distance of 500.86 feet to a point on the division line between the lands now or formerly of Vonronne on the South and Green Shade Consortium, Inc. on the North; thence along the lands of Vonronne the following courses: 1) South 71 deg. 33 min. 40 sec. West, a distance of 261.50 feet to a point; and 2) South 58 deg. 29 min. 40 sec. West, a distance of 380.54 feet to a point on the common division line between lands now or formerly of Vonronne in part, Benno in part, Allen in part, Vanlieu in part, and Perkins in part on the East, and Green Shade Consortium, Inc. on the West; thence along the above last mentioned common division line, South 11 deg. 30 min. 20 sec. East, a distance of 651.44 feet to a point on the above first mentioned Northerly margin of Albany and Susquehanna Railroad Company; thence along said Northerly margin, North 72 deg. 25 min. 53 sec. West, a distance of 364.91 feet to the point or place of beginning and containing 82.187+/- acres of land.

Together with one other parcel of land 100.00 feet in width to be used as an access road from McCormack Road to the above described parcel, the centerline of which is described as follows:

BEGINNING at a point in the Southeasterly line of McCormack Road, said point of beginning being 295 feet, more or less, Southwesterly measured along the Southeasterly line of said McCormack Road from its point of intersection with the Northerly line of lands now or formerly owned by Charles J. Herrick; thence running from said point of beginning Southeasterly with a line approximately at right angles to said McCormack Road 520 (540 feet on original P.R.D. application) feet, more or less, to a point; thence continuing Southeasterly with a curve to the right tangent to the last mentioned line and having a radius of 750 feet 298 (235 feet on original P.R.D. application) feet, more or less, to a point; thence continuing Southeasterly with a curve to the left tangent to the last mentioned curve and having a radius of 1480 feet 455 feet, more or less, to a point; thence continuing Southeasterly with a line tangent to the last mentioned curve 200 feet, more or less, to a point in the division line between lands on the Northwest now owned by said Herrick and the above described parcel on the Southeast, said last mentioned point being 550 feet Northeasterly measured along said division line from the Northeasterly corner of lands of the former Kilmer Estate.

Also including in addition to said 100 foot wide strip a 25 foot radius fillet located at the intersection of each side of said strip with both the right-of-way line of McCormack Road and said last mentioned division line. Said right-of-way containing approximately 4 acres of land.

Being a portion of the lands rezoned by the Town Board of the Town of Bethlehem on March 22, 1972 from Residence "A" to a "Planned Residence District".

SECTION 4. CHANGE IN ZONING DISTRICT DESIGNATION: FROM PLANNED
RESIDENCE DISTRICT TO RESIDENCE AAA DISTRICT

- A. The Code of the Town of Bethlehem, Albany County, New York, Chapter 128, "Zoning", Article III, "Boundaries of Districts", Section 128-3, "Zoning Map; determination of boundaries", is hereby amended to change

the zoning district designation of the land hereinafter described in subdivision B of this section from Planned Residence District to Residence AAA District, and the official "Zoning Map, Town of Bethlehem, Albany County, New York," shall be amended in accordance with the provisions of this section.

- B. All that certain tract, piece or parcel of land situate in the Town of Bethlehem, Albany County, New York, being a portion of the lands now or formerly of Samuel M. and David B. Berley, lying Northerly of Hudson Avenue and being more particularly bounded as described as follows:

BEGINNING at a point on the Northerly margin of Hudson Avenue at its intersection with the division line between lands now or formerly of Samuel M. and David B. Berley as described in Book 2057 of Deeds at Page 415 on the East and lands now or formerly of Frederick F. and Margaret P. Dunn on the West, and runs thence from said point of beginning Northerly along lands of said Dunn approximately 145 feet to a point; thence Westerly with an interior angle of 272 deg. 30 min. along lands of said Dunn approximately 145 feet to a point; thence Westerly with an interior angle of 272 deg. 30 min. along lands of said Dunn 57.29 feet to a point in the Easterly line of lands shown on a map entitled "MAP OF GARDNER PLOT ON GARDNER TERRACE EXTENSION, DELMAR, N.Y.," dated June 1926 and made by Kline, Bristol and Watkins, Licensed Engineers and Surveyors; thence Northerly along the Easterly line of lands shown on said map and the prolongation thereof approximately 1,040 feet to the Northeasterly corner of lands retained by the aforesaid Joseph V. and Mary Grace Von Ronne; thence along the division line between lands now or formerly of Berley on the East and Green Shade Consortium, Inc. on the West North 18 deg. 09 min. 40 sec. West a distance of 500.86 feet to a point in the centerline of an existing stream; thence Easterly along the lands of Green Shade Consortium, Inc. along the centerline of said stream as it winds and turns with the following tie distances: 1) North 88 deg. 22 min. 02 sec. East 15.33 feet to a point; 2) South 36 deg. 19 min. 37 sec. East 84.40 feet to a point; 3) North 45 deg. 25 min. 06 sec. East 96.88 feet to a point; 4) North 17 deg. 52 min. 43 sec. West 65.15 feet to a point; 5) North 66 deg. 05 min. 45 sec. East 298.61 feet to a point;

