

TOWN BOARD  
SEPTEMBER 27, 1995

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

PRESENT: Sheila Fuller, Supervisor  
Frederick C. Webster, Councilman  
George Lenhardt, Councilman  
Doris M. Davis, Councilman  
Freeman T. Putney, Councilman  
Bernard Kaplowitz, Esq., Town Attorney  
Kathleen A. Newkirk, Town Clerk

- - -

Presentation  
and consider-  
ation of Public  
Hearing for  
Price Chopper  
Planned Commer-  
cial Develop-  
ment Local Law

Supervisor Fuller welcomed everyone to the regular Town Board meeting. The first item was a presentation and consideration of setting of a public hearing for a proposed Local Law regarding zone change to establish a Planned Commercial Development for Price Chopper Plaza, Slingerlands.

Price Chopper representatives from Windsor Development gave some background regarding the proposed plaza. The site is presently zoned A and AA Residential. The site consists of 21.6 acres as proposed. The plan was changed from the original application of 30.8 acres at the request of the Planning Board. Information prepared and submitted included environmental forms. Note was made that the parking requirements of the Code have been met with 58 percent green or open space. The development is 99,000 square feet of commercial --63,000 square feet will be a supermarket; 25,000 square feet of additional retail; 4,000 square feet could be a bank building; and another 7,000 square feet of office space. Parking is provided for 506 vehicles which meets or exceeds the requirements. There is 12.5 acres of open space or 58 percent of the site. With the area set aside for the bypass, there still remains 50 percent open space or 8.7 acres.

The location of the parcel is at New Scotland Road and the Cherry Avenue Extension. There is a proposed bypass connection for improvement of the intersection. A map exhibiting the possible bypass location was posted. At the present time 2 entrances are proposed -- one on New Scotland Road and one off of LaGrange Road. Entrance to the site will be limited following the proposed bypass extension, leaving only the New Scotland Avenue entrance/exit. Improvements will be made for ingress and egress to the site both before and after the bypass extension.

The site is served by both Town water and sewer. Buffering will be done to screen the buildings from the road. Erosion control measures are proposed for during construction and following. Federal wetlands will have minimal impact. Large stands of vegetation will be kept along New Scotland Road.

The improvements to the intersections includes turn lanes on New Scotland Road and there is a left turn lane on the Cherry Avenue approach. Pedestrian signal and access way will be accommodated.

Supervisor Fuller asked if there were any questions from the Board. There were none at this time.

Counsel to Windsor Development made a statement regarding the length of time spent with the Planning Board and Town Planner trying to adjust the plan and answer questions. He said there is an expanded form for the environment assessment form/application. He said there is a lot of information and noted it is a very useful document. He also noted the Planning Board unanimously voted to recommend rezoning of the site and to recommend to the Town Board as lead agency the issuance of a negative declaration for the project. He noted they request as soon as possible to have the public hearing scheduled.

Supervisor Fuller said the Town Board has received the recommendation from the Planning Board. Supervisor Fuller said the only point she wished to make on this public hearing for the zoning change is the timing of a public hearing. She asked the Board to schedule it for 7:30 p.m. for a special meeting for the purposes only of a public hearing on the zone change. The Supervisor noted the date of October 25, 1995 at 7:30 p.m. will be the public hearing on the proposed 1996 Town Budget.

The following resolution was presented:

RESOLUTION  
SETTING PUBLIC HEARING DATE  
PRICE CHOPPER PLAZA  
APPLICATION TO ESTABLISH A PLANNED COMMERCIAL DISTRICT

WHEREAS, the Town Board of the Town of Bethlehem has received an application from Windsor Development Group, Inc. to establish a Planned Commercial District pursuant to Chapter 128, Article V, of the Code of the Town of Bethlehem; and,

WHEREAS, establishment of the Planned Commercial District would amend the current zoning on a 21.6 acre parcel of land located at the northeast corner of NYS Route 85 and LaGrange Road from Residence A District and Residence AA District to Planned Commercial District; and,

