

**Town Board**  
**March 24, 2010**

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 6:00PM.

PRESENT: Samuel Messina, Supervisor  
Joann Dawson, Councilwoman  
Mark Hennessey, Councilman  
Mark Jordan, Councilman  
Kyle Kotary, Councilman  
Nanci Moquin, Town Clerk  
James T. Potter, Esq., Town Attorney

Supervisor Messina called the meeting to order and lead the Pledge of Allegiance.

**PUBLIC COMMENT ON AGENDA ITEMS**

Jared King – 22 Paxton Rd. – Phillipin Kill He said PDD’s were allowed by State Law to be taxed at a lower rate than sale value. He thought the Town Board should look close at that.

Bob Jasinski – Bender Ln. – For the informal meetings he asked for a 7PM start. He hopes the Town Board will attend those meetings. With the possibility of the advancement of the 20/20 Committee Recommendations, he thought it was a good time to get a good bonding rate. The truck scale bid – he asked for how many companies bid.

Andrew Kozlowski – He was in favor of lowering the speed limit on Old Quarry Rd. because of the winding nature, the topography and the amount of use.

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**PUBLIC HEARING and possible action on Order approving Water District Extension**

Mr. Cansler presented for the water district extension. Ed Vopelak, the CT Male consultant, was also present. The Town has been working on this extension for about a year and a half. The Town had fallen behind extending the water district to include all the water users the Town currently has over the past fifteen (15) to twenty (20) years. Some of that had been mandated by NYSDEC during the drought and in some other areas it was not exactly clear why the districts were not extended. The goal now was get everyone into the water district that is receiving water who resides in the Town of Bethlehem. The existing water district will be extended to include five hundred forty-three (543) out of district parcels that currently receive district water. This includes one hundred fifty-six (156) parcels where the property was split. Some properties are partially in the district and partially out. This will bring them all into Water District #1. The South Albany water district will also be brought into Water District #1. This is a separate district along Curry Avenue in the Southern part of Bethlehem. Everyone will be under the same guidelines as the existing water district. These outside users are referred to as water district #2. This is not an official district. This extension will not include the New Scotland residences that receive water from the Town because we cannot tax them. The purpose for this extension is that NYSDEC requires all consumers to be within the defined boundaries of the water supply permit. Their expectation is that when the Town can, they will include all out-of-district users into the district. Another reason is to give the out-of-district users the same rights as the people within the water district. During draughts, the Town doesn’t have an obligation to supply water to residences outside of the district. That has never happened but it could. Also, this would make all the billing the same. Currently, in-district residents pay a water tax and a water rate on their usage. The out-of-district users do not pay a tax, but they pay double the water rate on their usage. A lot of customers do not think that is fair. Most of the time, the customers paying double the rate are paying more over a year’s time. 90 to 95% of the out-of-district users will benefit from this extension.

Councilwoman Dawson said in the past she thought developers had a choice as to whether they wanted to join the water district. Mr. Cansler said the Town’s policy since he has been commissioner and going forward is that the developers are required to apply for a water district extension.

A motion to waive the reading of the Public Hearing Notice with direction to indent the Notice of Public Hearing, Affidavit of Publication and Affidavit of Posting on the minutes of the meeting was offered by Councilwoman Dawson, seconded by Councilman Hennessey and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NAYES: none

ABSENT: none

At a regular meeting of the Town Board  
of the Town of Bethlehem in the  
County of Albany, New York  
at the Town Hall in said Town  
on February 24, 2010

*IN THE MATTER OF THE EXTENSION OF  
WATER DISTRICT NO. 1, IN THE TOWN OF BETHLEHEM,  
IN THE COUNTY OF ALBANY, NEW YORK*

**ORDER CALLING  
PUBLIC HEARING**

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**WHEREAS**, previously hereto a map, plan and report have been prepared by the firm of C. T. Male in such manner and in such detail as has heretofore been determined by the Town Board of Bethlehem, New York, relating to the extension of Water District No. 1, Town of Bethlehem, and

**WHEREAS**, such map, plan and report have been duly filed in the office of the Town Clerk of Bethlehem, New York where the same are available during regular office hours for examination by any persons interested in the subject matter thereof, including estimate of cost, and

**WHEREAS**, the boundaries of the proposed extension of said district are set forth in Schedule A, attached hereto and made a part hereof, and

**WHEREAS**, the Water District No. 1, Town of Bethlehem would be extended to include an additional 548 parcels, and

**WHEREAS**, the aforesaid Water District extension will not require any financing or taking on of any debt, and

**WHEREAS**, there is no estimated hook-up fees to the property owners as the owners are currently receiving their water from the Town of Bethlehem, and

**WHEREAS**, the maximum cost (engineering and legal fees) for the water district extension is estimated to be \$25,000.00, and

**WHEREAS**, said Extension and the establishment thereof has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the Town Board has determined will not result in any significant environmental effects, and

**WHEREAS**, it is now desired to call a public hearing upon the question of establishment of said Extension and the improvements proposed therefore, all pursuant to section 209-d of the Town Law;

**NOW THEREFORE IT IS ORDERED** by the Town Board of the Town of Bethlehem, Albany County, New York, as follows:

Section 1: A meeting of the Town Board of the Town of Bethlehem, Albany County, New York, shall be held at the Town Hall at 445 Delaware Avenue, Delmar, New York on March 24, 2010 at 6:00 pm, for the purpose of holding a public hearing to consider the establishment of an Extension of Water District No. 1, and to consider the map, plan and report filed in relation thereto, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Town Board as may be required by law or shall be proper in the premises.

Section 2: The Town Clerk is hereby authorized and directed to cause a copy of the order to be published once in the Spotlight, the official newspaper of said Town, the first publication thereof to be not less than ten nor more than twenty days before the day set herein for the hearing as aforesaid and said Town Clerk shall also cause a copy thereof to be posted on the signboard of the Town maintained pursuant to subdivision 6 of section 30 of the Town Law not less than ten nor more than twenty days before the day set for the hearing as aforesaid.

Section 3: This Order shall take effect immediately.

**STATE OF NEW YORK) SS:**  
COUNTY OF ALBANY)

NANCI MOQUIN, being duly sworn, deposes and says that she is the Town Clerk of the Town of Bethlehem, Albany County, New York and the attached Legal Notice was published in the Town's legal newspaper, The Spotlight, on March 10, 2010 and that I posted the Notice of Public Hearing on March 10, 2010 on the sign board of the Town maintained pursuant to subdivision six of Section thirty of the Town Law.