6) South 74 deg. 47 min. 01 sec. East 259.08 feet to a point; 7) South 61 deg. 44 min. 10 sec. East 105.59 feet to a point; 8) North 81 deg. 52 min. 12 sec. East 127.28 feet to a point; 9) North 52 deg. 51 min. 12 sec. East 82.80 feet to a point; 10) South 11 deg. 09 min. 54 sec. East 77.47 feet to a point; 11) South 12 deg. 01 min. 50 sec. West 124.74 feet to a point; 12) South 48 deg. 54 min. 02 sec. West 62.37 feet to a point; 13) South 04 deg. 36 min. 59 sec. East 161.52 feet to a point; 14) South 28 deg. 44 min. 23 sec. West 35.36 feet to a point; 15) South 27 deg. 45 min. 11 sec. East 58.46 feet to a point; thence continuing along the lands of Green Shade Consortium, Inc. the following courses: 1) North 85 deg. 56 min. 32 sec. East 180.00 feet to a point; 2) South 09 deg. 44 min. 50 sec. East 207.90 feet to a point; and 3) North 89 deg. 05 min. 10 sec. East 126.19 feet to a point; thence Southerly with an interior angle of 90 deg. 00 min. 00 sec. along lands of said Leavitt and along lands now or formerly owned by Anthony W. and Marie L. Haas, Norman B. Teahan, and Richard K. and Elsie Yvonne Rudolph 310.00 feet to a point; thence continuing Southerly with an interior angle of approximately 190 deg. 00 min. along lands now or formerly owned by John C. and Nancy Ellen DuBois 85.00 feet to a point; thence Easterly with an interior angle of approximately 256 deg. 06 min. along lands of said DuBois 145.28 feet to a point in the existing Westerly line of Hunter Road; thence Southerly along the existing Westerly line of Hunter Road and the proposed extension thereof approximately 292 feet to the Northeasterly corner of lands now or formerly owned by Ira J. and Ida May White; thence Westerly with an interior angle of 90 deg. 00 min. 00 sec. along lands of said White approximately 204 feet to a point; thence Southerly along lands of said White approximately 9 feet to the Northeasterly corner of lands now or formerly owned by Henry Charles Wesley Haight; thence Westerly with an interior angle of 90 deg. 00 min. 00 sec. along lands of said Haight approximately 143 feet to a point; thence Southerly with an interior angle of 270 deg. 00 min. 00 sec. along lands of said Haight 280.00 feet to the Northeasterly corner of lands retained by the aforesaid Joseph V. and Ronald J. Von Ronne; thence Westerly with an interior angle of 90 deg. 00 min. 00 sec. along lands of said Von Ronne 90.00 feet to a point; thence Southerly with a line radial to the Northerly line of Hudson Avenue along said lands of said Von Ronne

approximately 210 feet to a point in the Northerly line of said Hudson Avenue as now owned by the Town of Bethlehem; thence Westerly along the Northerly line of said Hudson Avenue approximately 15 feet to a point; thence Northerly along lands of the Town of Bethlehem 20.00 feet to a point; thence Westerly along the Northerly line of said Hudson Avenue approximately 459 feet to a point; thence Southerly along said Hudson Avenue and along the original Westerly line of lands of the former Osterhout Estate approximately 26 feet to a point in the Northerly line of said street, said point being 50.00 feet Northerly of, measured radially from the Northerly line of lands of the aforesaid railroad; thence Westerly along the Northerly line of said Hudson Avenue approximately 43 feet to the point or place of beginning and containing 35+/- acres of land.