WHEREAS, the Town Board is considering adoption of a Local Law which would amend the Town Zoning Code and Zoning Map by rezoning the 21.6 acre parcel as noted above; and,

WHEREAS, the proposed zoning amendment has been recommended by the Planning Board of the the Town of Bethlehem; and,

WHEREAS, the Town Board desires, and is required by applicable State and local laws, to hold a public hearing on the proposed zoning amendment;

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held by the Town Board at the Bethlehem Town Hall, 445 Delaware Avenue, Delmar, New York on Oct. 26, 1995 at 7:30 o'clock P.M. to consider the proposed amendments; and,

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to publish a notice of the hearing in the Spotlight, a newspaper of general circulation in the Town, no less than ten (10) days prior to the date of the hearing.

Resolution  
set Public  
Hearing date  
Price Chopper  
Application  
Plan Commercial  
District

On a motion by Mr. Putney, seconded by Mr. Webster and a vote 5 for and 0 against, and 0 absent, this RESOLUTION was adopted on September 27, 1995.

-----

Supervisor Fuller noted the next item was consideration of a resolution to issue a SEQR negative declaration regarding Elm Avenue Bikeway.

RESOLUTION  
SEQR DETERMINATION OF THE SIGNIFICANCE  
ELM AVENUE BIKEWAY

WHEREAS, the Town of Bethlehem is cosponsor of a proposal to construct a 2.5 mile long bikeway (Elm Avenue Bikeway) within the Town and along the right-of-way of existing Town and County highways, including Elm Avenue, Van Dyke Road, County Route 52 and the Delmar Bypass extension; and,

WHEREAS, said bikeway will provide a dedicated facility for bicycle travel linking certain residential areas of Town with an existing CDTA Park and Ride lot, the Elm Avenue Park and the Bethlehem High School; and,

WHEREAS, the purpose of said bikeway is to contribute to the attainment of regional air quality goals by encouraging the intermodal use of bicycles and mass transit in the commute to work, thereby, reducing automobile travel and resultant air emissions; and,

Resolution  
SEQR determina  
tion of the  
significane  
Elm Ave Bikeway

WHEREAS, said bikeway is also expected to have secondary travel safety and circulation benefits in that it would provide a safe means of non-vehicular travel between residential areas and those facilities referenced above; and,

WHEREAS, construction of said bikeway has been authorized under the Regional Transportation Improvement Program, adopted by the Capital District Transportation Committee, with funding from a combination of Federal, State, and local sources; and,

WHEREAS, the Town Board of the Town of Bethlehem has received preliminary project plans for the bikeway (prepared by the Town Engineering Department) and a long Environmental Assessment Form (prepared by the Town Planning Department) addressing the proposed action; and,

WHEREAS, the State Environmental Quality Review Act (SEQR) 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, in accordance with the SEQR regulations at 6 NYCRR 617.5(a) the Town Board at its meeting of August 23, 1995: (1) determined that the project plans constituted an "action" subject to SEQR; (2) identified other involved agencies for the purpose of coordinated review; (3) classified the action as "Unlisted"; and (4) required a full Environmental Assessment Form (EAF) to assist the lead agency in its determination of significance; and,

WHEREAS, in accordance with the SEQR regulations at 6 NYCRR 617.6 the Town Board at its meeting of August 23, 1995 also initiated a coordinated review of the action, declared itself lead agency and subsequently circulated the project plans, full EAF and supporting materials to all involved agencies; and,

WHEREAS, no objection has been received from other involved agencies regarding the assumption of lead agency status by the Town Board pursuant to 6 NYCRR 617.6 (b) and (c); and,

WHEREAS, the Town Board acting as SEQR lead agency has independently reviewed and considered the preliminary project plans and the information provided in the EAF;

NOW, THEREFORE, BE IT RESOLVED,

that based upon its review of the project, the EAF, and comparison with the Criteria for Determining Significance found at 6 NYCRR Part 617.11, the Town Board hereby finds that construction of the ELM AVENUE BIKEWAY 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 is based upon the following facts and conclusions:

1. The proposed 2.5 mile long Bikeway would be constructed within and adjacent to the existing right-of-way of Elm Avenue, Van Dyke Road, County Route 52, and the Delmar By-Pass Extension.
2. The proposed project site consists of 4.24 acres of land. Of this acreage, 1.34 acres currently consists of roads and other paved surfaces, and 2.9 acres currently consists of grass.
3. The project would provide an alternative approach to suburban commutation which encourages utilization of the bicycle in conjunction with mass transit. The bikeway would connect certain residential areas of Delmar with the CDTA Park and Ride facility, located at the intersection of the Delmar Bypass and County Route 52.
4. The project provides a means to reduce the number of downtown commuter trips taken in single occupancy vehicles and, thus, would contribute to attainment of regional air quality standards. In addition, safe access to the Town's major park facility would be provided for pedestrians and bicyclists, thereby reducing vehicular trips generated to and from the Town Park.
5. Review of the project site, project plans and available environmental inventory data reveal that significant adverse impacts to land, water, plant, animal, agricultural, aesthetic, historical and archeological resources will not result from the construction of the Elm Avenue Bikeway.

6. Air quality, open space, recreation, transportation and public safety resources will be enhanced by the project.

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 the Planning Department is hereby authorized to file any and all appropriate notices so that the intent of this Resolution is carried out.

On a motion by Mr. Lenhardt, seconded by Mrs. Davis, and by a vote of 5 for, 0 against, and 0 absent, this RESOLUTION was adopted on 27 September, 1995.

Councilwoman Davis noted there was a lot of work done on this project and noted that Michael Cirillo should be commended. Supervisor Fuller agreed, noting this was absolutely correct.

-----

The next item was a discussion of proposed hours for Trick or Treat for Halloween. Supervisor Fuller said she received a letter about 1 year ago from a senior citizen concerned about the youths going door-to-door, especially after dark. The resident submitted information pertaining to this item from other areas who had regulations in place. The Supervisor noted one of the recommendations was to change the date of trick or treating and have it on the afternoon of the same day if it is on a Saturday or Sunday or on the preceding Sunday if Oct. 31 falls on a week day. The other recommendation was that children not go door-to-door after 8 p.m. on Halloween.

Discussion of  
hours for Trick  
or Treat for  
Halloween

Discussion followed regarding this proposal. Supervisor Fuller said this will be recommendations, indicating the Town Board cannot nor will enforce these recommendations. Councilman Putney said one point in the letter was that she would prefer not having the door bells rung if there is no light on. This is one item that could be respected. Councilwoman Davis said she talked to many residents and neighbors who have children, without exception they all agreed that they did not favor having the change of day for Halloween celebration. One reason is that parents get their children prepared for the school parades and that would mean 2 days for this, as well as, other parties. Councilwoman Davis feels this would complicate things if the day was switched. She said she agrees there should be some safety suggestions. She certainly would go along with the recommendation where times be suggested, including the lights being turned off. Councilman Webster noted some of these things could possibly be done in conjunction with the youth officers. He suggested they put out a set of safety recommendations to be distributed to the parents through the schools. Councilman Lenhardt noted most of the safety suggestions in this information are already advocated by the various agencies in Town and he supports the safety suggestions. He said as far as changing the day, he is not in favor.

Supervisor Fuller noted many young people go to the Town park for the hay day which is usually the Sunday before Halloween. She further stated the Fire Departments also do programs for the kids on Halloween night. She said there are a lot of organized activities for the children. She asked for a motion to limit the trick or treaters to before dark or if they come to a home where lights are out, they do not disturb the residents as safety recommendations, not as law.

The motion was made by Mr. Webster and seconded by Mr. Putney to approve the limiting of trick or treaters to before dark or if they come to a home where lights are out, they do not disturb the residents as safety recommendations only. The motion was passed by the following vote:

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

Supervisor Fuller indicated she will send a letter to the School Districts involved in Town and advise them about these recommendations only as a safety measure so that they are aware and can get it out to the parents of school age children.

-----  
Supervisor Fuller said the next item is the presentation of the proposed 1996 budget for the Town of Bethlehem.

