

TOWN BOARD  
SEPTEMBER 28, 1994

A public hearing 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  
Freeman T. Putney, Councilman  
Doris M. Davis, Councilman  
Bernard Kaplowitz, Esq., Town Attorney  
Catherine T. Picarazzi, Deputy Town Clerk

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Public  
Hearing  
Local Law  
No.8, 1994  
re: Veterans'  
Exemptions

SUPERVISOR FULLER: Good evening, welcome to everyone. Our first item on tonight's agenda is to consider Local Law No. 8, amending the Code of the Town of Bethlehem, Chapter 111, Taxation, regarding the veteran's exemptions. I would ask the Clerk to read the call of the hearing.

NOTICE OF PUBLIC HEARING  
TOWN OF BETHLEHEM

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Bethlehem, Albany County, New York will hold a public hearing on September 28, 1994 at 7:30 p.m. at the Town Hall, 445 Delaware Avenue, Delmar, NY to consider proposed Local Law No. 8 of 1994, amending the Code of the Town of Bethlehem, Chapter 111, Taxation regarding veteran's exemptions.

All parties interested and citizens will have an opportunity to be heard at the said hearing. The Town of Bethlehem provides reasonable accommodations for the disabled.

Disabled individuals who need assistance in order to participate should contact David Austin at 439-4131. Advanced notice is requested.

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

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State of New York)  
County of Albany )

CAROL STUART of the Town of Bethlehem, being duly sworn, says that she is the Advertising Coordinator of THE SPOTLIGHT, a weekly newspaper published in the Town of Bethlehem, County of Albany, and that the notice of which the annexed is a true copy, has been regularly published in said THE SPOTLIGHT ONCE A WEEK FOR 1 WEEK consecutively, commencing on the 21 day of September 1994.

/s/ Carol Stuart

Sworn to before me this  
day of 21, September, 1994.  
/s/ Kathryn Olsen  
Notary Public, Albany County

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

KATHLEEN A. NEWKIRK, being duly sworn, deposes and says that she is the Town Clerk of the Town of Bethlehem, Albany County, New York and that I posted on September 21, 1994, a Notice of Public Hearing, a copy of which is hereto attached, on the sign board of the Town. maintained pursuant to subdivision six of Section thirty of the Town Law.

/s/ Kathleen A. Newkirk  
Town Clerk

Sworn to before me this  
26th day of September 1994.  
/s/ Catherine T. Picarazzi  
Notary Public

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

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

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SUPERVISOR FULLER: Mr. Leafer our Town Assessor will explain the veteran's exemption which has become a law July 20, 1994.

MR. LEAFER: I was told as a young second lieutenant in the National Guard that I should always be prepared when I was teaching the class, so tonight I have a spare bulb in my pocket, the only problem was when I was in the National Guard, I also had a good Sergeant who could take care of the problem if it went out me. If it goes on me, I am real trouble tonight unless one of you former non-coms want to give me a hand.

We are going to talk tonight and I am going to do this very briefly, because I don't want to cut into any time that you have to talk before the Board to express your opinion. I am going to try and do this in about 15 minutes. I can't cover every single facet of the veteran's exemptions so, I am not even going to try. If there are some questions you may have that concern your own individual exemptions and how they are going to work, if this is put in place, please call my office. We are there to help you and we can sit down and work with your individual situation and not have to take up time tonight.

I am going to do the following. I am first going to -- because there are probably some people in the audience who may not be totally familiar with veteran's exemptions. I am going to talk about the two types of veteran's exemptions that exist, very briefly, so that we have some basis for reading into the new law and what the new law is all about.

After I have talked about the new law, I am then going to show you a quick example to show you, roughly, how the calculation is done and how it varies from the perhaps current county eligible funds exemption that you have on the books and it will vary. And, finally, I am going to talk briefly, because there are probably people out here who are not veterans and who are concerned about one thing if this new law goes into effect and an additional benefit is given the veteran -- what does it do to my taxes. I will touch on that briefly.

Now, without further a-do if all goes well, I have these organized. Let's start with the oldest form of exemption. Which is the eligible funds exemption. This was enacted sometime before 1896. There have been approximately three sub-sections added to the law, changing and amending it, up until the present law, that we are going to talk about tonight. I am going to skip this section for a minute.

What is an eligible funds exemption? What are eligible funds? During the period of service, the serviceman was often getting some sort of financial benefits. Usually upon leaving the service or various the stages of during away in the service. It might of taken the form of mustering out pay or retirement pay or retirement disability pay. It could of been something like payments for disability. The person, the vet could of been receiving dividends or refunds from GI insurance that they have carried. There are many other types of situations that qualify as an eligible fund. What had to happen with the eligible fund, was the vet had to take that money immediately, supposedly. Not stick it in his pocket. Not go out and buy a new car, but had to go home and theatrically show that, that money has been applied to buy the purchase of the house, reducing the principle on a mortgage they were currently carrying on a property, it didn't necessary have to be there home, or had put it towards the cost of adding, say an addition to their home, which would add to the

market value of the property. The maximum benefit that could be accrued over time is \$5,000. The exemption can be applied to any property owned by the vet. The eligible funds exemption. So any property owned by the vet, and it could actually be split between properties. So if the vet had a property, say it had it's house on it or her house on it and it was assessed at \$4,000 and they had the maximum limit of \$5,000, and they owned another piece of property that was assessed at \$1,500, they could split the \$4,000 on the home, thereby having no tax on the home...and only owe, and only have a tax base of \$500 to pay tax against on the other property. So it could be split up. And it is possible that the vet could have wound up having no county or town tax type of payments.

Which brings us to, what does the exemption apply to. It applies only to county and town taxes. It does not apply to school taxes and we have had several people call us in the past few days asking if the new law will effect my exemptions where the school taxes are concerned. No it will not.

In 1979 the last subsection added to the law was done so around the time when the state had started to make a push on doing full value reassessments. And this was introduced for a reason, the reason was to try and keep the same level of exemption, the value of the exemption for the veteran after that particular municipality where the veteran lived and had gone to full value.