Nanci Moquin  
Town Clerk

Sworn to before me this  
25th day of March, 2010.  
/s/ Julie McNeil

Notary Public

A motion to open the Public Hearing was offered by Councilman Kotary, seconded by Councilwoman Dawson and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NAYES: none

ABSENT: none

The Public Hearing opened at 6:25pm.

JARED KING: 22 Paxwood Rd. Mr. Cansler a point of clarification. Is this expansion going to include sewer also?

MR. CANSLER: It's strictly a water district extension

JARED KING: My comments are as follows: first of all I will remind the Board that physics matters. And by that the cost to pump water is more expensive farther away, to reach a farther away point from the pump that it is closer. I'm not sure if that is linear or quadratic but it may be quadratic. Pipeline repair however is a linear function but that again is the farther you are away the probability of a break at any point, up to that point, is greater than if you were close to the pump. The second point is that when you are for example, from the City of Albany, you would have an expectation that water would be all the same because the water is coming from a very distant point. The cost associated with that district is really almost the same for everyone that's receiving water. Traditionally water districts have been set up where there is an increase in the marginal cost associated with delivering water. So often times the developer they can set their own district, they can join a district, if that's amenable to the powers that be. And in particular, commercial development, often times is in a separate district where the infrastructure associated with that development might be far more expensive, I'm thinking Co-gen would be a great example of that. With respect to what was just presented, the first issue I have is with the 156 properties that are joined, I know this very well because I experienced this in Coxsackie. The first is can property be divided, often times you have a property that the person who owns the property but because of the revised zoning they can be split into multiple properties. That's probably one reason why properties are in different districts. So one should think for example is that where do you want to put the line. As for the small district, or those outside, and we have heard today that it is a legal requirement that they get in a district but there is not legal requirement that they join District #1. We have an existing district and there's no reason why that necessarily has to be merged either. The point that Mr. Cansler made is fairly obvious, 95% of the people, as you take a look at those rates are going to be paying less, which means of course that the general existing tax payers of water district #1 are going to be paying more on the slight level. The people outside will be paying more likely than not will be paying less. Our water district also has a minimum delivery as does Coxsackie so more often than not and since I'm out of that district though I'm on a property that's split, it's far more expensive to be outside the district than to be inside the district. Although I understand the assessed value issue also. My concern is, my experience in dealing with politics and politicians in general is that if the politicians tell you something always ask yourself, what's in it for them, why do they want to do this, what's wrong with the status quo. My concern is a development such as Vista, which I remember Bob Jasinski and Norman Moran speaking very outspokenly about, the increased infrastructure cost associated with Vista, that these sorts of costs of development don't get pushed onto existing tax payers. Whatever new development is going to be made, they pay their fair share, whatever the marginal costs is to the Town. That is my main point.

BOB JASINSKI, Bender Lane. As Jared was talking, different items flipped through my mind, I do that lots of times at night too. One of the things I want to point out is because developers put in these water lines that the Town, to bring them into the district, make sure they have the ROW's, the Town does, to service these and they meet the requirements, which I'm quite sure they already do because I think the Town has engineers that go out to these developments. I would suggest they look at these very carefully because contractors, like everyone else in the world, very trustworthy and I trust everybody. I would advise and caution on these points.

MR. CANSLER: I'd like to answer a few questions that Mr. King and Mr. Jasinski brought up. First of all there is only one (1) water district in Town, that's Water District #1 that was created back in the twenties. I'm not sure why it's called Water District #1 other than maybe they anticipated there would be more than one. Over the years we've always extended the water district simply to be within the boundaries of this district. I really didn't get into it with this map, mainly because I know most of you can't see it. The original water district is what you see here in the purple boundary which most people refer to as old Delmar. That was created back in the twenties. The other areas that you see in various shades of brown, lavender or red, those are other areas that were extended over the years including down here in Selkirk. What is seen in the light blue are the areas of the proposed extension now. To address one of Mr. King's

points, you can see, a lot of the light blue areas are actually kind of within the boundaries we have already. We are trying to close those pockets and also to address the comments on physics, distance doesn't have much to play as far as water main breaks. It depends on the age of the pipe, pressure on the pipe, soil, etc. Even if it did, as you can see a lot of these spots are actually closer than some of the areas we have already. I think that addresses all the questions you had. One of Mr. Jasinski's comments, all the outside users are currently using our water.

JARED KING – May I clarify one of the points Mr. Cansler made. What I was saying Mr. Cansler is not that the probability of break is different from farther away, my point was if one person is a hundred feet from the water plant and the other person is five miles from the power plant, the probability of a break lets' say is equal in that hundred feet and then the next hundred feet and following hundred feet, the probability of the cost to the far person to have water at a far distance is a linear relationship so let's say one mile five miles so that's five times the probability there would be a break within the pipe to the five mile person than the one mile person.

ROB CARTWRIGHT, 57 Honeysuckle Way. I'm in a water district, unofficial #2, with an average size family, average water use, average house and I would like to see some equity in the taxes that we all pay. Certainly not going very far, we are right in the middle of Glenmont and I would like to point out that when my development was built about ten (10) years ago, when the infrastructure was put in, it was at no cost to the Town, no bonding etc. So it will have a longer service life than many other mains within the Town. There will be less maintenance for twenty (20) to thirty (30) years.

CYNTHIA RADLIFF Cottage Lane. I just have some questions. If 95% of the Town of these properties are going to benefit, that, I assume will be a loss of money for the Town. Should I be worried that my water taxes are going to go up. How is the Town going to make up for that loss. If these properties are now legal, if their pipes break now, is the Town going to have enough employees to go a fix them. Or will they have to hire more employees to fix, because your adding 543 more residents to the district. Are there any other illegal things that anybody knows of that the Town is aware that you will hold another meeting. I'm kind-of surprised that this has been going on for so long. I don't know the whole picture so I don't want to comment too much. But I am happy that Josh had the time to do all this and I'm glad that we're doing one big district.

MR. CANSLER: Illegal was a harsh word. DEC was well aware of what we were doing here. And they did it with the understanding that we would eventually incorporate everyone into the district. And if fact, it was DEC who did not let us do water supply permits during the drought years because they put a moratorium on that hoping that we would not increase our water consumption but we already had several developments under way at that time and we went ahead and proceeded with those with their understanding and approval. Their expectation was that we would do this one day. As far as the additional cost, it is going to take a little bit of our budget. We've done an analysis and it's going to be pretty minimal. We made some cuts last year in the water budget in anticipation that our revenue would be slightly less. We have been planning for this for two (2) years and we tried to make cuts accordingly. As far as maintenance question you brought up, there will be no additional costs because we have already been maintaining the lines since they have been put in, whether they were inside or outside the district.