Budget message  
from Mrs. Kehoe

Supervisor Fuller gave the budget message and asked Mrs. Kehoe, Comptroller, to highlight the specific details regarding expenditures and revenues. (See copy following minutes.) Mrs. Kehoe noted the amounts per item with comments. Budget workshops are scheduled for October 10 and October 17 beginning at 7:00 p.m. each day. These are work sessions for the Town Board. Formal opportunity for public comment will be during the public hearing, scheduled Wednesday, October 25, 1995 at 7:30 p.m.

Supervisor Fuller thanked Mrs. Kehoe. She noted the Town Board has received the tentative budget for 1996.

The motion was made by Mrs. Davis and seconded by Mr. Putney to set the public hearing regarding the 1996 tentative budget for October 25, 1995 at 7:30 p.m. The motion was passed by the following vote:

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

Resolution  
for setting  
fees for  
Election  
Officials

-----  
The following item was to adopt a resolution setting fees for Election Officials for 1995.

The following resolution was offered by Mr. Webster and seconded by Mr. Lenhardt:

RESOLVED, that in accordance with Election Law, Section 3-420, and Town Law Section 27, Subdivision 2, the following shall be the fees for the election officials for 1995:

Inspector (presidential year when 2 days)	Primary \$80.00 Registration Day \$30.00 Registration Day \$60.00 Election Day \$100.00 Instructions \$10.00
Chairman	Return of Supplies to Town Clerk's Office \$8.00  Mileage for above returns and instructions per mile \$.25
Poll Clerks	Election Day \$75.00
Janitors	Primary Day and Election Day \$15.00
Custodians	Per Machine \$15.00
Technicians	Per Day \$32.00

The next item was a recommendation from Michael Cirillo, Engineering Services Administrator, for acceptance of easement from Niagara Mohawk Power Corporation regarding PRD, Dowerskill Village, Section 2B, pending approval of the Town Attorney.

Easement of  
Niagara Mohawk  
regarding PRD  
Dowerskill Vill  
Section 2B  
pending approval  
Town Attorney

The motion was made by Mr. Webster and seconded by Mr. Lenhardt to accept an easement from Niagara Mohawk Power Corporation regarding PRD Dowerskill Village, Section 2B. The motion was passed by the following vote:

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

-----

The following item was a recommendation from Michael Cirillo, Engineering Services Administrator for acceptance of easement from Niagara Mohawk Power Corporation regarding Glen Manor Subdivision, pending approval of the Town Attorney.

Easement from  
Niagara Mohawk  
regarding Glen  
Manor Subdivisio

The motion was made by Mr. Putney and seconded by Mrs. Davis to approve the acceptance of an easement from Niagara Mohawk Power Corporation regarding Glen Manor Subdivision, Feura Bush Road, Glenmont. The motion was passed by the following vote:

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

-----

The next item was a recommendation from Engineering Services Administrator for acceptance of deeds and easements for Glen Manor Subdivision, pending approval of the Town Attorney.

The motion was made by Mr. Webster and seconded by Mrs. Davis to approve the acceptance of deeds and easements for Glen Manor Subdivision. The motion was passed by the following vote:

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

-----

The next item was a request from Fire Training Grounds Chairman, Charles Wickham, for transfer of funds from the Fire Tower Reserve Account for various work at the fire training grounds in the amount of \$90,000.

Transfer of  
funds from  
Fire Tower  
Reserve Account

The motion was made by Mr. Putney and seconded by Mrs. Davis to approve the transfer of funds from the Fire Tower Reserve Account for various work, (including construction of new burn prop area; 3,000 gallon drafting pit area; new lighting around tower area; installation of parking lot area for 20-30 cars and improved drainage system) at the fire training grounds in the amount of \$90,000. The motion was passed by the following vote:

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

-----

The following item was a recommendation from the Supervisor for appointment of a Member to the Bethlehem Industrial Development Agency. The Supervisor noted it is with pleasure that she nominates Joseph P. Richardson who has been a resident of Delmar since 1979. She noted Mr. Richardson will be fulfilling the remainder of the term of Mr. Bakal, who resigned from the IDA. Supervisor Fuller said Mr. Richardson is presently with Albank as a Senior Vice President and Senior Commercial Lender. She said his goal is to work on bringing business to Bethlehem.