Being a portion of the lands rezoned by the Town Board of the Town of Bethlehem on March 22, 1972 from Residence "A" to a "Planned Residential District."

SECTION 5. CONDITIONAL REZONING OF PARCELS DESCRIBED IN SECTIONS 2
 AND 3

- A. In the event that the proposed development of the premises described in Sections 2 and 3 of this local law is not commenced within three (3) years of the effective date of this local law, or within two (2) years from the date of final plat approval by the Planning Board, whichever shall occur first, the premises described in Sections 2 and 3 of this local law shall be deemed to have a Residence AAA District zoning designation with all the pertinent requirements thereof.

- B. The change in Zoning District designation to Residence AA District, for those parcels described in Sections 2 and 3 of this local law, is further conditioned upon a maximum of sixty-five (65) residential units to be constructed on said parcels.

SECTION 6. SEVERABILITY

Should any word, phrase, clause, sentence, paragraph, section, part or provision of this local law be found by the courts to be unconstitutional or invalid, such decision shall not effect the validity of any other part of this local law which can be given effect without such invalid part or parts.

SECTION 7. EFFECTIVE DATE

This local law shall take effect immediately upon its filing with the Secretary of State of the State of New York.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 5 of 19 91 of the ~~(County)(City)~~(Town)(Village) of Bethlehem was duly passed by the Town Board on Sept. 25, 1991, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19 ____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19 ____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19 ____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19 ____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19 ____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19 ____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19 ____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19 ____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19__ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19__, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19__ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19__, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

Cassidy M. Lyons Town Clerk
Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

(Seal)

Date: September 26, 1991

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF Albany

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Bernard Kayburg
Signature

Town Attorney
Title

~~County~~
~~City~~ of Bethlehem
~~Village~~

Date: September 27, 1991

 The Supervisor indicated that he would entertain a motion for approval of Town Board Minutes of July 24th and August 14th distributed on August 14th and August 28th respectively.

Minutes
Approved

The motion was made by Ms. Galvin and seconded by Mr. Webster that the Town Board Minutes of July 24, 1991 and August 14, 1991 be approved as submitted to the Town Board. The motion was passed by the following vote:

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

 Next was a request from Brian Lastra, Assessor, to attend the New York State Assessor's Conference at the Nevele on October 1st and 2nd and all he is asking for is reimbursement of his tuition fee in line with our current policy.

New York
State
Assessors'
Conference

The motion was made by Mr. Gunner and seconded by Ms. Glavin that Brian Lastra, Assessor, be and he hereby is authorized to attend the New York State Assessor's Conference at the Nevele Country Club on October 1-2, 1991, with reimbursement of his tuition fee in the amount of \$60.00. The motion was passed by the following vote:

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

Councilman Webster asked time off, etc. and Supervisor Ringler responded, yes.

 Next was a request from David Austin, Administrator of Parks & Recreation Department, for appointment of Seasonal Personnel.

Appoint
Parks &
Recreation
Seasonal
Personnel

Recreation Instructor II at a rate of \$5.25 per hour.

Sandy L. Newman
 6 Esplande Street
 Selkirk, NY 12158

Recreation Instructor III at a rate of \$7.50 per hour.

Elizabeth Skowron
 335 Delaware Avenue
 Delmar, NY 12054

Senior Lifeguard at a rate of \$6.70 per hour.

Molly Lundy
 34 Placid Lane
 Glenmont, NY 12077

Recreation Instructor I at a rate of \$4.70 per hour.

Jennifer Thomas
 1 Parker Road
 Selkirk, NY 12158

 The motion was made by Ms. Galvin and seconded by Mr. Webster that the above-named personnel be and they hereby are appointed as Seasonal Personnel for the Parks & Recreation Department to serve at the pleasure of the Town Board at the recommended rates of pay. The motion was passed by the following vote:

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

Reduction
of Bonding
Indian
Hills
Phase 2
Subdivision

Next the Supervisor indicated he had a request from Bruce Secor, Commissioner of Public Works, regarding reduction of bonding for the Indian Hills Section 2 Subdivision.

MEMORANDUM

TO: Members of the Town Board
FROM: Bruce H. Secor, P.E., Commissioner of Public Works
DATE: June 6, 1991
SUBJECT: Indian Hills Section 2 Subdivision
Request for Reduction of Bonding

Belmonte Builders has completed a substantial amount of the construction work in the Indian Hills Phase 2 Subdivision. Mr. Peter Belmonte is requesting a reduction in bonding which is currently \$350,000.00 secured by a Letter of Credit #S100913 from Key Bank of Eastern New York N.A., issued June 7, 1991.