COUNCILMAN KOTARY: Just a quick comment on three (3) points. The first point is that Josh could have said that we are now with DEC 's approval in compliance with the mandatory regulations. I want to emphasize that we were doing so not only with the knowledge of DEC but also with the recommendation to continue. Josh has very adequately explained that we were servicing all these households that were already getting Town water. The issue here is not a maintenance issue, although we've addressed those questions. I really appreciate the questions from the audience because unless you had a chance to go thought the materials, you wouldn't know about the addressed issues of budget issues, of maintenance and compliance with the law. What I think this issue is about is fairness in equity on the tax issue. Insuring that everyone who is getting the same services in Town pays not only in the same way but we have consistency among users. I think by doing this that's what we're doing. Josh explained with the chart that we have two (2) groups of people getting the same services but paying in different ways. To me it seems a very simple decision based on that argument of equity and fairness for everybody in Town. So everybody pays their fair share based not only on their property value but also in consumption too.

COUNCILMAN HENNESSEY: I want to echo some of the comments that councilman Kotary made but the one thing I want to say is that I'm happy that we are able to provide relief for tax payers like Mr. Cartwright who came up before. And not by raising taxes but by tightening our belts. So good work on the part of you guys and good work on the part of everybody else who fought to make sure that this happened.

SUPERVISOR MESSINA: Many letters had been received supporting the extension of Water District No. 1.

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**APPROVAL OF 3/10/10 MINUTES**

A motion to approve the Town Board minutes as drafted was offered by Councilman Kotary, seconded by Councilwoman Dawson and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NAYES: none

ABSENT: none

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**ACKNOWLEDGE RECEIPT BY CLERK OF THE COURT OF A GRANT FROM THE UNIFIED COURT SYSTEMS FOR UPGRADES TO THE OFFICE.**

Supervisor Messina said the grant was for \$7,500 and will be used mostly for security upgrades.

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**ACKNOWLEDGEMENT OF RECOGNITION OF SUPERVISING WATER PLANT OPERATOR RICHARD SAYWARD FOR RECEIVING THE MANAGEMENT INNOVATION AWARD FROM THE CAPITAL BRANCH OF THE AMERICAN PUBLIC WORKS ASSOCIATION FOR HIS EFFORTS TO SAVE OVER \$300,000 ANNUALLY IN WATER PRODUCTION COSTS, AND FOR HIS WORK RESULTING IN THE NEW YORK STATE DEPARTMENT OF HEALTH'S ANNUAL INSPECTION OF THE NEW SALEM AND CLAPPER ROAD WATER TREATMENT PLANTS BEING RATED EFFICIENT, WITH NO COMPLIANCE ISSUES.**

Supervisor Messina congratulated Mr. Sayward for all his work with the Town.

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**REQUEST BY THE SUPERVISOR TO APPOINT PETER C. MCKEE TO THE THREE MEMBER BOARD OF ASSESSMENT REVIEW**

A motion to approve the appointment of Peter C. McKee to the Board of Assessment review was offered by Councilman Kotary, seconded by Councilwoman Dawson and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NAYES: none

ABSENT: none

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**REQUEST BY THE SUPERVISOR TO HOLD INFORMATIONAL MEETINGS AND PUBLIC DISCUSSION SESSIONS AROUND TOWN**

Supervisor Messina said these meetings would not replace Town Board meetings. They would be held later in the evening such as suggested by Mr. Jasinski. They were to be informal sessions, held a few times during the year. This would be a time to listen to the community and possibly give presentations on items that are going on in Town.

Councilman Kotary said these types of meeting have been done in the past and he thought they were a good idea. There were issues such as open meetings law and ADA compliance issues that made it necessary to have official Town Board meetings in Town Hall. He thanked Mr. Potter and the other Board members for working out the technical issues.

Councilman Hennessey said it was good opportunity to get out into the community but had reservations on working around the open meetings law. Last week was Sunshine Week and it was a reminder that the Town work to make sure information was discussed in ways and venues that were appropriate. He thought it was important to make sure the meetings were kept as an opportunity to discuss with the community issues that were important to them. He thought it was great that there was a good attendance of people at this evenings meeting. He plans on attending as many of the meetings as possible and looks forward to listening to the residents. He wanted to stress that these meetings were not Town Board meetings.

Councilman Jordan said he looked forward to attending as many meetings as possible. He didn't think an action was necessary by the Board to hold the meetings but was in support of them.

A motion to approve and support holding informational meetings/ discussion sessions around Town was offered by Councilman Kotary, seconded by Councilwoman Dawson and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NAYES: none

ABSENT: none

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**REQUEST FROM THE SUPERVISOR TO APPROVE FOCUS ON BUSINESS FORUMS TO BE HELD IN PARTNERSHIP WITH THE BETHLEHEM CHAMBER OF COMMERCE, WITH THE FIRST SUCH FORUM TO BE HELD AT BETHLEHEM TOWN HALL ON FRIDAY MAY 14, 2010, FROM 8:00 TO 9:00AM.**

Supervisor Messina said this was an opportunity to get the Bethlehem Chamber together with the Town Board to discuss issues that were important to businesses in the community.

Councilman Hennessey thought it was a good opportunity especially in a down economy.

Councilman Kotary thought it was a good step towards finding ways to help and support our small businesses

Mr. Potter said these meetings would fall under the Open Meetings Law.

A motion to approve Focus on Business Forums with the Bethlehem Chamber of Commerce was offered by Councilman Kotary, seconded by Councilman Jordan and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NAYES: none

ABSENT: none

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**REQUEST FROM THE SUPERVISOR TO ADVANCE 20/20 ADVISORY COMMITTEE RECOMMENDATIONS BY REACHING OUT TO ADVISORY COMMITTEE MEMBERS FOR SUPPORT AND BY FOLLOWING AN IMPLEMENTATION PLAN**

Supervisor Messina said the 20/20 Board had been made up of 26 members of the community. They'd spent many hours setting forth goals for the Town in several areas: Economic Development, businesses practices and efficiencies in government and reaching out to other taxing jurisdictions to save money. He had put together an action plan with Mr. Leveille to work with some members of the 20/20 committee on teams to advance those recommendations. He intended to have Town Board members involved on the work groups and he wanted to reach out to the 20/20 Committee members.