Appointment  
of a Member  
to IDA

The resolution was adopted by the following vote:

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

-----

The next item was approval of a change in bid date for the Fleet Fuel Management System.

Approval  
change in  
bid date  
Fleet Fuel  
Management  
System

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to approve a change in date for the fleet fuel management system to October 10, 1995 at 10 a.m. The motion was passed by the following vote:

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

-----

Acknowledge  
receipt of  
1995 Equipment  
Inventory for  
Highway

The next item was to acknowledge receipt of 1995 Town of Bethlehem Highway Equipment Inventory from Highway Superintendent, Gregg Sagendorph, in accordance with Highway Law Section 142(3).

-----

Acceptance  
of deed for  
right of way  
Beaver Dam Rd  
for Trinity  
Manor

The next item was a recommendation from Engineering Services Administrator, Michael Cirillo, for acceptance of a deed for right-of-way, Beaver Dam Road, for the Trinity Manor Subdivision.

The motion was made by Mr. Webster and seconded by Mr. Putney to accept the deed for right-of-way purposes for Beaver Dam Road, Selkirk, for the Trinity Manor Subdivision. The motion was passed by the following vote:

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

-----

Reduction  
of bonding  
for Cedar  
Ridge Sub

The next item was a recommendation from Engineering Services Administrator, Michael Cirillo, for reduction of bonding for Cedar Ridge Subdivision, Sections 1 and 2 to \$20,000 for Section 1 and \$45,000 for Section 2.

The motion was made by Mr. Webster and seconded by Mr. Lenhardt to approve the reduction in bonding for Cedar Ridge Subdivision, Sections 1 to \$20,000 and \$45,000 for Section 2. The motion was passed by the following vote:

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

-----

Release  
of bonding  
for Indian  
Hills Sub

The following item was a recommendation from Engineering Services Administrator, Michael Cirillo, for release of bonding for Indian Hills Subdivision, Section 2 pending receipt and review of lien check.

The motion was made by Mr. Webster and seconded by Mr. Putney to approve the release of bonding for Indian Hills Subdivision, Section 2, pending receipt and review of lien check. The motion was passed by the following vote:

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

-----

The motion was made by Mr. Putney and seconded by Mr. Webster to approve the appointment of Joseph P. Richardson, Delmar, New York as a Member of the Bethlehem Industrial Development Agency. The motion was passed by the following vote:

Appointment of  
Mr. Richardson  
to IDA

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

Supervisor Fuller welcomed Mr. Richardson as a Member of the IDA and thanked Councilman Putney for all his work.

Supervisor Fuller asked if anyone in the audience wished to address the Board this evening. Mrs. Marie Capone read a letter she intends to send to the Spotlight. She wrote in regard to the amazing opinions of Mr. Kelleher when he graduated from Perdue in the 40s. She noted it was 50 years ago. She further noted he is like a soap opera, you can miss him for 2 months, turn it back on and it is the same old thing. Mrs. Capone also indicated Mrs. Burdis was in the hallway and came in when the meeting was over. She said as to Mr. Duclos's concern, Mrs. Fuller can take the heat. She mentioned how one of the Clearwater group at the last meeting screamed obscenities at her and threatened her that was witnessed by all in attendance. She said since then there is a police officer in attendance at all Town Board meetings. Mrs. Capone thanked the Board for letting her read her letter.

Mrs. Capone  
wrote letter  
on Clearwater

Mr. Joseph Duclos next spoke saying this is a circus, indicating each time Mrs. Capone is allowed to speak it is a circus. He said this had nothing to do with Town Board business. Supervisor Fuller noted it did not. Mr. Duclos asked why Mrs. Capone was allowed to do that. Supervisor Fuller said she allows everyone to speak. Mr. Duclos said if it pertained to Town Board business, noting it had nothing to do with Town Board business. Mr. Duclos indicated it was the political agenda. Supervisor Fuller said it was not, she did not have a political agenda. She said she was in attendance to run the Town Board meeting.