Based on review of the work completed in the field and with the concurrence with the Highway Superintendent, we recommend that the bonding be reduced to an amount of \$100,000.00.

The expiration date of the new Letter of Credit should expire one year from the date of issuance.

If you have any questions or need additional information, feel free to contact me.

- - -

The motion was made by Ms. Galvin and seconded by Mrs. Fuller that Letter of Credit No. S100913 in the amount of \$350,000.00 given by Peter Belmonte Builders, Inc. to secure the construction of the infrastructure and roads in the Indian Hills Phase 2 Subdivision be reduced to \$100,000.00 in view of the amount of satisfactory work completed on the streets, with the new Letter of Credit to expire one year from the date of issuance. The motion was passed by the following vote:

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

Next was a request from the Department of Public Works regarding water service on Wildwood Lane.

Water
Service
Wildwood
Lane
(Olson)

MEMORANDUM

TO: Members of the Town Board
FROM: Bruce H. Secor, P.E., Commissioner of Public Works
DATE: September 19, 1991
SUBJECT: Water Service Wildwood Lane

The letter from Mr. and Mrs. Olson requests water service for their existing home on Wildwood Lane. Their property is southerly of the Wildwood Lane Water District Extension and outside of the Water District boundaries. Attached is a map labeled EXHIBIT A, which shows the boundaries of the Wildwood Lane Water District Extension and the location of the Olson property. The Wildwood Lane Water District Extension was paid for the the three property owners facing Wildwood Lane, namely Crisafulli, Covey and Syrett.

Our normal procedure is to require the extension of a water main to the boundaries of the Water District wherever possible. My recommendation is to grant the request for Mr. and Mrs. Olson and provide water service to them as "out of district" customers. There is a Water District Extension being organized for this area to service homes on Elm Avenue and Elm Avenue East. The Olson property could be incorporated into that district extension in the near future.

In conjunction with this, I am recommending that an 8" water main be extended on Wildwood Lane southerly approximately 235' which would bring the water main near to the Olson property line. Attached as EXHIBIT B is a cost estimate for extension of the water main.

I have reviewed this estimate with Mr. and Mrs. Olson and they have agreed to pay the cost of extending the water main if their request is approved by the Town Board. In addition to the cost show, the Olson's would have to pay for the installation of a meter pit and a 1" water service line to run from the end of the extended 8" main to their home. At some time in the future if other lands are developed southerly of Olson, the next property owner could participate in further extension of the 8" main.

I hope the Town Board finds this recommendation acceptable and approves water service to Mr. and Mrs. Olson as an "out of district" customer. Since they are being served as an "out of district" customer, we would also ask that they sign an agreement with the Town committing them to participate in a district extension as soon as practical. Attached as EXHIBIT C is a form of statement agreement.

Please contact me if you have any questions or need any further information.

- - -

Supervisor Ringler asked the Town Board if they had any questions. Councilman Gunner asked if the Olson's pay for this and then we have additional building afterwards, would their amount that they pay for be reduced by people who tap into that eight inch main that they paid for. Supervisor Ringler responded, "No" he did not think so. Bruce H. Secor, Commissioner of Public Works, indicated that normally what would happen is that the next customer would just bring the pipe further down the road. The map that he gave them it is not going completely across their frontage, and in a shared situation if you and I lived across the street, I would pay for half and your would pay for half, but since there isn't any house across the street, we are bringing it half way and waiting for the next customer, so the next customer would not reimburse the Olson's they would put more pipe in the ground. Councilman Gunner indicated, "OK" and make it possible for the people that are there.

The motion was made by Mrs. Fuller and seconded by Ms. Galvin that the extension of Water Service on Wildwood Lane to Mr. and Mrs. Olson be and it hereby is approved with the understanding that the cost of extending the water main be paid by them as well as the installation of a meter pit and one inch water service line to run from the end of the extended eight inch main to their home. The motion was passed by the following vote:

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

Next was a request from Department of Public Works regarding Major Modifications to the Waste Water Treatment Plant. This is in regards to the SEQR Resolution and Bruce has reviewed the SEQR, completed the documents and recommends that we pass the resolution for a negative declaration on SEQR for this project. He asked if anyone had any questions on that.