Councilman Hennessey thought it was good idea to take up some of the issues raised during 20/20 but he had concerns with the implementation plan as presented. He said the part of the motion that requests reaching out the 20/20 members to advance the recommendations of 20/20 he didn't have a problem with. He said the implementation plan left alot of open questions as to the composition of the leadership group that would assess the opportunities for improving the Town's organization operations. The way the 20/20 recommendations were written the leadership group was supposed to be a non-partisan advisory group of citizens. He wanted that changed to be a non-partisan advisory group. Under the develop and implement a Town wide Economic Development strategy point; 20/20 was silent on the leadership of that effort. He wanted a further discussion of what the Board thinks is an appropriate leadership group. Under the intergovernmental working group, it is important that they are inclusive of all the taxing jurisdictions in Town, not just the ones listed. He thought it was important to include the fire districts. The 20/20 proposal says the Town should coordinate with their state and federal partners to have a better sense of the resources available. He agreed that they should be brought into the conversation including Congressman Paul Tonko, Senator Neil Breslin and Assemblyman Tim Gordon. They have all been very supportive of efforts within the community. He said with those changes he could support this motion. He said at this point, while it was terrific to have the twenty-six (26) members of the 20/20 group together, he thought it was important to bring new voices into the discussion. The Town does go back to the same people for involvement who have shown their commitment to the community. He thought the same way it is important that Board travel around Town talking to different parts of the community as what we all feel is important to the future of the community; he thought it was equally important for the Board to reach out to new voices that have not been heard from before. He wanted to expand the implementation plan and take a look at doing that. If that can be done and incorporate it into the motion, he could support the motion.

Supervisor Messina said the composition of the group leadership had not yet been determined and he was open to suggestions. The implementation plan was intended as a draft and he had no problem with the language and changes suggested by Councilman Hennessey.

Councilman Hennessey wanted to make sure that the Board would have a vote on the composition of those committees. Supervisor Messina agreed.

Councilman Kotary said several people had suggested to the Board to move on the recommendations of the 20/20. He had recently gone through the recommendations and there were items that had already been initiated and some were ongoing. It was important for the public to understand where the Town was on the recommendations. There were four (4) sections and eight (8) recommendations in the first section and out of those the Town had been working on or started six (6) or seven (7) of the eight (8). Such as the Open Space and Farmland Protection Plan; the Selkirk Rail Yard group that has been meeting and there is a draft Capital Plan; planning for long term water service (partially addressed tonight); communicating the Town's Comp Plan and there is talk of again revisiting the plan. In terms of economic development there is a marketing plan that the IDA had commissioned awhile ago that could be revisited. He understood the economy has slowed down some of the development in Town. The three (3) proposals in the implementation plan are a continuation of the items already begun and complete the last components. He agreed with Councilman Hennessey that it is critical to have all taxing jurisdictions involved in the conversation. The Town wide economic development strategy was an important item to be addressed especially on how to market our selves to commercial developers in areas such as Vista and the Selkirk rail yards as well as small business. As far as assessing opportunities to improve the Town's organizational operation, he thought it would be good to have a mix of citizens, 20/20 participants and maybe volunteer consultants to offer specific ideas on such issues as bonding. The Town cannot ignore our infrastructure and he would argue that the Town should bond in order to pay for infrastructure that has a long term life span. He cautioned that the responsibility for this issue lies with the Board, the department heads and the Town staff to make decisions. He felt the committee would work with Town staff, professional staff and the Board. He said he could support this motion with the changes suggested especially the composition of the committees and how they will come together.

Councilman Jordan shared Councilman Hennessey's concerns on how the Town moves forward with these implementations. He said the process would be ongoing but he supported moving the 20/20 forward.

A motion to advance the 20/20 Advisory Committee Recommendations was offered by Councilman Kotary, seconded by Councilwoman Dawson and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary  
NAYES: none  
ABSENT: none

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**REQUEST FROM THE ADMINISTRATOR OF THE PARKS AND RECREATION DEPT. TO AUTHORIZE THE SUPERVISOR TO SIGN AN AGREEMENT WITH THE TOWN OF NEW SCOTLAND TO OPERATE THE PLAY FACTORY PROGRAM IN CLARKSVILLE**

Supervisor Messina said this program has been in existing for twenty (20) years and it supports children in the Bethlehem school district. The cost is about \$2500 but the program gets reimbursed.

A motion to authorize the Supervisor to sign an agreement with the Town of New Scotland to operate the play factory program in Clarksville was offered by Councilman Jordan, seconded by Councilman Hennessey and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary  
NAYES: none  
ABSENT: none

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**REQUEST OF THE SUPERVISOR TO HOLD A PUBLIC HEARING ON APRIL 28, 2010 AT 6:00PM ON A PROPOSAL TO REDUCE THE SPEED LIMIT ON OLD QUARRY ROAD FROM 55mph to 45 mph.**

Supervisor Messina said he had received many requests from residents and he has visited the area with Gregg Sagendorph. Albany County and Chief Corsi have been contacted and they support the reduction in speed. There have been eleven (11) accidents on that stretch of road over the past three (3) years.

Councilman Kotary wanted to know if the Town was having a traffic study done. He thought it sounded like a good place to have a reduction in speed. Supervisor Messina said he didn't think there was a need for a traffic study to go to a public hearing. Councilwoman Dawson asked for a presentation at the start of the public hearing to explain the situation to the public. Councilman Jordan said the road is very windy road and all the roads leading up to it have lower speed limits

A motion to set the public hearing for April 28, 2010 at 6:00pm for the proposal to reduce the speed limit on Old Quarry Road was offered by Councilwoman Dawson, seconded by Councilman Kotary and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NAYES: none

ABSENT: none

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**REQUEST BY THE DEPUTY COMMISSIONER OF PUBLIC WORKS TO APPROVE THE USE OF FUNDS FROM THE SEWER FUND CAPITAL RESERVE FUND FOR EQUIPMENT REHABILITATION AND REPLACEMENT**

Resolution # 12

RESOLUTION AND PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Bethlehem in the County of Albany, State of New York has on the 24<sup>th</sup> day of March 2010, duly adopted, subject to a permissive referendum, a resolution as follows:

WHEREAS, the Town Board of the Town of Bethlehem has determined that it is necessary to fund the rehabilitation and replacement of equipment at the Dinmore Road Waste Water Treatment Plant, and

WHEREAS, it is estimated that the cost of said work will not exceed \$310,000; and

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

NOW, THEREFORE, BE IT RESOLVED that it is in the public interest to complete the equipment rehabilitation and replacement at the Dinmore Road Waste Water Treatment Plant; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the expenditure of the reserve moneys to fund this project up to a maximum amount of \$310,000 and,

BE IT FURTHER RESOLVED, that the Town Comptroller is authorized to expend from the Sewer Fund Capital Reserve Fund the funds necessary up to \$310,000 in said reserve fund; and

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

The motion to adopt the resolution was made by Councilman Kotary, was seconded by Councilman Hennessey and duly adopted by the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NAYES: none