Councilman Lenhardt requested that all the residents in attendance speak to the Board and not engage in dialogue back and forth between them since this is a Town Board meeting. He requested that they please address the Board.

Mr. Bill Kelleher next addressed the Town Board reading a statement which follows the minutes of the meeting. He offered to answer any questions. Attorney Kaplowitz asked Mr. Kelleher if he was saying that whoever designed this designed it wrong and it is not going to work. Mr. Kelleher said absolutely. Attorney Kaplowitz thanked Mr. Kelleher. Mr. Kelleher said he has already said that. He said he thought from the very beginning he has been very clear on that.

Supervisor Fuller thanked Mr. Kelleher and asked if there was anyone else who would like to address the Board. There were none.

The motion was made by Mr. Webster and seconded by Mr. Lenhardt to adjourn the regular Town Board meeting at 8:12 p.m. The motion was passed by the following vote:

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

*Kathleen A. Newkirk*  
Town Clerk

## 1996 Budget Message

The 1996 budget reflects the Town's continued commitment to offer the services most desired by our residents, while holding the line on expenditure increases, yet still offering a tax decrease. We are pleased to include funding to provide first-response, paramedic services to the Town. Late in 1995, the Town anticipates that it will enter into a service agreement with the Albany County Sheriff's Department, where they will provide trained paramedics and the associated medicines and equipment, to enable them to yield emergency medical care. The paramedics will work closely with the Town's existing volunteer rescue squads.

The household hazardous waste day was a new program in 1995. Due to its success in providing a convenient means for residents to dispose of these contaminants, we propose to offer this program again in 1996, and hope that it will be able to serve an even greater number of residents.

We continue to harness the growth of the Town's budgeted expenditures, keeping the 1995 to 1996 increase in the General Fund to approximately 6%. Inflation is anticipated to run at 3%, so even with expanded services, the 6% is well within a reasonable range. We have provided a 3% cost of living increase for our employees. Our debt service costs have been continually declining in the General Fund, largely because of our policy adopted upon initial receipt of the additional one percent sales tax in 1992, to reduce our debt, through either early repayment of existing debt, or by avoiding financing altogether by paying for our necessary capital acquisitions up front. Our philosophy continues to be one of fiscal constraint, and one in which we will try to anticipate the long term trends that will affect our Town's finances. We will not make decisions based on political expediency, but rather what best serves the long term interests of our tax payers.

The General Fund tax levy has been declining steadily since 1992, from \$1,259,386 in 1992, to a proposed \$800,000 in 1996. In addition, the one percent County sales tax has allowed us to reduce the General Fund levies and has helped us strengthen the Town's financial position.

Maintaining a position of strength is essential. Our residents are best served by a Town which is able to meet its obligations without short term financing for cash flow purposes.

We must also be ready to absorb the impact of changes in our revenue stream or expenditures for those items beyond our control, such as economic changes precipitating reductions in mortgage tax or sales tax receipts. Many of our expenditures are also governed by external forces, such as mandatory contributions to the New York State Retirement System. The Town is beginning to feel the effects of the System's conversion from the Projected Unit Credit Method (PUC), back to the Aggregate Cost Method (ACM). These methods determine the amount which the Town must contribute to the Systems. This change is resulting in a significant increase in our retirement costs. Our cash contribution in 1995 is approximately \$200,000, versus an estimated cost of \$400,000 in 1996. We will continue to effectively deal with the issues that confront us, and through anticipation of future needs, will buffer our residents from swings in tax rates.

Specific details for each of the operating funds are as follows:

#### General Fund

Expenditures within the General Fund increased approximately \$563,000, or 6%. As mentioned earlier, the new Advanced Life Support program accounts for \$350,000 of this. Personal Services are \$419,000 higher, which reflect the cost of living allowance plus step and longevity increases as applicable. All other costs for Equipment and Contractual expenditures reflect a decrease of \$206,000.