However, there is a couple of important points about it. The authorized, either the county, city/town or village who adopt the law, but those entity's had to have completed full value revaluation. And they could adopt the law, but the law had to be adopted on or before October 31, 1985. The reason basically was the seconded exemption, which we are going to talk about in a couple of minutes. It had come into effect at that point in time. There were some other things taking place related to that. This was known as a pro-rated exemption. It's purpose was to increase the existing exemption that the veteran had, in proportion to the level of exemptions that they had had, prior to the reval or reassessment. And they based it on a ratio of and I will show this on a problem when we go on, they based it on a ratio of the exemption to the assess value of the veterans property prior to reval. It he had an exemption or assessment of \$10,000 in exemption, \$5,000, he had a 50% exemption. If after the reassessment and he came in, his property assessment was now \$100,000, he still had a 50% exemption thru pro-rata and his exemption level was \$50,000. Keep that paragraph in mind for a little further down the road here.

The eligible funds exemption, people who currently hold it, we have about 800 in the Town of Bethlehem, you will find fall primarily in category of veterans from War World II, Korean War, even I and II, there are certain eligible funds situation that do come up and even Viet Nam vets. There are some people, very few, some people who do have an eligible...

In 1984, because of the eligible fund situations were starting to die out, the service was no longer offering a lot of these funds, and they were starting to phase them out. It was felt that some, similar type of reward should be given to all veterans. It does not make too much difference what time frame or what country or period of history someone is shooting at you, if they are shooting at you, you are in danger.

All vets should have some sort of a benefit. If one vet is going to have it, the rest should have it. The new section 458 was developed, which is the alternative veterans exemption. Which was enacted in 1984 and went into effect in 1985. Basically this exemption differed a little bit. Where the former eligible funds exemption could be applied any property a vet owned, the new alternative veterans exemption could only be applied to their primary residences. Like the eligible funds exemption, if the veteran were to pass away, deceased, the spouse, the surviving spouse, as long as she or he did not remarry, was entitled to that exemption.

The alternative veterans exemption, however is a percentage exemption. If the person serves during war-time, not necessarily in combat, someone may have served in Germany during the Viennese War, that served during that time period when the war in Nam was going on. That person would be entitled to a 15% exemption up to a maximum of \$12,000. If they also served in combat, they got an additional 10% of exemption for a total of 25%, which amounted to with a max of \$8,000 or added together gave them a benefit of \$20,000. If the person applying for the alternative veterans exemption happened to be

disabled, and had a disability rating, they were also allowed to have half of that disability rating. Which is a 100% disability would be 50% exemption up to a total of \$40,000, which would also be added to the 20, which could give a person the maximum of \$60,000. Now, a lot of our alternative exemptions are at the \$20,000 level or at the \$12,000 level, the full maximum. Some where the property value is considerably less than these would accommodate 50% or 10% or 25%, they kick in and you may find the exemption a little under that. But that is the major difference. The eligible funds could build up to a flat \$5,000 exemption and you can keep adding in the eligible funds over the years, you can keep adding that until you reach the \$5,000 level. Again, the exemption applies to the county and town taxes. It does not apply to the school taxes. And one other important thing occurred. After March 2, 1986, any new, any veteran applying for an exemption for the first time could no longer apply for the eligible fund exemption, only applied to the...nor could any pro-rata exemption be claimed.

The new law which was passed this summer, as signed by the Governor and it has just gone into effect. I am going to backtrack a little. Remember back when I was talking about the eligible fund exemption, I said that in order for a town to pro-rate, they would have to have gone through the reveal and apply for the adoptable law to pro-rate, prior to 1985. In Albany County at around that time, the only township that had gone through reveal, that I am aware of anyway, pretty sure of these facts, was Guilderland. The Town of Bethlehem could not apply on the basis of town tax to have a pro-rata exemption because we have not, we had not gone through reveal. If the county applied to allow it's constituency's the towns, villages, what not, to take a county pro-rated exemption, then anybody who had gone through a reveal could, in effect be permitted to, to pro-rate on a county basis. The Town of Guilderland went through a reveal, they are currently pro-rated on both town and county basis. The law set up around 1985 by the county, allowed Guilderland to do this, but because of that '85 cut off date, this was working under the provision until 1979, they ruled that the other municipality couldn't unless they had gone through reveal in that time period.

Now Bethlehem started looking at that law a little seriously and said we think there is something wrong with it. The town leaders and the town attorneys and the attorneys from the Office of Counsel of Equalization and Assessment, put their heads together and said we think we may be able to challenge that and the town went ahead and did it. And installed pro-rata exemption for the eligible fund veterans on the county level. They could not do it on the town level but they did it on the county level.

So we have in place and have had in place since 1992 when we did our reveal, we have had a pro-rated, a pro-rata exemption on a county basis. What it means is, that while we were able to elevate the... extent the benefit of that exemption, the original eligible funds exemption for county tax purposes the limit was still leveled at \$5,000. So, if your assessment went from \$10,000 up to a \$100,000 you still only had for town purposes a \$5,000 exemption. There really isn't anything we could do about it until this law went into effect this year. This law has been before the Legislature, and the Legislature has passed it in some form or another, it might not be exactly this form. For the past 3/4 years that I am aware of, it has been vetoed up until this year. This year it was passed.

All right, what does it do? It allows again all tax increase, counties, town, city, and villages to adopt all or part of this amendments... Basically what it tries to do, is to preserve the benefit the eligible funds exemption after re-assessments, and it does so in a little bit different fashion, it is no longer based on a pro-ratio. It does so indirect proportion and decreases the exemptions, indirect proportion to the general increase in assessment through out the community, which takes place, prior to the reveal, till after the reveal. It does so in what is referred to as a change in level of assessment.

A very quick explanation of what that is, you take, in our case in 1991 and 1992. which our our transition years, if you took the total taxable base, '91, the total taxable base in '92 after the reveal, subtract it from all of the physical increases and decreases due to new construction for the elimination of some improvements through tearing down of an old garage, to something of that effect and divide it, the total taxable base in '91 into that total taxable base from '92 less both increases and decreases, you come up with a

factor. In our case it is somewhere around 17.7...That factor is multiplied by the exemption to determine the new level of exemption. It is not a pro-ratio. I am going to go through an example, I think this will become a little clearer than that.

How many people are effected in our town? First of all this law applies only to those who are holding eligible funds exemptions. There are about 800 currently in the books in the Town of Bethlehem. It does not apply to those with alternative veterans exemptions and there are about a 1,000 of those with one minor, one little exception. The exception is Part II, which can be adopted either not adopted or adopted as part of the law.