ABSENT: none

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**REQUEST FROM TOWN ENGINEER TO AWARD A CONTRACT FOR REPAIR AND REHABILITATION OF THE DISSOLVED AIR FLOATATION THICKENER (DAFT) AND AUTHORIZE THE SUPERVISOR TO EXECUTE A CONTRACT FOR THIS WORK.**

A motion to award the contract for repair and rehabilitation of the Dissolved Air Floatation Thickener to Troy Boiler Works and authorize the Supervisor to execute a contract for this work was offered by Councilman Kotary, seconded by Councilman Hennessey and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NAYES: none

ABSENT: none

**REQUEST BY COUNCILMAN KOTARY FOR THE TOWN OF BETHELEHEM TO PARTICIPATE IN EARTH HOUR 2010 ON MARCH 27, 2010 AT 8:30 PM AND REGISTER THE TOWN ON THE EARTH HOUR WEBSITE**

Councilman Kotary said the Town's participation in Earth Hour would be a part of the Climate Smart Community Pledge and a step towards going green and supporting the environment. The World Wildlife Group was asking people and governments to turn off lights for one hour per year. Councilman Kotary asked everyone to participate.

Councilman Hennessey said as a family it is a fun thing to do for children and he noticed last year walking in his neighborhood how many individuals in the community participated.

A motion to register the Town of Bethlehem to participate in Earth Hour 2010 on March 27, 2010 at 8:30pm was offered by Councilman Kotary, seconded by Councilman Hennessey and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NAYES: none

ABSENT: none

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**REQUEST FROM THE SENIOR PLANNER TO ACCEPT THE PLANNING BOARD'S RECOMMENDATION THAT THE TOWN BOARD AMEND THE CURRENT ZONING ALONG A PORTION OF FISHER BOULEVARD AND ORCHARD STREET TO A PLANNED DEVELOPMENT DISTRICT FOR THE PURPOSE OF CONSTRUCTING A RESIDENTIAL DEVELOPMENT FOR SINGEL FAMILY AND TOWN-HOMES (PHILLIPIN KILL MANOR), AND TO ISSUE A NEGATIVE DECLARATION PURSUANT TO ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATION LAW AND SCHEDULE A PUBLIC HEARING TO SOLICIT PUBLIC COMMENT ON THE APPLICATION.**

A motion to accept the Planning Board's recommendation to amend the Zoning Map of the Town along a portion of Fisher Blvd, and Orchard St. to a PDD was offered by Councilman Jordan, seconded by Councilman Kotary and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Jordan, Councilman Kotary

NAYES: Councilman Hennessey

ABSENT: none

A motion to approve the SEQR Determination/ Negative Declaration was offered by Councilman Jordan, seconded by Councilman Kotary and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Jordan, Councilman Kotary

NAYES: Councilman Hennessey

ABSENT: none

**Resolution No. 13**

**TOWN BOARD  
TOWN OF BETHLEHEM**

**SEQR RESOLUTION**

**DETERMINATION OF SIGNIFICANCE/NEGATIVE DECLARATION**

**APPLICATION TO ESTABLISH A PLANNED DEVELOPMENT DISTRICT**

**PHILLIPIN KILL MANOR  
SLINGERLANDS, NEW YORK**

WHEREAS, the Town Board of the Town of Bethlehem has received an application, Environmental Assessment Form and supporting plan set and reports from William J. Cade to establish a Planned Development District for lands which are located on Fisher Boulevard and Orchard Street; and,

WHEREAS, the proposed amendment to the zoning district boundary would re-zone approximately 129.85 acres; and,

WHEREAS, the proposed amendment to the zoning district boundaries would change the existing zoning district designations on the parcels from Residential A District (RA) and Residential Large

Lot (RLL) to Planned Development District (PDD); and,  
WHEREAS, William J. Cade has submitted conceptual plans for development of the District, in the event that the zoning amendment is granted and said plans entail new construction of up to 85 new residential lots, consisting of 30 twin-homes and 55 single family detached residences (2 lots on the site are currently existing residences); and,  
WHEREAS, the District pertains to the following drawing entitled: "Phillipin Kill Manor, Site Development Plan", Drawing Number 1/1, Fisher Boulevard and Orchard Street, Town of Bethlehem, County of Albany, State of New York, dated 04/30/09, revised 02/08/10, prepared by Brewer Engineering Associates, P.C., East Greenbush, NY.  
WHEREAS, Section 128-40 of the Code of the Town of Bethlehem contains procedures for the establishment of a Planned Development District, and said procedures authorize the Town Board to establish such a District upon referral to, and recommendation of, the Town Planning Board; and,  
WHEREAS, the State Environmental Quality Review Act (SEQR) regulations found at 6 NYCRR Part 617.3(a) require that no agency may undertake, fund or approve an action until it has complied with the requirements of SEQR; and,  
WHEREAS, in accordance with the SEQR regulations at 6 NYCRR Part 617.6(a), the Town Board at its meeting of November 14, 2007: (1) determined that the PDD application constituted an "action" subject to SEQR; (2) identified other involved agencies for the purpose of coordinated review; (3) made a preliminary classification of the project as a "Type I" action; (4) required a full Environmental Assessment Form to assist the lead agency in its determination of significance; and (5) determined that the proposed action was located in a certified agricultural district and therefore subject to the provisions of the Agriculture and Markets Law; and,  
WHEREAS, in accordance with the SEQR regulations at 6 NYCRR Part 617.6(b) the Town Board at its meeting of November 14, 2007 also initiated a coordinated review of the action, declared its desire and intent to be lead agency for SEQR review, and subsequently circulated the PDD application and full EAF to all involved agencies; and,  
WHEREAS, the Town Board at its meeting of November 14, 2007 also referred the PDD application to the Planning Board for a recommendation on both the application and on a SEQR Determination of Significance; and,  
WHEREAS, the Planning Board has reviewed and considered the PDD application, the full Environmental Assessment Form and supporting materials submitted by the applicant; and,  
WHEREAS, the Planning Board, satisfied that its identified areas of environmental concern have been adequately addressed by the applicant, adopted a Resolution at its meeting of March 2, 2010, and said Resolution recommends that the Town Board issue a SEQR Negative Declaration with respect to the application and approve the rezoning to Planned Development District; and,  
WHEREAS, the Town Board has independently reviewed and considered the Planning Development District application, the Full Environmental Assessment Form and supporting materials prepared by the Town, Department of Economic Development and Planning, Town Engineering Division, Town Designated Engineer as well as comments received from involved agencies, addressing potential areas of environmental concern for the PDD rezoning and constructing the proposed project; and,  
WHEREAS, supporting materials include, but are not limited to, Bethlehem storm water management selection matrices form, traffic impact study, Phase 1A/1B archeological survey, wetland delineation report, and a conceptual project plan and narrative which addresses site layout, utilities, storm water management, grading, archaeological sites, conservation lands, location of federal wetlands, and other site development factors; and,  
WHEREAS, the Town Board has concluded that the applicant has adequately addressed identified areas of concern and will provide appropriate environmental mitigation for the project; and,  
NOW, THEREFORE, BE IT RESOLVED,  
that the Town Board of the Town of Bethlehem hereby confirms that it is lead agency with respect to SEQR review of the Phillipin Kill Manor application to establish a Planned Development District; and,  
BE IT FURTHER RESOLVED,  
that based upon its review of the PDD application, the full EAF and other supporting materials submitted by the applicant; comments on the application submitted by the Town Planning Department, Town Engineering Division, Town Designated Engineer and involved agencies; its own independent analysis of the application; and comparison with the Criteria for Determining Significance found at 6 NYCRR Part 617.7, the Town Board hereby finds that approval of the Phillipin Kill Manor application to establish a Planned Development District for the purpose of constructing up to 85 new residential lots, consisting of 30 twin-homes and 55 single family detached residences (2 lots on the site are currently existing residences), constitutes an action which will not have a significant impact on the environment; and,  
BE IT FURTHER RESOLVED,