SEQR
and
Bond
Resolution
Major
Modification
Waste
Water
Treatment
Plant

The motion was made by Ms. Galvin and seconded by Mr. Gunner that a negative declaration be declared for SEQR for the Major Modifications to the Waste Water Treatment Plant with the Town Board as Lead Agency since the entire project will occur within the boundaries of the existing plant site and the new facility will actually provide additional screening and further mitigate both noise and odor at the sewer treatment plant site. The motion was passed by the following vote:

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

The Supervisor indicated that they next had a request from Lieutenant Vanderbilt for appropriation of funds from the New York State Drug Surveillance Grant to Equipment 3121.2 \$3,405.00 and Contractual 3121.4 \$500.00.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller that \$3,905.00 be appropriated from the Drug Surveillance Grant and \$3,405.00 be transferred to Equipment 3121.2 and \$500.00 be transferred to 3121.4 Contractual. The motion was passed by the following vote:

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

Mr. Secor asked on the Major Modifications for the Sewer Treatment Plant you also need to pass another Resolution on the Bond Resolution.

The Town Board of the Town of Bethlehem has heretofore established the Bethlehem Sewer District which includes a Wastewater Treatment Facility located in the Cedar Hill area, on the west bank of the Hudson River, Town of Bethlehem, County of Albany.

A map, plan and report entitled, "Wastewater Treatment Plant Modification Study," dated June 1990, has been prepared in a manner and detail determined by the Town Board regarding the proposed modifications and refurbishment of the wastewater treatment plant located in the Cedar Hill area, Town of Bethlehem, County of Albany.

The map, plan and report were prepared by J. Kenneth Fraser and Associates, P.C., competent engineers licensed by the State of New York and includes among other things, detail of existing conditions, description of existing wastewater treatment facilities, engineering investigations and recommended plant facilities as well as estimated costs thereof.

The maximum amount proposed to be expended for the contemplated modifications and refurbishment of the wastewater treatment plant is Three Million One Hundred Thousand Dollars (\$3,100,000.00).

The Town Board of the Town of Bethlehem is desirous of modifying and refurbishing the aforementioned wastewater treatment facility located in the Cedar Hill area and that is is nearing its Phase I (current) designed treatment capacity and additional flows and loads received at the plant will require an additional aeration tank with associated piping and equipment. Service, wear and corrosion on mechanical units operating since 1974 will also require equipment replacement or modifications. The Town board believes that is is in the public interest to go forward with the modifications and improvements to the wastewater treatment facility as proposed herein.

The Town Board has heretofore and on December 12, 1990, adopted a Resolution calling for a Public Hearing to be held at the Bethlehem Town Hall, 445 Delaware Avenue, Delmar, New York on the 9th day of January, 1991 at 7:30 p.m. to consider said report and to hear all persons interested in the subject hereof concerning the same and to take such action as is required or authorized by law.

A notice of such public hearing has been given as required by the Town Law by posting and publishing in the official newspaper of the Town of Bethlehem and circulating in said district.

All persons desiring to be heard in favor of and in opposition to said proposal have been duly heard.

On motion of Councilwoman Galvin, and seconded by Councilman Gunner, it is hereby

RESOLVED AND ORDERED, that it is in the public interest to undertake the project to modify and refurbish the Wastewater Treatment Facility including but not limited to providing a power factor correction capacitors, providing another means of sludge thickening, providing separate pump controls for both return and waste activated sludge pumps, providing a third return sludge pump and waste sludge pump, replacing the sludge storage tank mixing system, providing a new additional final clarifier tank unit, refurbishing the dissolved air flotation thickener and associated equipment, refurbishing the bar screen, constructing a new grit removal and grit loading system and enclosing the new sludge tank, bar screen, grit removal and grit

loading facilities and a new headworks building, all to be located within the hereto established Bethlehem Sewer District; and it is further

RESOLVED AND ORDERED that the maximum amount to be expended for said improvements is the sum of Three Million One Hundred Thousand Dollars (\$3,100,000.00)

The adoption of the foregoing Resolution and Order was duly put to a vote, the result of which is set forth opposite the name of each Board member voting thereon.