Part II is a second provision that allows the local municipally to extend to any veteran, who had opted when the new alternative veterans exemption came out, that they felt they would get a better deal by taking that exemption and by staying with the eligible funds exemptions, especially if it was going to stay on the \$5,000 level and on the combination of the town and county basis was going to give them less of an overall break than going to the alternative exemption. They had the ability at that time to switch over to the alternative. Under the old law, the way the law was originally set up for the alternative, at the time the alternative veterans exemption was put into effect, if they switched over from the eligible funds to the alternative veteran, they could not switch back. Where it looked like, if a pro-ration was put into effect with the town, say, they were so close, that by switching over they might save a few dollars in taxes now, but might lose the benefit of being able to switch back if something like this were ever put into effect.

Wisely the people in the Assessor's Office at that time, I wasn't here, this primarily falls to the gal's who were working the office, Diane Busick and Polly MacIntire, sat down with people and said, you may be better off staying where you are. So the total number of people we actually have in the town, who held eligible funds exemptions and made the switch over, because they were better off, are 52. There are 52 of those at the present time. Of those 52, those who may find themselves benefiting by making the switch back, which is what this second section of the law now allows, allows the town to do, adopting it. The second portion of the law allowing the people who switched over to switch back, if they so desire. There are about 5 or 6 who will probably benefit from switching back. Now, if the person, if those 5 or 6 decide if they want to do that, they are going to have to apply to the Assessor's Office within one years time of the adoption of the law, if it is adopted. Making the assumption now.

I am going to say to you now, because the third element of the law, you probably are going to need to do that a little sooner. You are not going practically to have to worry about it, because we are going to be in touch with these 5 or 6 people as soon as possible. The third portion of the law says, if this law can be adopted by the town board, by this Friday, the 30th of September, that it could be made retroactive to this January taxes. So that is the reason why I say that these 5 or 6 people that it looks they should switch back. I am going to want to touch bases with us a little sooner than maybe a year. These are the basic three points of the new law. And the board can act on any or all of those points.

I want to go through an example, because I think it is important to understand what you are going to find when you get this law passed in it's entirety and you get your tax bill and all. In January. If I am blocking anybody I apologize...Let's take a hypothetical example. Two veterans, veteran A and veteran B. Prior to the revaluation, say in '91 or anytime, this isn't necessarily our town, but any town. One veteran had a total assessed value of property of \$10,000 and the other had a total assessed value on his or her property, \$20,000. The equalization rate in that particular point in time was 10%. Which means theoretically the indicated full value of the property based on that equalization rate. In veterans A case it would be \$100,000 and in veterans B case it would be \$200,000. They both have reached the upper limit of their eligible funds exemption. They both have eligible funds exemption of \$5,000. The ratio of the exemption for veteran A to his assessed value, is 50%, \$5,000 of \$10,000. And the ratio for veteran B, \$5,000 over \$20,000 is 25%. We are going to make an assumption, both of these properties are in the same subdivision, with the same model home, with the same number of bathrooms, same everything. In fact, they would sell for the same

price if they were put on the market and the market would bear out that, that would be the case through sales. If that is the case, and it is easy see that if one is assessed at 10 and the other at 20, if you got an equity in assessment. One is either assessed properly and the other over assessed or one is under assessed and the other is assessed properly or one is over assessed and the other is under assessed. And the purpose for doing a revaluation was to get rid of a lot of gross inequities that existed prior to time of the revaluation was done. I am going to quote the value assessment.

However, after the reval, the reval points out by the way, that both these houses have a market value and therefore an assessed value was full value of \$150,000. So veteran A was in fact under assessed, veteran B was over assessed. When the pro-ration form of the exemption was put into effect on the county basis, in our case, but if the town or a county or whatever, had gone to pro-ration, and then within the time frame to it. What would of happened? What would the exemption actually be? It would still be 50% for veteran A and it would still be 25% for veteran B. Which means veteran A, I am going to lose this paper, I'll take it off all together at this point, it means that veteran B is going, or A, is going to get a \$75,000 exemption based on pro-ration. Whereas, veteran B is only going to get a \$37,500 exemption. Which means that veteran A's total taxable base, against which his tax rate and taxes are going to be figured out, is going to be \$75,000 -- \$75 from \$150 -- whereas veteran B is going to be paying taxes based on the taxable base of \$112,500 -- \$37,5 from \$150. The tax rate, let's say for whatever part, County or Town, was \$1.10, it means that veteran A is paying \$82.50 in taxes, while veteran B is paying \$123.75 in taxes. What does pro-ration do if you have gross inequity in assessments? It carries that inequity along.

When the new law was written, it was written in such a fashion -- the law we are talking about tonight or the amendment -- to try to eliminate that inequity... carrying that inequity along. Just for the time being, for us, it's going to be... or the way we are going to continue to carry the County eligible funds exemption, why? Because in order for us to change it, the County will first probably have to rescind it and then we will be able to rescind it for the County basis. The County is not going to do that this year. I think they fully intend by next year to be seriously considering rescind their old pro-ration status and going to this new format of calculation and when that happens then we will probably follow suit or we may follow suit on this. And, then the two exemptions will become -- from County and Town levels -- will become the same. But, for the time being, for 1994 assuming that this is adopted tonight, we can go back... be eligible to put it into affect for 1994. You will see a difference in the amount of exemption you get, say for your \$5,000 total or whatever your total is between the County and the Town. And, to further illustrate what happens with this new law, again, we have the same situation -- after reval both houses were assessed \$150,000. At the time, let's say we are like Colonie -- hypothetical town like in Colonie who is going through the reval this year -- and so their change in level of assessment might be 17.5. That is the multiplication factor that was applied against the former exemption... the eligible fund exemption that has been built up to the time of the reval and when you do that and multiply 17.5 by \$5,000 you get \$87,500. Well, this veteran B had the same level of exemption. So, he is going to have the same new level of exemption \$87,500. Subtract those both from \$150,000, they are both now going to have a taxable base of the same \$62,500 and you apply that \$1.10 against it and they are both going to wind up with a foggy \$68.07 in tax that they are both going to be paying. They are both.. they have the same exemption, the same house, they are both going to now be receiving the same benefit from that exemption by having the same property. So, for this reason, figuring it out on the basis of change in level of assessment, this is a fairer way to go.