that this Determination of Significance shall be considered a Negative Declaration made pursuant to Article 8 of the Environmental Conservation Law; and,

BE IT FURTHER RESOLVED,

that this determination is made in reliance on review of an application indicating a specific land use and conceptual project proposal for the subject parcel, and consequently, is made premised on the following:

1. the proposed action is located in Agricultural District No. 3 and, therefore, is subject to the provisions of the Agriculture and Markets Law.
2. that future development of the parcels be undertaken in a manner that is substantially consistent with the Concept Plan which has been presented to the Town and relied upon in its deliberations on the zoning amendment; and,
3. that a time limit of three years be established, running from the date of enactment of the rezoning, for commencement of construction on the parcel, and in the event that construction has not begun within said time period, that zoning of the parcel revert to its former designation, Residence A District and Residential Large Lot; and,

BE IT FURTHER RESOLVED,

that the Town Department of Economic Development and Planning is hereby authorized and directed to file any and all appropriate notices of this determination so that the intent of this Resolution can be carried out; and,

BE IT FURTHER RESOLVED,

that this recommendation is based upon the following facts and conclusions:

1. The District will include 129.85 acres proposed to be rezoned to Planned Development District (PDD) from Residential A District and Residential Large Lot District. All lands abutting the site are within the Residential A District and Residential Large Lot District and consist primarily of single family residents.
2. In accordance with the goals of the Town's Comprehensive Plan, this project clearly identifies with several Comprehensive Plan initiatives. These include providing opportunities for the development of a variety of housing options to meet the needs of the increasingly diverse population, allowing greater housing diversity, and providing open space/conservation lands to connect to the State-owned Five Rivers Environmental Education Center.
3. The project will not have a significant or long-term adverse impact on soils or steep slopes. A "safe setback line", as shown on the conceptual plans, was generally established for the site based on slopes of 20% or greater. A geotechnical analysis of the site shall be performed by the Applicant's consultants to identify procedures to be followed for the construction of the project. The design and construction of the project will be required to follow all recommendations of the geotechnical report.
4. The project will not have a significant or long-term impact on open space resources. The 2009 New York State Open Space Conservation Plan identifies the NYS DEC Five Rivers Environmental Education Center (Five Rivers) as a regional priority conservation project. The Plan recommends conservation of the Phillipin Kill stream corridor and indicates public access to Five Rivers is a priority. The proposed site development plan is in conformance with these recommendations through a voluntary conveyance of land and easement. The site development plan illustrates both conservation of the stream corridor (+/- 8,980 linear feet) and public access through a 30-foot wide easement conveyed to NYSDEC Five Rivers along the northern property line. This dedication is also in association with correspondence received from NYSDEC Region 4 Director Gene Kelly, dated December 22, 2009.
5. The proposed action is not expected to have a significant effect on any protected water body. The Phillipin Kill, which is classified as a "C" water body, extending 8,980 linear feet, will be protected. Approximately 35.30 acres of land surrounding the Phillipin Kill is proposed to be voluntarily conveyed to the NYSDEC Five Rivers for conservation purposes.
6. The project will not have a significant adverse impact on wetland resources. There are no NYSDEC jurisdictional wetlands. A Wetland Delineation Report, dated July 1999, was prepared by Roger J. Case, Diversified Soil Scientist, Ltd. Based on a US Army Corps of Engineers (ACOE) jurisdictional determination letter, dated September 16, 2003, there are 10.91 acres of ACOE jurisdictional wetlands, 0.19 acres of isolated wetlands, 8,980 linear feet of stream channel, and a 0.53-acre pond on site. Up to 1.554 acres of total wetland impact are anticipated, which includes 1.088 acres of previous filled wetlands. In a letter dated October 8, 2009, Roger J. Case, Diversified Soil Scientist, Ltc., confirmed that wetlands identified from the original delineation have not changed. Approximately 4.845 acres of appropriate wetland reclamation will be provided in accordance with ACOE requirements. Based on correspondence from ACOE, dated December 2, 2009, an ACOE Individual Permit has been applied for by