Kenneth J. Ringler, Jr., Supervisor
Frederick C. Webster, Councilman
Charles A. Gunner, Councilman
M. Sheila Galvin, Councilwoman
Sheila Fuller, Councilwoman

Members of the Town Board
 Town of Bethlehem

- - -

At a meeting of the Town Board of the Town of Bethlehem, Albany County, New York, held at the Town Hall, 445 Delaware Avenue, Delmar, New York on the 25th day of September, 1991 at 7:30 p.m., Eastern Standard Time.

PRESENT: Kenneth J. Ringler, Jr., Supervisor
Frederick C. Webster, Councilman
Charles A. Gunner, Councilman
M. Sheila Galvin, Councilwoman
Sheila Fuller, Councilwoman

ABSENT: None

The following resolution was offered by Councilwoman Galvin who moved its adoption, seconded by Councilwoman Fuller, to wit:

BOND RESOLUTION, DATED, September 25, 1991.
 A RESOLUTION AUTHORIZING THE ISSUANCE OF \$3,100,000.00 SERIAL BONDS OF THE TOWN OF BETHLEHEM, ALBANY COUNTY, NEW YORK TO FINANCE REFURBISHMENT AND MODIFICATIONS TO A CERTAIN WASTEWATER TREATMENT PLANT IN SAID TOWN, AND APPROPRIATING THE PROCEEDS TO SUCH PURPOSE.

WHEREAS, after a Public Hearing had been duly called, held and conducted on January 9, 1991, the Town Board of the Town of Bethlehem adopted a resolution approving and authorizing certain modifications and refurbishment of the wastewater treatment plant located in the Cedar Hill area, Town of Bethlehem, County of Albany; and

WHEREAS, said resolution has taken effect in the manner provided by law and it is now desired to provide for the issuance of Three Million One Hundred Thousand Dollars and 00/100 (\$3,100,000.00) serial bonds to pay for the cost of said refurbishment and modifications to the wastewater treatment plant.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Bethlehem, Albany County, New York as follows:

Section 1. The Town of Bethlehem shall issue its serial bonds in the aggregate principal amount of \$3,100,000.00 pursuant to Local Finance Law of New York, in order to finance the specific objects or purposes hereinafter described.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed by the issuance of such serial bonds is modifications and refurbishment of the wastewater treatment plant located in the Cedar Hill area, Town of Bethlehem, County of Albany, as set forth in a resolution of the Town Board adopted on January 9, 1991, including but not limited to power factor correction capacitors, another means of sludge thickening, separate pump controls for both return and waste activated sludge pumps, a third return sludge pump and waste sludge pump, sludge storage tank mixing system, a new

additional final clarifier tank unit, refurbishing the dissolved air flotation thickener and associated equipment, construction of a new grit removal and grit loading system, refurbishing the bar screen and enclosure of certain facilities in a new plant headworks building, and costs incidental thereto.

Section 3. The Town Board has ascertained and hereby states that the estimated maximum cost of the purposes described in "Section 2" hereinabove is \$3,000,000.00 and the Town Board plans to finance such purpose entirely from the funds raised by the issuance of obligations herein authorized and from federal and state grants received, if any.

Section 4. It is hereby determined that said purposes are objects or purposes described in subdivision 4 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purposes is forty (40) years.

Section 5. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 60.00 inclusive of said law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds, including the renewal of said notes, and the power to prescribe the terms, form and content of said bonds and bond anticipation notes, and the power to sell and deliver serial bonds and any bond anticipation notes issued in anticipation of the issuance of such bonds, or renewals thereof, is hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. The Town Supervisor is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation of the issuance of serial bonds, and the Town Clerk is hereby authorized to affix the corporate seal of the Town to any of the serial bonds or any bond anticipation notes and to attest the Town seal. Each interest coupon representing interest payable on serial bonds shall be authenticated by the facsimile signature of the Town Supervisor.

Section 6. The maturity of the obligations herein authorized will be in excess of five (5) years.

Section 7. This resolution shall be published in full by the Town Clerk, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law and such publication shall be in The Spotlight, a newspaper having a general circulation and published in the Town of Bethlehem. The validity of the serial bonds and of any bond anticipation notes issued in anticipation of the sale of the serial bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

Section 8 This resolution shall take effect upon adoption.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

<u>Kenneth J. Ringler, Jr., Supervisor</u>	voting <u>Aye</u>
<u>Frederick C. Webster, Councilman</u>	voting <u>Aye</u>
<u>Charles A. Gunner, Councilman</u>	voting <u>Aye</u>
<u>M. Sheila Galvin, Councilwoman</u>	voting <u>Aye</u>

BY ORDER OF THE TOWN BOARD
TOWN OF BETHLEHEM

Conditional
Approval
of Final Plat
Hochkamp
Subdivision

The Supervisor next acknowledged receipt of Conditional Approval of Final Plat for the proposed HOCHKAMP Subdivision on Old Quarry Road in South Bethlehem from the Planning Board for informational purposes.