That's the new law. For someone out here in the audience tonight who is not a veteran or even for those who are veterans, the question that may be on your mind is what is this going to mean in terms of how my taxes are affected. If you are going to get an additional benefit to someone in Town, someone else in Town is going to have to pay for it. You are right. But, let me go through this very quickly. Tax rates are determined the following way. A tax rate is simply the budget by any taxing entity divide by the total taxable assessment base. The total taxable assessment base is the

total assessment base after you have subtracted all exemptions. They are not only veterans exemptions, they could be senior exemptions, etc. So, obviously if a town were to maintain its budget at the same level -- and I am going to base some of these figures you are seeing on our 1993 Town tax rate and Town budget level. If the budget didn't change, if the levy didn't change but the assessment drops, then obviously the tax rate was going to go up somewhat. And, so each home is going to feel... each property is going to feel a slight increase in terms of tax rate, if nothing else occurs. We initially calculated this based on how we felt the law read. It looked as though the total addition to exemptions and therefore reduction to the taxable base because of the eligible funds, the new law that was put into effect, might amount to about 42 million dollars and that was a figure you probably saw if you read the Spotlight. We have been talking with Equalization and Assessment, if that change in level of assessment factor is given to us by Equalization... certified and given to us by Equalization and Assessment... the Division of Equalization and Assessment of New York State, we have had a lot of conversations going back and forth with them because their reacting to the new law pretty much the same way as we have been... sort of just found out about it. They are putting everything into effect. We, of course, need to know what that rate is in order to apply it toward the January tax bills and we will. They have gotten back to me within the last couple of days with a pretty fair reading of how it is calculated, however, the group at E & A, Equalization and Assessment, who have to determine and certify the actual rate, is another department. The people I have been talking with are at legal. They are not certain whether they are going to be dealing with individual yearly rates... changes in level of assessment that didn't exceed 2 percent. So, we are not quite sure. Right now, it looks as though it could rise as high as 45 million dollars in terms of the total amount of exemption increase, therefore the tax base decreased. However, as you may have read today, and I have Judy to fall back on here -- I would get in trouble with this and I probably will -- we have been mandated... we, the Assessor's office, the Comptroller's office, all the other offices in Town to look at setting up a zero rate increase budget for this year. A zero tax rate for this year. We have looked at it on the basis of 42 and we are going to continue to play with it based on the final figure that comes out. So, if nothing had happened the actual increase in the tax rate based on last year's figures would amount to about 4 and 1/2 cents per thousand. So, if you own a \$150,000 home, you might expect on that basis to see an increase, again if nothing else changed, of about \$6.75 in your January tax bill for Town tax purposes.

However, again, if you have any concerns about that I think Judy can address them but we are not going to be having any late increase. So, whatever... and we have already factor most of this into the preliminary figures that Judy has had and presented to the Board... as presented to the Board tonight. So, in effect, we will make this transition for 1994 without any affect or any impact on anybody except the eligible fund vet who is going to get a better exemption on his Town tax.

I don't have anything further at this point. If there is any quick questions, I don't want to cut into your time but if there are any quick questions you have, I will try to field them or I would say please feel free. We are going to be contacting all veteran's who have an immediate need to... those who have switched over in the past and would be very eligible to switch back, we are going to personally contacting them. The rest of the eligible fund vets, if this goes into effect, will really not have to do anything except read your tax bill when you get it this year because we are going to be making... doing the calculations and applying the exemption in your case. Again, it does not apply to the alternative veterans exemption. It does not apply to school taxes.

And, over and above that, the pamphlets that we got from E & A are fairly decent in terms of describing, I think, most of the questions you might generally have about this new law. So, if you don't have one, you might want to grab one off the table before you leave tonight. If you have any further questions, feel free to call me during the day. If you have anything now that needs clarification, fire away... not literally. You guys left your M1s and 45s in the cellar didn't you?

MR. FLANIGAN: Now days, you got to be careful.

SUPERVISOR FULLER: Do you have a question?

GENTLEMAN: Could you spell out again precisely how the new assessment will be determined based upon your present exemption?

MR. LEAFER: If you have a \$3,000 exemption and you haven't switch over but you have just been carrying that \$3,000 exemption, assume a level of assessment change of 20. We would multiply 20 by that \$3,000 and your new exemption would be \$60,000. Now, that may differ from what you have on your County exemption because of the difference between pro-ration and the way this is figured.

GENTLEMAN: And, what is the level of change for ...

MR. LEAFER: At the time of reval it was 17.7166, however, the factor we are being told we have to use may involve an accumulated change going back to 84-85. It could run as high as 18.5 or it could run as low as 17.414. My inclination right now is it is going to be somewhere around 18 to 18.5. But, we will have that all pretty well confirmed within a reasonable period of time and certainly by the time you need to get your new taxes calculated. And, you should feel free to call us again if you have any questions, prior to January, prior to getting the bills, simply call. I would say try to wait until about the middle of October to the first of November because I am going to be doing the calculation. I am waiting a couple more days to see what comes out of E & A about a little firmer commitment before I go ahead and use the figure I currently understand is the way I am supposed to calculate it.

LADY: Do I understand you to be saying you are talking now about the Town tax not the County?

MR. LEAFER: Town tax. County tax will remain as it has been for the past 3 years on a pro-rated basis. Possibly until next year, don't know, don't know what will happen.

SUPERVISOR FULLER: Any other questions?

GENTLEMAN: Do you have any idea what the average increase of real estate tax with Town was for the veterans as a result of loosing, you know, the exemption that they had? Any kind of guess, wild guess? No.

GENTLEMAN: I can answer that, based on my own personal experience, I have my tax bills.

OTHER GENTLEMAN: More than \$6.

GENTLEMAN: It is a little over 300 percent, thank you.

GENTLEMAN: There is no new benefit with basically being close to what we had before or a little more or less.

MR. LEAFER: Right, that is the intent of the new law. The way the new law is calculated is to give you basically the same benefit you had before and give it to you afterwards.

GENTLEMAN: Right.

SUPERVISOR FULLER: If there are no other questions, I would like to ask those speaking in favor to come forward please and identify yourself.

MR. HIGGINS: May name is Frank Higgins. I live at 39 Sunset Drive. It appears that the Town of Colonie has already adopted this from the Times Union clipping... have you seen that?

