

TOWN BOARD  
APRIL 5, 2005

A Special Meeting of the Town Board of the Town of Bethlehem was held on the above date at the Town Hall, 445 Delaware Avenue, Delmar, NY. The meeting was called to order by the Supervisor at 5:30 p.m.

PRESENT: Theresa Egan, Supervisor  
Daniel Plummer, Councilman  
George Lenhardt, Councilman  
Thomas Marcelle, Councilman  
Tim Gordon, Councilman  
Kathleen A. Newkirk, Town Clerk  
James T. Potter, Esq., Town Attorney

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Supervisor Egan welcomed everyone and invited them to join in the Pledge of Allegiance. She thanked everyone.

The Supervisor said there were 2 items to be handled at this meeting. She said one is the consideration of the adoption of the proposed local law 1 of 2005 to extend the term of the moratorium on residential development. Supervisor Egan said they were talking about the possibility of fixing a term within the local law or having it based upon the adoption of the comprehensive plan and the zoning ordinance at the last meeting. She said there are a couple of renditions – one was to do 6 months from the effective date of the local law; proposal she would put forward based on Councilman Marcelle’s was to have the language read that the extension would occur for a period of 6 months from the effective date of this local law; or 30 days following the effective date of the new comprehensive plan and zoning ordinance as adopted by the Town Board whichever occurs earlier. The question was, according to Supervisor Egan, was 30 days, 45 days, 60 days -- trying to figure out what was wanted on this local law.

Councilman Plummer asked Mr. Leveille about the new schedule. He said it looks like the end of July. He said the question is if this is the one the Board adopts, is the 30 days enough time to do what has to be done. Mr. Leveille said they have already started the process of preparing themselves and are in the midst of retaining town designated engineers to assist in review. He said he thinks their capacity will greatly increase by the time the waive of applications come forward. He said he thinks within 30 days of completion of the schedule, they will be ready to handle what comes to them. He said he assumes once the plan is adopted and developers are getting confident with the content, they are going to have to adjust their plans accordingly. He said that will take a little bit of time so he does not expect an onslaught of activity immediately but he does think within 60 to 90 days they will be seeing a lot of applications. Mr. Plummer said he thought that was a very fair compromise and he would defer to Mr. Marcelle.

Councilman Marcelle said he wanted to thank Mr. Potter and Mr. Plummer, indicating he read the language for both different proposals and he thought this was a reasonable compromise and the language seems reasonable and fine. He said having Mr. Leveille state that he can be comfortable in 30 days, he can be comfortable too.

Councilman Lenhardt said he thought this was an excellent example of public debate where it started out with a goal and as a result of open discussion, they were able to accomplish the goal and still meet the needs of the developers, landowners and Board Members. He said he is happy with this and liked the idea of an event oriented approach rather than a time specific.

Councilman Gordon said for people hoping to build before the season was over he thinks the 30, 45 days earlier as they may find will be a big help.

The motion was made by Mr. Plummer and seconded by Mr. Marcelle to approve the adoption of Local Law No. 1 of 2005, to Extend the Term of the

Moratorium on Residential Development. The motion was passed by the following vote:

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

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Supervisor Egan said the only other item on the agenda had to do with getting a vote to consider forwarding the draft comprehensive plan that was provided to the Board to the Albany County Planning Board.

The motion was made by Mr. Marcelle and seconded by Mr. Plummer to approve forwarding a copy of the draft comprehensive plan to the Albany County Planning Board. The motion was passed by the following vote:

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

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The Supervisor asked if anyone wished to address the Board. No one spoke.

The motion was made by Mr. Plummer and seconded by Mr. Marcelle to adjourn the special meeting of the Bethlehem Town Board at 5:35 p.m. The motion was passed by the following vote:

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

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Town Clerk