He also acknowledged receipt of the Conditional Approval of Final Plat for the proposed RICHTER Subdivision on Creble Road from the Planning Board.

Conditional
Approval
of Final
Plat
Richter
Subdivision

The Supervisor acknowledged receipt of the Certificate of Approval of Final Plat for the CACCAMO Subdivision located on Kenwood Avenue near Rockefeller Road from the Planning Board for informational purposes.

Final Plat
Approval
Caccamo
Subdivision

Councilman Webster asked he was just curious and he realized the Jeffrey Lipnicky was not here, but did anyone see in the legal notices in today's SPOTLIGHT that there is already something to do with this, is something wrong with this, or is it going before the Appeal's Board, he asked Mr. Secor if he knew anything about that and indicated that he would see Jeff.

Supervisor Ringler asked for a motion to conduct an Executive Session at the end of the regular Town Board meeting to discuss a personnel matter. The motion was made by Ms. Galvin and seconded by Mrs. Fuller that an Executive Session be held following the close of the regular Town Board meeting to discuss a personnel matter. The motion was passed by the following vote:

Executive
Session

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

Councilman Charles A. Gunner indicated that he had one other thing to bring up before they adjourned. He indicated that he would like to take this opportunity to thank the many citizens, approximately one hundred seventy or one hundred and seventy-five who wrote letters concerning their opposition to the landfills proposed by Albany ANSWERS. He and other members of the Town Board are supportive of their position and are pleased with the action they have taken to stop the Albany ANSWERS project and the Albany City regime from sighting ANSWERS landfill in Bethlehem. He believes that he may speak for the whole Board in stating that we are thrilled by the basic tenets of democracy they have applied to let the City of Albany regime know that they cannot apply their rule in the Town of Bethlehem.

Discussion
ANSWERS
Proposals

Councilman Gunner continued the Town Board is in agreement with the citizens and the action they have taken since Albany has unveiled its proposals for landfill sights in our Town. We have taken considerable action as a Town Board, one our Supervisor has been active in getting the New York State Legislature not to enact legislation that would give ANSWERS the possibility of eminent domain, two Mr. Ringler on behalf of the residents of the Town of Bethlehem and spokesperson for our Town Board gave testimony against the ANSWERS proposal for sighting landfills in the Town of Bethlehem at public meetings held by the Albany City ANSWERS administration on July 1st and July 8th. He has, also, spoken out frequently against the landfills on many occasions. Also on July 10th our Town Board unanimously rejected the proposed nine landfill sights as proposed by Albany ANSWERS, and at our second meeting in August the Town Board unanimously approved Mrs. Fuller's resolution to oppose any motion or any action by Albany ANSWERS to obtain the right of eminent domain, and finally but not least we heard a report tonight from our Solid Waste Task Force and they have been diligently working, giving alternatives and directions to us. So he really supports and he believes that he speaks for the whole Board and our actions have shown the support in opposition to these landfills. However, and he was speaking for himself now, I must personally state that I cannot accept or agree with the approximately one hundred fifty letters of the one hundred seventy-five that he received that contained a paragraph saying that I threatened the community, small children, wildlife and everything they work for. I don't believe that they intended to do that, it was a form letter that somebody wrote and they signed, so I am not holding it against the people and I know in their emotion I would feel a similar way if a dump or a landfill would be in place next to my home, I would become upset, but I just cannot let it go by since it was addressed to me and other

members received it individually too, I cannot let it go by myself and I would not let it go by for my fellow Board members, on my behalf anyhow, so he just can't because it is completely untrue, unfounded and he believed that it has been unwittingly signed by many good people with just good ideas. Otherwise other parts of the letters I accept, understand and support. He does not know how it got in there, but it is there.