GENTLEMAN: I think it was Niskayuna. One of the town's anyway...

MR. HIGGINS: Colonie it mentions here. Colonie tax bills. Would you like to see that?

SUPERVISOR FULLER: Can you come to the microphone, please?

MR. HIGGINS: And, New Scotland is about to adopt it tonight. You know we hear about all these bills in Congress and the State talking about how much is this going to cost, we had 14 million people who served in World War II. Of that group, I hate to say this to you veterans, only about 8 million are still alive. The life expectancy of a veteran is about 75 years. I would say that... what is it, Al, in the retired people? What's the present age, about 72? The World War II veteran is about 72 years old. So, this is not a social security situation that will grow by leaps and bounds, this is a descending proposition. On the equitable basis, our taxes went up, the veterans, when eligible funds about 300 and some odd percent. This law will cost 2 cents... less than 2 cents a day, that's all I have.

SUPERVISOR FULLER: Thank you. Is there anyone else who would like to speak in favor? Please come to the microphone and identify yourself.

MR. KERN: I am Merl Kern. I just want to make one point. When the Town went to full value reassessment, it was never intended to take away any veteran from a veteran. And, this law would restore that which the veterans had from the past. It would even us up, that's all.

SUPERVISOR FULLER: Thank you.

MR. LEE: My name is Warren Lee and the only thing I want to say, I hope the Board adopts it, thank you.

SUPERVISOR FULLER: Thank you.

MRS. SARGENT: I am Shirley Sargent. I live at 15 Crannell Avenue, Elsmere and I am a widow and I would like to speak in favor of the law. It is something we all felt we should have had even with reevaluation. We are happy to pay our taxes in this great Town but this would be nice.

SUPERVISOR FULLER: Thank you.

MR. GUZZIC: My name is Gill Guzzic. I just want to thank the Board and the Town Assessor who has been very helpful to me personally and I don't think he is present, Assemblyman Faso who I have worked with over the past couple years in getting this bill introduced and finally passed. No thanks to the Governor who held this information to himself... I spoke to the Governor's office right after the deadline for signing this bill... they refused to give out any information for at least 10 days to 2 weeks which put a particularly strain on the Town in getting this done. There is a 2 day time frame and I want to thank the Board for their efforts.

SUPERVISOR FULLER: Thank you.

MR. CLEEVES: Earl Cleeves, Glenmont. I know in my case, I... eligible funds exemption was 53 percent of the assessed value before reevaluation. After reevaluation it went down to 2 percent. This will restore part of that but not as much as the pro-rated would have.

SUPERVISOR FULLER: Thank you. Is there anyone else who would like to speak in favor?

MR. JOHNSON: My name is Robert Johnson, I live on Wayne Place in Delmar. I am a Navy veteran and I am not eligible for any of these pay backs or benefits but I want to say I would be more than willing and consider it an honor to pay \$6. a year if it came to that to honor these great people who did such a great job for us. And, I thank you.

SUPERVISOR FULLER: Thank you. Is there anyone who would like to speak in opposition?

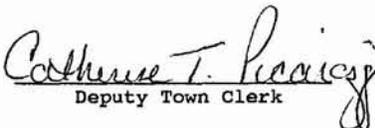
MR. WEBSTER: Anyone dare?

SUPERVISOR FULLER: And, if you do, go in the other room. Okay. May I have a motion to close the public hearing.

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to close the public hearing at 8:25 pm. The motion was adopted by the following vote:

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,  
Mrs. Davis.

Noes: None.

  
Deputy Town Clerk

The Supervisor convened the regular Town Board meeting following the close of the public hearing.

Mr. Putney asked the Supervisor if the proposed law is the maximum benefit that is permitted under the State law as proposed to the Board. Supervisor Fuller indicated it was. Mr. Putney thanked Supervisor Fuller. The Supervisor noted this requires action so that this is retroactive for 1994 taxes. She asked the Board for a motion to adopt proposed Local Law No. 8 amending the Code of the Town of Bethlehem Chapter 111 Taxation, regarding veterans exemptions.

Adopt Local  
Law No. 8, 1994  
re: Veterans'  
Exemptions

The motion was made by Mr. Lenhardt and seconded by Mr. Webster to approve the adoption of Local Law No. 8 amending the Code of the Town of Bethlehem, Chapter 111, Taxation, regarding veterans' exemptions. The motion was adopted by the following vote:

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,  
Mrs. Davis.

Noes: None.

The Supervisor noted Mr. Johnson took the words right out of all of our mouths, when he thanked the veterans. Mr. Leafer was also thanked for his efforts in this matter, noting his work has just begun. A gentleman noted he called Mr. Leafer and told him he restored his faith in government. Mr. Leafer was commended as the most knowledgeable, personable individual and indicated Mr. Leafer was informed of this.

Discussion  
Proposed  
Local Law  
No. 7, 1994  
amending  
Local Law  
No. 5, 1991  
re: Zoning

The next item on the agenda was a discussion of proposed Local Law No. 7 of 1994 amending Local Law No. 5 of 1991 which rezoned certain lands from Residence A and Planned Residence Districts to Residence AA and Residence AAA Districts. Note was made that the public hearing was held September 14, 1994. Information was necessary from Albany County Planning Department before a vote could be taken on this item.

The motion was made by Mr. Webster and seconded by Mrs. Davis to adopt the SEQR resolution with regard to Local Law No. 7 of 1994. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,  
Mrs. Davis.

Noes: None.

Local Law  
No. 7, 1994  
Adopted

The motion was made by Mr. Webster and seconded by Mr. Putney to adopt Local Law No. 7 of 1994 amending Local Law No. 5 of 1991 which rezoned certain lands from Residence A and Planned Residence Districts to Residence AA and Residence AAA Districts. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,  
Mrs. Davis.

Noes: None.

Presentation  
of 1995  
Tentative  
Budget

The next item on the agenda was the presentation of the 1995 Tentative Budget which was officially presented to the Town Clerk for consideration by the Town Board and the public. The Town Board members were given the budget at this meeting. Supervisor Fuller gave the following Budget Message regarding the 1995 year.

#### Budget Message -1995

This evening we are presenting the proposed Town budget for 1995. Budget workshops will be held on October 11 and 13, to allow the Board to meet with the Town's department head to answer questions. The workshops are open meetings, to which the public is invited to come and listen to the information discussed. The public hearing, where residents will have a chance to ask questions and make

comments, will be held on October 26. Each of the meetings will begin at 7:30 pm.