#### Highway Fund

The Highway Fund provides a 2% decrease in the 1996 tax rate. The tax levy comprises about 70% of the revenue stream for the Highway Fund. Other revenue sources have increased slightly, enabling a balanced budget which supports the 4% increase in expenditures from 1995 to 1996. The department will continue to operate with its present work force of 56 full time employees. They will be augmented by the use of part time and temporary workers during peak work periods.

#### Water Fund

The Water Fund offers a decrease in its tax levy of approximately \$62,000, representing a 4% decrease in the tax rate, which reflects the declining debt service costs on previously bonded projects. The incremental costs for bringing the new plant on-line are estimated to be \$316,000, which, like the other operating and maintenance costs for the water facilities, are covered largely by water rents. Budgeted Water Fund expenditures have decreased 8.6%, primarily due to a significant reduction in the Town's need to purchase water from the City of Albany. Water rates for residential customers will remain at \$1.07 per thousand gallons. The industrial water rate will increase from \$1.22 per thousand gallons in 1995, to \$1.25 in 1996.

#### Sewer Fund

The Sewer Fund also offers a decrease in its tax levy of about \$45,000. Budgeted expenditures allow for the continuing program of sewer main repair, rehabilitation and replacement. Cost savings have been realized due to the increased use of trenchless technology, alleviating the need for major underground excavation and disturbance of pavement and personal property. Budgeted expenditures have decreased 3.2% from their 1995 levels.

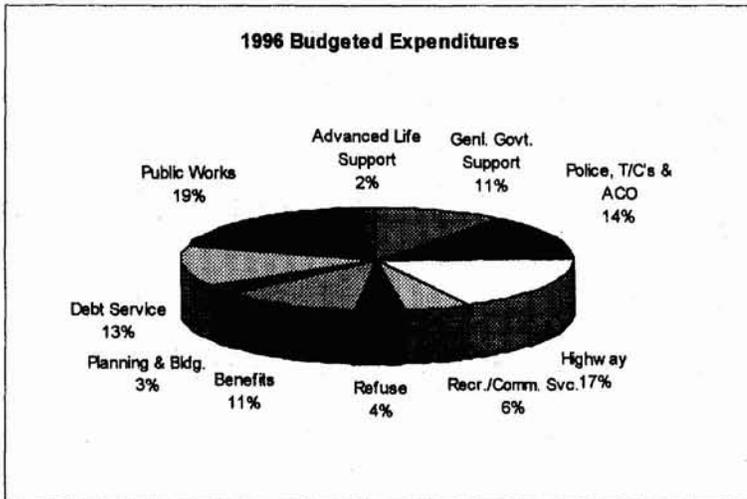
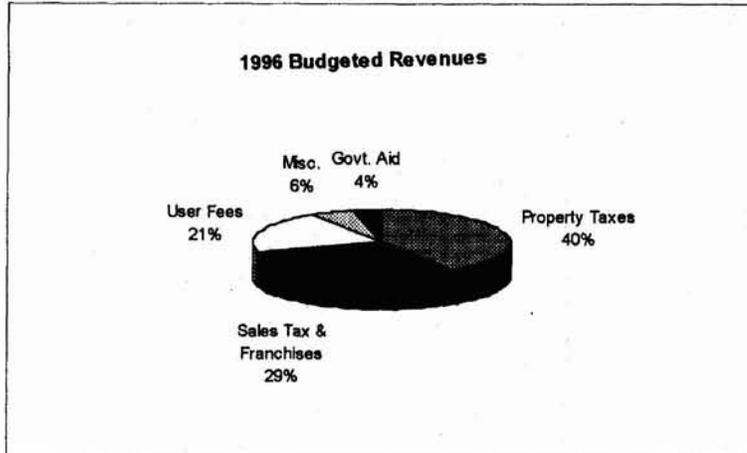
Each of these considerations for the four operating funds have resulted in tax decreases for our residents. We have calculated sample taxes payable on a \$130,000 property as follows:

	Actual 1994	Actual 1995	Tentative 1996
General Fund	64.45	55.72	54.80
Highway Fund	187.84	187.34	183.57
Water Dist. No. 1	97.13	94.98	91.00
Beth. Sewer Dist.	62.93	60.26	58.11
TOTAL	412.36	398.30	387.48

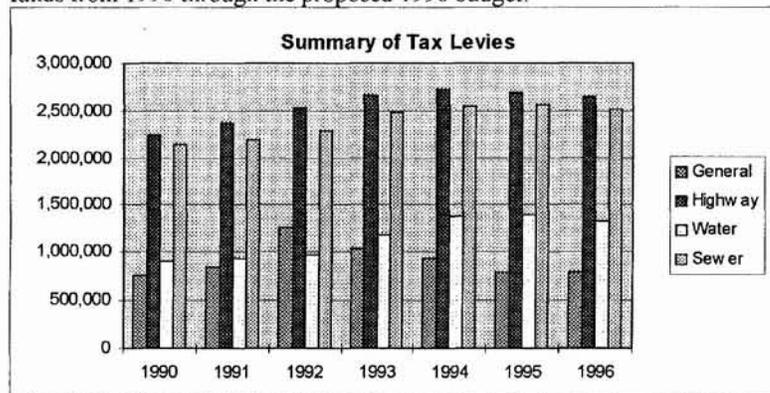
Note that the 1995 rates provided a 3.4% decrease to our residents, and that the 1996 rates will generate a further decrease of 2.7%.

Also note that these rates do not reflect an individual's actual tax bill, since there are other charges which will appear on the tax bill, including Albany County taxes, levies for fire and ambulance districts, and other special assessments. The chart is presented solely to give a comparison of how a portion of a resident's tax bill within Town within the listed districts would have changed during this time period.

The following charts illustrate the sources of the Town's budgeted revenues, and the areas in which moneys are expended:



The following graph illustrates the progression of the Town's tax levies for all funds from 1990 through the proposed 1996 budget:



	General	Highway	Water	Sewer
1990	764,759	2,241,635	906,367	2,134,601
1991	845,845	2,366,179	940,762	2,192,263
1992	1,259,386	2,532,575	979,448	2,291,345
1993	1,037,618	2,659,204	1,187,991	2,475,665
1994	935,000	2,725,000	1,385,162	2,542,016
1995	800,000	2,690,000	1,392,831	2,567,850
1996	800,000	2,680,000	1,330,795	2,521,027

The Water and Sewer funds have generally been stable, showing modest increases throughout this time period. Note that the levies have declined in 1996. The Highway Fund has had slight decreases since 1994, and the General Fund has been dropping since 1992. The 1995/1996 levy of \$800,000 is only about \$35,000 higher than the fund's 1990 level.

The budget work sessions are scheduled for Tuesday, October 10, 1995 and Tuesday, October 17, 1995, **beginning at 7:00 pm**. The first night will focus primarily on the General Fund budget, and the second night will cover the Highway Fund, Recycling, Engineering, Water and Sewer Departments. The public is invited to attend the workshops to become better informed of the proposed budget; however, the formal opportunity for public comment will be during the public hearing, which is scheduled for Wednesday, October 25, 1995 at 7:30 pm.

STATEMENT BEFORE THE BETHLEHEM TOWN BOARD SEPTEMBER 27, 1995  
BY  
WILLIAM J. KELLEHER

The design of the Town's infiltration gallery or horizontal well contained serious engineering errors. This led to misinterpretations of the data obtained from the pump test made on a section of the well in 1993.

The long term yield of the fully completed infiltration gallery will be less than two million gallons per day. In fact the capacity of the well could be less than one million gallons of water per day. This is far below the six million gallons per day that the Town paid 14 million dollars for.

It has come to my attention that the raw water reservoir has water in it. Obviously water has been pumped from the fully constructed infiltration gallery using one or more of the four well pumps. It should now be possible to give a well capacity for a short term pumping period such as two weeks.

I am now asking for the capacity of the well based on the maximum allowable drawdown that was specified in the design reports and for a continuous pumping for at least two weeks.