Supervisor Ringler indicated that he concurred completely as the paragraph says you threaten and Councilwoman Fuller stated that the third paragraph of the form letter said "you". Supervisor Ringler continued that we were supporting everything that the people are asking for. Councilman Gunner stated that he thought as it was brought up by Fred at one meeting was that they all understood but had signed the letter and somewhere, someday, somebody might say well why didn't you speak out against this thing, well I have and I hope that the Board agrees. Supervisor Ringler indicated that he concurred with him, and he thought that he had notified CLAWS about that too, he did not know if CLAWS started that form letter but we did have some problems with that language.

Mr. Gordon Hamilton from CLAWS asked if he could comment on behalf of CLAWS and say that we were bringing some younger political activists into the organization and we did a lot to stifle their fervor so we did not do probably editing job on their first effort, but he does apologize to the Board for that. The Supervisor thanked Gordon. Councilman Webster indicated that he thought at your last meeting Gordon there was kind of a unanimous thought that the Board was totally in support of your ideas and we are still totally one hundred and fifty percent in support.

Supervisor Ringler asked if there was anything else that anyone would like to bring to the attention of the Board.

Mr. Sherwood Davies asked if a copy of that Solid Waste Task Force Report was available. The Supervisor indicated that he did not know if he had an extra copy here tonight as they just received it tonight but he could get a copy of it, it is not available tonight but one will be available probably tomorrow.

Mr. John Thomas indicated that he would like to make a comment on this action by the Solid Waste Task Force. He frankly don't see anything impressive about what this says. In listening to some of the language of what the report says, to him it basically boils down to two things, the report and he noticed how it was in there, we are waiting on Green Island, kind of hedging our bets about what happens on Green Island and he did not see to much emphasis about what could happen with our proposed Waste to Energy Plant in the report. Supervisor Ringler indicated that he felt that the report quite frankly says exactly what you suggested that we do about two weeks and that is send requests for proposals to those types of entities who would like to build a facility such as you are supporting.

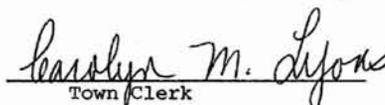
Mr. Thomas asked well did it say and he did not hear anything said about sending RFP's out to propose a Waste to Energy Plan. Supervisor Ringler indicated, Yes, they will be sent to them and it is in there. Mr. Thomas stated Oh it is in there, OK so that is something that we will do. Supervisor Ringler indicated that what is in there and he was going from memory at this point but they suggest that we send it to private enterprise and what they have suggested American Refuel, Wheelabrator, Energy Answers Corporation, all those types of people who are in the solid waste business to make a proposal to the Town for whatever, and he thought they used the word imaginative proposal that they would like to make to us. Mr. Thomas stated that he did not know if he was alone here or not, but he was glad that the Supervisor had clarified that because he did not understand it that way. Supervisor Ringler indicated that we are looking for all options, we are looking at all options including the one that your are supporting. Mr. Thomas continued and one other thing he would like to say too is that he spent four dollars and got a copy of the Town Planning Survey before and he thought that it was a very good document and first of all he could not believe that it was only four dollars that he had to spend - and Supervisor Ringler indicated if you would like to pay more we will accept it - Laughter - and Mr. Thomas continued that he had spend the

four dollar yesterday and he had that much left in my checking account, but no once again he would like to bring to the attention of the Board that one question in there and one word that should be brought to life and that is the question about the Waste to Energy Plant and he was quoting what is said in our LUMAC survey which he was sure - and Supervisor Ringler indicated which we have read - and Mr. Thomas stated which you have read and which was funded by taxpayer's and was answered by taxpayers and to quote it says that Bethlehem should encourage and he emphasized the word encourage development of a waste to energy incineration facility in Town in order to satisfy the solid waste disposal needs of the Town and the surrounding communities. Now he thought that this word encourages pretty significantly, it does not say oh well we should consider it says encourage and we got almost fifty percent in favor, roughly thirty percent opposed and you have twenty percent undecided and just say you put that twenty percent undecided, you have sixty percent in favor and he has never know of anybody in an election yet that got less than fifty percent plus one on a one on one election and got elected, you have to get the majority and he was just asking the Board to listen to the majority of the people in this Town, listen and take to heart the LUMAC survey and make those landfill sights disappear down south of where he lives. Supervisor Ringler responded that they will.

The Supervisor asked again if anyone else would like to bring anything else to the attention of the Board. No one else spoke.

The motion was made by Ms. Galvin and seconded by Mr. Webster to adjourn the Town Board meeting at 8:41 p.m. The motion was passed by the following vote:

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


Town Clerk

No formal action was taken at the Executive Session.