We remain committed to preserving responsible fiscal policy, which includes keeping a tight rein on spending, regularly updating a long range capital plan to avoid surprises down the road, and the use of reserves to minimize the need to incur debt. The Town's fiscal health benefits all residents, not only in the form of stable taxes, but also in lower debt service costs. By incurring less debt, we have lower interest costs. Also, by being fiscally strong, the Town has a better credit rating, which translates into a lower interest rate on the debt we do incur.

The additional sales tax monies received in 1994 were used to bolster the Town's financial position, by using them to reduce debt, to provide for needed maintenance of equipment and facilities that had been deferred in prior years due to insufficient resources, and to create reserves to enable us to reduce our need for new debt on planned purchases of capital items and major repairs. We applied the monies to nonrecurring costs, to avoid our dependence on a source of funds that was subject to discontinuance. A portion of the monies were also used to reduce the tax levies in the general and highway funds.

The continuance of the eight percent sales tax through November 1995 has placed the Town in a position to better cope with the significant expenses to be incurred with the creation of a composting facility and the closure of our landfills. The North Street yard waste disposal site is slated for closure in the Fall of 1996, and will cost approximately \$430,000. The Rupert Road landfill will also require closure within the next three years, with costs similar to the North Street closure. The proposed new yard waste composting facility is estimated to cost \$650,000. The plans and approval process for this will begin in 1995. These three projects will cost at least one million dollars. By creating reserves for these projects now by applying the additional one percent sales tax monies, we continue our policy of wisely using these temporary funds.

In addition to the extension of the one percent sales tax through November 1995, the Town also received some positive financial news in 1994 from other sources. The retirement system announced their plan for repaying the under funded pension costs due to the state's loss on appeal, and it did not require a sizable, retroactive payment. Mortgage tax receipts continue to be strong in 1994, although it is likely that there may be a decrease in 1995. Investment interest rates are gradually improving, going from about 3% in 1993 to around 4.6% currently.

To the detriment of the town's finances, the County is insisting on payment of election board charge backs, despite a state comptroller's decision that such payments are not appropriate. In 1994, they are planning to withhold \$122,000 from our mortgage tax proceeds in December for 1993 and 1994 charge backs, and are seeking \$60,000 in 1995.

There have been a number of changes in the assessment base for the Town-wide taxes, which includes the general fund and the highway fund. Most notably, is the approval of the new Veterans' exemption. The state legislature passed a bill this year which enables qualifying veterans to receive a special exemption. It is estimated that the granting of these exemptions will result in a reduction to the assessment rolls of approximately \$42 million dollars. While the Town has had other additions to its residential and commercial tax base in 1994, and has been successful in its certiorari proceeding with a large, commercial tax payer, there is actually a decrease of about \$21 million dollars in the assessment base, largely due to the granting of the veterans' exemptions. To prevent a tax increase to our residents who are not eligible for the veterans' exemption, the 1995 budget proposes a reduction of \$60,000 in the General town and Highway Fund tax levies.

There are no significant changes in composition of Town personnel in 1995. We continue to strive to offer superior services to our

employees, who consistently prove themselves as dedicated and hardworking.

We wish to affirm though, that we are not working in an isolated cocoon, unphased by the turmoil still wreaking itself on the private sector. We believe that salaries and benefits paid to Town employees should be fair, but comparable to those in the private sector. We will not put ourselves in the position of faring better than those who pay our salaries.

The inflation rate is estimated to be 3.5% in 1995. Surveys of private sector employers throughout the United States indicate that 1995 raises will average about 4.2% for salaried and hourly employees. In light of this data, we recommend that Town employees be given a raise of 4% in 1995. Although this raise is subject to negotiation with the Town's police and Telecommunicator's unions, we are hopeful that this rate will be acceptable, and have budgeted accordingly.

As you may recall, the tax levy in the General Fund decreased approximately \$103,000 in 1994, to \$935,000. The tax levy in the Highway Fund increased 2.5%, but because of the decrease in the General Fund, there was an overall decrease in the Town wide tax levies of approximately \$27,000. We are happy to announce that in 1995, we propose to further reduce the tax levy by \$35,000 in the General Fund, and reduce the tax levy in the Highway Fund by \$25,000. Water and sewer rates will see an approximate 3% decrease. These rate reductions should result in a tax decrease for most residents.

To give you a tangible example, is an individual's property is assessed at \$130,000, their 1994 taxes (excluding county taxes and special districts) were \$412.35, versus \$405.15 in 1995, representing a 1.8% decrease.

As a reminder, the work sessions are scheduled for October 11 and 13 at 7:30 pm. We invite you all to attend. It is a work session for the board, there will not be public comment at that time, but it is an opportunity for the residents to observe the Board going through this budget process.

MRS. KEHOE: Starting with the General Fund, the appropriations will increase by approximately \$329,000 or 3.6% which is in line with the inflation rate. Personnel costs will increase approximately \$354,000 which represents a 6.2% percent increase from 1994. This is primarily comprised of the 4% raise, plus increments and longevity. Contractual expenses and contributions to reserves are up \$70,000 or 2.2%. Dept service is down \$95,000 or 53.9% due to the declining loan balances. The total revenues of \$9,155,000 and expenses of \$9,396,381 we have budgeted \$241,381 deficit.

We have made funds available for a potential new program in 1995. There have been some interest in holding a household hazardous day in 1995. Funds of \$60,000 have been budgeted to provide for this in case the Board decides to offer this service to the residents.

The Highway Funds presents a balanced budget in 1995 with a total revenues and expenses of \$3,698,000 each. Appropriations have increased by approximately \$202,000 or 5.8%. This change reflects the increase in personal costs, including a 10% increase in overtime appropriations to more closely match actual overtime incurred over the last few years. Contractual items have increased based on anticipated inflation, and a proposed contribution of \$15,000 to a reserve fund.