- the Applicant and ACOE is currently reviewing the application materials.
7. The project will not have a significant adverse impact on stormwater. A completed Town of Bethlehem Stormwater Management Practice (SMP) Selection Matrices Form, dated November 10, 2009, has been submitted with the application. The proposed project includes stormwater management facilities designed to meet the NYSDEC GP-0-10-001 requirements for treating stormwater quality and quantity. An erosion and sediment control plan (E&SCP), which prescribes construction-phase erosion and sediment controls, will be required as part of any subdivision approval issued for the project. The applicant is required to file a notice of intent (NOI) for project coverage under NYSDEC GP-0-10-001 following any subdivision approval issued for the project. It is expected that the facilities will be Town-owned.  
 In a memo dated January 15, 2010, the Town's Stormwater Management Program Coordinator stated that the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-08-001) will be revised by May 2010 and changes to the existing Design Manual are anticipated. The Town recommends all projects that have not yet completed a final design of the SMPs start applying the green infrastructure techniques using the draft versions of the new chapters of the Design Manual
  8. The project will require the extension of the existing municipal water district. The project will connect to the town owned 16-inch main along Fisher Boulevard, 8-inch main along Orchard Street, and 8-inch main along Prestwick Drive. A new 8-inch main will be installed along proposed roads, Brandywine Drive, Canterbury Drive, Manor View Road, and Prestwick Drive extension to serve the eighty-seven housing units.
  9. The project will result in a minimal increase in solid waste production. The proposed project will require the extension of the existing sewer district. The project will connect to the existing sanitary sewer system located along Fisher Boulevard, Orchard Street and Prestwick Drive and discharge to the town owned Delaware Avenue pump station. In accordance with the North Bethlehem/Slingerlands Sewer Study, dated April 2007, prepared by Barton & Loguidice, P.C., mitigation fees for capacity improvements at the Delaware Avenue pump station will be required to include this development at this station since the station does not have adequate reserve capacity. Additionally, a plan for connection to the sewer system along Orchard Street will be required, since the Town will not establish public ownership of the proposed grinder pumps for the six lots along Orchard Street, as recommended by the Albany County Department of Health.
  10. Zoning Law §128-40 H requires a minimum 50-foot setback along the perimeter of the PDD, except as may otherwise be determined by the Town Board. The conceptual plan illustrates adherence to this requirement with the exception of Lots #43, 42, 41, 40, 39, 38, 37, 36, and 35 along Manor View Road and Lots #23, 22, 21, 20, 19, 18, 17, and 16 along Canterbury Drive, which illustrate a 25-foot setback along the perimeter. This reduced setback is consistent with the existing rear yard setbacks of adjoining properties. The lots along Canterbury Drive abut existing single-family homes of the Cedar Ridge subdivision, which maintain a 25-foot rear yard setback. The 25-foot PDD perimeter setback along the lots listed above would be compatible with the 25-foot rear yard setback of neighboring lots and standards of the RA Zoning District. At its October 20, 2009 meeting, the Planning Board determined the reduced setback along the perimeter of the PDD was appropriate for the project.
  11. The project will not have a significant or long-term adverse impact on vegetation or wildlife. The project site has no record of known occurrences of rare or state listed animals or plants, significant natural communities, or other significant habitats.
  12. The project will not have a significant or long-term adverse impact on archeological resources or historic properties. A Phase 1A/1B Archeological Survey and Archeological Site Confirmation and Boundary Definition Report were prepared by Edward V. Curtin Consulting Archaeologist, dated February 2003. Correspondence by the State Historic Preservation Office (SHPO), dated February 13, 2008 indicates seven previously unrecorded archaeological sites have been identified, which locations are illustrated on the site development plan. The Applicant will provide avoidance and preservation plans in accordance with correspondence by SHPO, dated November 6, 2009.
  13. Correspondence from the Albany County Planning Board, dated December 17, 2009, recommended modifying local approval to include:
    - 1) The Town should continue to work with NYS DEC to address their concerns for protection of adjacent DEC lands and any access for pedestrian or vehicle use they deem necessary and desirable. The 5 Rivers property is identified for priority protection status in the NYS Open Space and Conservation Plan 2009.
    - 2) Continued review by NY SHPO as per their letter dated November 6, 2009.
    - 3) Continued review and required permits from ACOE as per their letter dated December 2, 2009.

- 4) The Albany County Planning Board will have further recommendations upon subdivision application. The County encourages the applicant to determine the specific organization or agency that the identified 42.75 acres of open space will be conveyed to at the time of final subdivision application.
14. The project will not result in a substantial increase in traffic volumes or create traffic congestion on area roadways. A Traffic Impact Study, dated June 5, 2008, prepared by Creighton Manning Engineering, LLP concluded the level of service analysis at the study area intersections indicates good level of service will be maintained with the development of the site. However, the level of service analysis for the New Scotland Road/Fisher Boulevard intersection experiences increases in delay between the Existing, No-Build and Build conditions with an increase in traffic volumes. The LOS E conditions on Fisher Boulevard expected in the Build Conditions are typical at unsignalized locations along busy corridors during the peak periods. It is recommended that the Town, and Applicant work with NYSDOT to review the need for a westbound left-turn lane on New Scotland Road as traffic volume increases. The Study also recommends Stop sign be placed on the eastbound approaches to the three new intersection approaches of Brandywine Drive, Manor View Road, and Canterbury Drive intersections. The sight distances at Driveway 2 and Driveway 4 shall be designed in accordance with the Town's Designated Engineer, Barton & Loguidice, P.C., review/recommendation letter, dated October 6, 2008.
  15. The project will not have a significant or long-term adverse impact on existing air quality. The Phillipin Kill Manor project will have no impacts on the quality of air once construction is complete. During construction operations, the project will be subject to the normal dust and mud problems associated with such construction work. In that regard, all standard practices will be used to contain and minimize airborne emissions on and near the site.
  16. The project will not have a significant or long-term adverse impact on land. Areas containing environmental constraints, such as steep slopes, wetlands, and archaeological features have been identified and avoided. Due to the size of the project, construction will continue for more than one year. At this time, it is anticipated the project will be developed in phases.
  17. The project will not have a significant or long-term adverse impact on agricultural resources. The project will be constructed on agricultural land that is currently dormant. The site is not currently used for, nor has it been used in the recent past for, agricultural purposes. A Town of Bethlehem Agricultural Data Statement, dated November 9, 2009, has been prepared by Brewer Engineering Associates, P.C.
  18. The proposed action will not have a significant adverse aesthetic impact. Landscaping will be provided along property lines to screen neighbors as needed.
  19. The project will not have a significant adverse impact on noise levels or quality of air in the vicinity of the project site. Noise and air quality impacts associated with construction will be temporary and of short-term duration.
  20. The project will not have a significant adverse impact on public health and safety.
  21. Review of the site in the field and with available environmental data revealed no other environmentally sensitive characteristic of the parcel, or issues that have not been addressed, or areas requiring further study.

On a motion by Councilman Jordan, seconded by Councilman Kotary, and a vote of 4 for and 1 against, and 0 absent, this RESOLUTION was adopted on March 24, 2010.

A motion to set the Public Hearing for April 28, 2010 at 6:00 pm was offered by Councilwoman Dawson, seconded by Councilman Kotary and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary  
 NAYES: none  
 ABSENT: none

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**REQUEST FROM THE ADMINISTRATOR OF THE PARKS AND RECREATION DEPT. FOR APPROVAL OF SEASONAL PERSONNEL**

A motion to approve the seasonal personnel listed in the Administrator's March 24, 2010 memo was offered by Councilman Kotary, seconded by Councilman Jordan and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary  
 NAYES: none

ABSENT: none

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**REQUEST FROM DIRECTOR OF ADMINISTRATIVE SERVICES TO AWARD BID FOR TRUCK SCALE REPLACEMENT AT THE RUPERT ROAD TRANSFER STATION TO VALLEY SCALE INC. OF PLEASANT VALLY NEW YORK**

There had been seven (7) bids and the low bidder was selected. The funding will come from the highway fund.