The Water Fund appropriations show an increase of approximately \$1,398,000. This is primarily due to and \$869,000 increase in debt service associated with the new water treatment plant, which is offset by higher water rents for industrial users. Excluding debt service, appropriations have increased approximately \$529,000, or 18.4%. This increase reflects an additional \$485,000 for water rents, to pay for the purchase of Albany water prior to completion of the new water plant. This too will be offset by industrial user fees. Because of our ability to recoup the water usage costs from

industry, the General Water District Tax will decrease 2.7%, from a rate of \$.75 to \$.73 per \$1,000 of assessed valuation. Residential water rates will remain the same in 1995, so assuming no change in water usage, residents can expect a decrease in their 1995 water payments.

The Sewer Budget appropriations show an increase of approximately \$36,000, or 1.3%. Increases in contractual and personnel costs have largely been offset by decreases in debt service. The tax rates in the Delmar-Elsmere Sewer District will decrease approximately 4%, to \$.46 per thousand (vs. \$.48 in 1994) and the rate in the extensions will approximate \$.51 per thousand, vs. \$.53 in 1994, a 4% decrease. The water use surcharge rate will be approximately \$1.32 per 100 cubic feet, vs. \$1.36 in 1994, a 3% decrease.

The motion was made by Councilman Lenhardt and seconded by Mr. Putney to set the Public Hearing for the 1995 Budget for October 26, 1995 at 7:30 pm. The motion was passed by the following vote:

Set Public  
Hearing  
1995 Budget

AYES: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,  
Mrs. Davis.  
NOES: None.

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The following item on the agenda was a recommendation from David Austin, Administrator of Parks & Recreation Department, for acceptance of land donation from Gilbert and Helen Houk, Selkirk, NY and authorization of the Supervisor to sign the deed.

Accept land  
donation  
from Gilbert  
and  
Helen Houk

Mr. Austin indicated Mr. and Mrs. Gil Houk live on Thachter Street in the Selkirk area. They own some land which is adjacent to and behind Maple Avenue and Thachter Street. They have offered to donate a portion of the land, about 4.1 acres, to the Town. The land has would be useful to the Town due to the fact the Town maintains tennis courts and basketball courts presently on the RCS school district property. This land could be used for future recreational activities and is actually a very good location to expand the recreational facilities that are presently available in the Selkirk area.

The motion to accept the land donation from Gilbert and Helen Houk with a contingency that the Ravena-Coeymans-Selkirk Central School District officially grant to the Town of Bethlehem access to the property by easement was made by Mr. Webster and seconded by Mrs. Davis. The motion was carried by the following vote:

AYES: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,  
Mrs. Davis.  
NOES: None.  
ABSENT: None.

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The next item was to acknowledge receipt of Preliminary Plat approval for Carriage Hill Subdivision from the Planning Board for information purposes.

Acknowledge  
receipt of  
Preliminary  
Plat  
Carriage Hill  
Subdivision

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The next agenda item was to acknowledge receipt of Preliminary Plat approval for Glen Manor Subdivision from the Planning Board for information purposes.

Acknowledge  
receipt of  
preliminary  
plat for  
Glen Manor  
Subdivision

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The following item was to acknowledge receipt of Final Plat approval for the Bittersweet Knolls Subdivision from the Planning Board for information purposes.

Acknowledge  
Final Plat  
Bittersweet  
Knolls

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The following item was a recommendation from Terrence Ritz, Engineering Division, Department of Public Works, for approval of

House street name assignment and house numbers for Lynch Road, Font Grove  
 Numbers and Road, Carson Road, Maple Avenue, Selkirk and Glenmont Court, Glenmont.  
 Street Names  
 Lynch Rd., The motion to accept the street name assignment and house  
 Font Grove Rd, numbers for Lynch Road, Font Grove Road, Carson Road, Maple Avenue,  
 Carson Rd., Selkirk and Glenmont Court, Glenmont, was made by Mr. Lenhardt and  
 Maple Ave, seconded by Mr. Webster. The motion was carried by the following  
 Glenmont Ct. vote:

AYES: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney and  
 Mrs. Davis.  
 NOES: None.

Conference Traffic Safety Boards Police Dept. The next item was a request from Richard J. LaChappelle, Chief  
 of Police, for approval of attendance of Sgt. Kerr and Officer Vunck  
 at the 1994 Annual Conference of Traffic Safety Boards and Stop DWI  
 Coordinators at Lake Placid, NY with transportation by Police vehicle.

The motion for approval of attendance of Sgt. Kerr and Officer  
 Vunck at the 1994 Annual Conference of Traffic Safety Boards and Stop  
 DWI Coordinators at Lake Placid, NY was made by Mr. Webster and  
 seconded by Mr. Lenhardt with expenses paid by the STOP DWI fund and  
 travel by police vehicle and no overtime incurred. The motion was  
 carried by the following vote:

AYES: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney and  
 Mrs. Davis.  
 NOES: None.

Accept DEIS Draft Master Plan & Set Public Hearing to consider Local Law No.9, 1994 The next agenda item was to accept the DEIS for the draft Master  
 Plan and set special meeting for the purpose of holding a public  
 hearing on October 19, 1994 at 7:00 pm for comments on the DGEIS and  
 consideration of Local Law No. 9 of 1994.

Mr. Lipnicky gave a brief presentation regarding the Draft DEIS  
 of the Master Plan. He noted what had been done or what the Board  
 had done in regard to the Positive Declaration under SEQR requiring a  
 Draft Environmental Impact Statement being prepared. Essentially the  
 DEIS has been prepared and submitted to the Board for review. The  
 draft DEIS to a large extent is a summary of the Master Plan itself.  
 When the LUMAC committee put the DEIS together, one of the things  
 that the committee was particularly cognoscente of was in developing  
 the draft Master Plan to dot this in such a way that future  
 development in the Town of Bethlehem would be accomplished in such a  
 way that it would minimize impacts on the environment as compared to  
 current zoning regulations and the current land use control system.

The document basically summarizes the existing environmental  
 conditions in Town and summarizes potential impacts from adoption of  
 the Local Law. In essence our conclusion is that adoption of Local  
 Law No. 9 or adoption of the Master Plan in and of itself, does have  
 a significant impact on the environment. The adoption of the plan,  
 as stated by Mr. Lipnicky does not change any land use regulations or  
 affect any zoning changes, etc., etc. What could have impacts on the  
 environment is implantation of the Master Plan which means zoning  
 code changes; the implementation of recommendations for roadway  
 improvements; and other proposed changes.

The primary negative impacts identified with regard to adoption  
 of the plan have been mentioned. The negative impacts to some extent  
 are highly speculative at this time.

The resolution, is contained in the DEIS, has a couple of  
 corrections on. All the references and resolutions should be changed  
 to Local Law No. 9. Similarly when we distribute the DEIS to  
 interested and involved agencies, all the document will be changed to  
 Local Law No. 9.

In the second resolved of the resolution, the second resolve  
 should read as follows: Be it further resolved that the Town Board

shall hold a combined SEQOR hearing on Local Law No. 9 of 1994 and the Master Plan, DGEIS at a Town Board Meeting scheduled for October 19, 1994. And again, the resolve which follows that, the date November 28, 1994 should be inserted.

The Supervisor thanked Mr. Lipnicky. There were no questions from the Board.

The motion to set a public hearing at a special meeting of the Town Board to be held October 19, 1994 at 7:00 p.m. for the proposed Master Plan was made by Mr. Lenhardt and seconded by Mrs. Davis. The motion was carried by the following vote:

AYES: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney and Mrs. Davis.

NOES: None.

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The next item on the agenda was a recommendation from Michael Cirillo, Engineering Services Administrator, for acceptance of deeds for Somerset Woods Subdivision, Phase 3.

Accept  
Deeds  
Somerset  
Woods  
Phase 3

The motion to accept deeds for Somerset Woods Subdivision, Phase 3 was made by Mr. Webster and seconded by Mr. Lenhardt. The motion was carried by the following vote:

AYES: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney and Mrs. Davis.

NOES: None.

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The following item was a request from Gregg Sagendorph, Highway Superintendent, for approval of attendance of two highway employees at a pesticide training and recertification program to be held October 12, 1994 at Schenectady, NY with registration fee paid.

Seminar  
Pesticide  
Training  
Highway  
Dept.

The motion was made by Mr. Lenhardt and seconded by Mr. Putney to approval attendance of two highway employees at a pesticide training and recertification program to be held October 12, 1994 at Schenectady, NY with registration fee of \$75.00 each paid. The motion was carried by the following vote:

AYES: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney and Mrs. Davis.

NOES: None.

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The next item was a request from Gregg Sagendorph, Highway Superintendent, for permission to dispose of 8 vehicles at auction at Clifton Park, NY.

Approve  
disposal  
of 8  
vehicles  
Highway  
Dept.

The motion was made by Mr. Lenhardt and seconded by Mr. Putney to approve the request of Highway Superintendent, Gregg Sagendorph, to dispose of 8 vehicles as listed at auction at Clifton Park, NY. The motion was carried by the following vote:

AYES: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney and Mrs. Davis.

NOES: None.

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The following agenda item was a request from Richard LaChappelle, Chief of Police, for approval of attendance at the 32nd Annual Meeting of the National Bloodhound Association in Long Beach Island, New Jersey, October 12-15, 1994.

Conference  
National  
Bloodhound  
Association  
Police Dept.

Motion to approval the attendance of Lt. Clark at the 32nd Annual Meeting of the National Bloodhound Association in Long Beach Island, New Jersey, October 12-15, 1994 with expenses paid and transportation by police vehicle was made by Mr. Lenhardt and

seconded by Mr. Webster. The following motion was carried by the following vote:

AYES: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney and Mrs. Davis.  
NOES: None.

Seminar  
Recycling  
Coordinator

The next item was a request from Highway Superintendent, Gregg Sagendorph for approval of attendance of Recycling Coordinator for attendance at a two day conference in Syracuse, NY to be held November 1 and 2, 1994 with expenses paid.

The motion was made by Mrs. Davis and seconded by Mr. Putney to approve the attendance of Recycling Coordinator, Sharon Fisher, at a two day conference in Syracuse, NY to be held November 1 and 2, 1994 with expenses paid. The motion was carried by the following vote:

AYES: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney and Mrs. Davis.  
NOES: None.

Approve  
Minutes  
Aug. 24, 1994

The last item on the agenda was to approve the Town Board minutes of August 24, 1994.

The motion was made by Mr. Lenhardt and seconded by Mr. Putney to approve the minutes of August 24, 1994. The motion was carried by the following vote:

AYES: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney and Mrs. Davis.  
NOES: None.

Discussion  
Students  
at Bus Stop  
Brockley Drive

Supervisor Fuller asked if there was anyone in the audience that would like to address the Board.

Mr. Dick Welch of Brockley Drive, Delmar spoke to the Board about a problem with students after school hanging out on the corner of Delaware Avenue and Brockley Drive. He indicated they smoke, trespass on private property and sit in the road until the late bus leaves. He has addressed the problem through a letter to the Spotlight and discussion with school personnel, however, nothing has changed. This problem, although not new, has increased in the last 3 years. He handed out copies of a log he has kept since the beginning of this school year and an unofficial incident report filed with the Bethlehem Police Department. He came to the Town Board because he has not gotten any help from the school district. He has called the Police Department because the students are in the road and are causing traffic problems which affect the neighborhood. He would like the Town to contact the school and suggest enforcement of the school rules.

Supervisor Fuller asked the students from Participation in Government Class to express their views.

Several students spoke. They stated kids are going to smoke if not on Brockley Drive then somewhere else. They also stated there are a lot of kids after school on Brockley Drive and they take the late bus home. They stated it is against school policy to leave school grounds and then take the late bus home.

Supervisor Fuller advised Mr. Welch that she would call Dr. Loomis and discuss this problem with him.

The Supervisor asked for a motion to meet in Executive Session following the regular Town Board to discuss personnel matters.

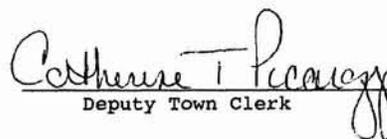
The motion was made by Mr. Putney and seconded by Mr. Lenhardt to meet in Executive Session following the regular Town Board meeting to discuss personnel matters. The motion was carried by the following vote:

AYES: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney, and Mrs. Davis.  
NOES: None.

Executive  
Session  
Personnel  
Matters

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The motion was made by Mr. Putney and seconded by Mr. Lenhardt to adjourn the regular Town Board meeting at 9:30 pm. The motion was passed by the following vote:

AYES: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney and Mrs. Davis.  
NOES: None.

  
Deputy Town Clerk

EXECUTIVE SESSION

There was no action taken at the Executive Session.