A motion to award the truck scale bid to Valley Scale Inc. was offered by Councilman Kotary, seconded by Councilwoman Dawson and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NAYES: none

ABSENT: none

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**REQUEST FROM SENIOR SERVICES DEPARTMENT TO ACCEPT A DONATION FROM OHAV SHOLOM TENANTS ASSOCIATION IN THE AMOUNT OF \$100 FOR THE PURCHASE OF MUSIC FOR THE BETHLEHEM SENIOR CHORUS**

Councilman Hennessey thanked the Ohav Sholom Tenants Association for their continued support of the Bethlehem Senior Chorus.

A motion to accept the \$100 donation from Ohav Sholom Tenants Association was offered by Councilman Hennessey, seconded by Councilman Jordan and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NAYES: none

ABSENT: none

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**REQUEST BY THE SUPERVISOR TO SUPPORT A RESOLUTION TO RECOMMEND FREEMAN PUTNEY, JR. TO BECOME THE ALBANY COUNTY REPRESENTATIVE TO THE HUDSON RIVER VALLEY GREENWAY COMMUNITIES COUNCIL**

A motion to support the Supervisor's resolution to recommend Freeman Putney, Jr. as representative to the Hudson River Valley Greenway Communities Council was offered by Councilwoman Dawson, seconded by Councilman Kotary and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NAYES: none

ABSENT: none

Resolution No. 14

**TOWN OF BETHLEHEM**  
**RESOLUTION**

**RECOMMENDATION OF FREEMAN PUTNEY, JR. TO BECOME THE COUNTY REPRESENTATIVE TO THE HUDSON RIVER VALLEY GREENWAY COMMUNITIES COUNCIL**

**WHEREAS**, the Albany County Executive in his letter of January 7, 2010, requested the Town of Bethlehem to identify candidates to become the County representative to the Hudson River Valley Greenway Communities Council; and,

**WHEREAS**, Mr. Freeman T. Putney, Jr. (Ted) of 141 Barent Winne Road, Selkirk, New York, has been a member of the Mohawk Hudson Land Conservancy, the Bethlehem Town Board, the Bethlehem Industrial Development Agency, and several town advisory committees which relate to land use and conservation; and,

**WHEREAS**, the Town Board unanimously supported Mr. Ted Putney, to being a member of the Hudson River Valley Greenway Communities Council as requested in the Supervisor's February 17, 2010 letter to The Albany County Executive; and,

**NOW, THEREFORE, BE IT RESOLVED** that the Bethlehem Town Board does hereby approve and endorse the submission of Freeman Putney, Jr. as a candidate to become the Albany County representative to Hudson River Valley Greenway Communities Council.

The foregoing resolution was presented for adoption by Councilwoman Dawson, seconded by Councilman Kotary and adopted by the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NOES: none

ABSENT: none

DATED: March 24, 2010

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## **NEW BUSINESS**

Eric Deyoe, Deputy Commissioner updated the Board. He said the Town had put in three (3) applications to NYSERTA for grants and they were successful on two (2) of those applications. One is for solar panels on the Elm Avenue park building. The project cost is about \$325,000 and NYSERTA will fund 90% of the project. The investment from the Town is a three (3) year pay back. The other project is geared towards watching the Town's management of energy and climate program. A grant funded staff person will be brought on that will do energy audits, staff training to help save energy and reduce our carbon footprint. A baseline green house inventory will also be done. That \$200,000 project will be 90% funded by NYSERTA.

Councilman Jordan thanked Mr. Deyoe and said it was the direction the Town needs to be going in. Councilman Hennessey commended everyone who participated in the grant process. He suggested that during budget time, after the assessments are done, Mr. Deyoe could come before the Board and let the Board know what the energy consumption levels are for each department in the Town. So when they work on the budget, the Board can set within policy the idea of what the energy levels of consumption are and maybe set some targets. Maybe even an energy budget. Mr. Deyoe said they might not have the target reductions by budget time this year but will have some base line data that they have been keeping track of over the past few years.

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## **ANNOUNCEMENTS**

4/2 Colonial Acres Opens; 3/27 Eggstravaganza at Elm Ave Park; reminder to send in census forms; request from T. Ritz to nominate Town for a Google site; Highway Department's spring cleanup starts March 23<sup>rd</sup>; Motor safety course at Selkirk Fire District #1 on 3/27; Dinner at Bethlehem Grange on 4/4, 4pm to 7pm; Delmar Dash is 4/11 9AM coming up, register ahead of time; Palm Sunday breakfast 3/28 Selkirk #3; Chief Lou Corsi was appointed to the Albany County Traffic Safety Board.

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## **PUBLIC COMMENT ON NON-AGENDA ITEMS**

Linda Jasinski. Ben's bridge still not functioning, that's why there is more traffic on Old Quarry Rd.. Asked for more information on background materials to be before the Board. Asked for the possibility of WEB streaming, RCS does it. Some people don't have cable. Inquired about the Selkirk Yard Group, will they be meeting again.

Bob Jasinski, Bender Ln. He said the truck scale did need to be replaced for accurate weight measurement. He asked to see more financial information in future Annual Reports for the Parks and Recreation Department. He said the pictures in the report were well done. Councilman Hennessey said this was an area that could be looked at by the Board members. He hates Colonial Acres. the Town leases it from a green space organization, the Town is spending \$40,000 on a building, the Town will put in sewers. He asked if the Parks Department will pay for the highway staff used to construct the slab. He thought the green space people could sell the land. It was taken off the tax rolls. He wanted to know the figures attached to the running of the senior services. He thought the volunteers were good. He wanted to

know how the town knew the people who took food from the pantry really needed it. The Town should coordinate with other agencies to make sure people aren't getting items for more than one place.

Cindy Radliff, Cottage Ln. Selkirk. She requested the 1<sup>st</sup> informal meeting be held in Selkirk. She wants sewer in her area and an answer why she can't have sewers. She doesn't believe it will cost as much as the Town has told her. She said Planning Board minutes on the WEB are not up to date. She can't attend all Planning Board meetings.

Mr. Cansler said Colonial Acres is not getting sewer.

Tim Carney, 277 Delaware Avenue, Albany. He is touring Town Board meetings in Albany County. He thought this evenings dialogue between the citizens and the Town Board was refreshing.

A motion to close the Public Hearing was offered by Councilman Dawson, seconded by Councilman Kotary and approved with the following vote:

AYES: Supervisor Messina, Councilwoman Dawson, Councilman Hennessey, Councilman Jordan, Councilman Kotary

NOES: none

ABSENT: none

The meeting closed at 8:00 PM.

Nanci Moquin  
Town Clerk