

TOWN BOARD  
APRIL 9, 2008

A regular meeting of the Town Board of the Town of Bethlehem was held on the above date at the Town Hall, 445 Delaware Avenue, Delmar, NY. The meeting was called to order by the Supervisor at 6:00 p.m.

PRESENT: John H. Cunningham, Supervisor  
Samuel Messina, Councilman  
Kyle Kotary, Councilman  
Mark Hennessey, Councilman  
Kathleen A. Newkirk, Town Clerk  
James T. Potter, Esq., Town Attorney  
ABSENT: Joann V. Dawson, Councilman

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Supervisor Cunningham welcomed everyone to a regular meeting of the Bethlehem Town Board. He asked Councilman Kotary to lead the pledge of allegiance.

The first item was public comment on agenda items. Mrs. Marie Capone questioned the request from the Deputy Commissioner of Public Works and wanted to know where the Deputy Commissioner came from. The Supervisor stated during the Organizational Meeting, Erik Deyoe was appointed Deputy Commissioner of Public Works.

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Robert Jasiniski regarding the Memorandum of Understanding with the City of Watervliet has been trying to increase the capacity of the Watervliet Reservoir and we have had an emergency line that connects into Guilderland. Has the Town water purchase from the City of Albany gone up? Supervisor Cunningham stated that it has gone up and that our increase is under that contract consistent with whatever the increases for the City residents. Mr. Jasiniski then asked how long we have the contract with the City of Albany for how many years? The Supervisor stated that we have it for another 16 years. Mr. Jasiniski said so it beholds us to look into any extra water we could get from the Watervliet Reservoir. The Supervisor stated that the Town is looking into this for long term on this matter.

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John Smolinsky wanted to comment regarding the Comp Plan and the Code that was adopted afterward the idea of sidewalks and connections between neighborhoods was something that was emphasized. There are circumstances at Meadowbrook that make it difficult to think about a conventional sidewalk. Sometimes we should be looking outside the box on how we solve connections, like multi use pathways within subdivisions, sidewalks on the other side of proposed subdivisions, or things that are funded by Homeowners Associations or Maintenance funded by Homeowners Associations. The Supervisor thanked him and said that some of those were good ideas and we will have some good news for you regarding sidewalks with Meadowbrook because we have asked them to make some changes and those will be included in the presentation.

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Bill Kelleher wanted to know with regards to the contract for Watervliet for water, is it water well or treated water? Supervisor Cunningham gave some background on it. He said Watervliet has come and talked to the Town and they have asked the Town to consider purchasing water from them. He said in order to enter into any discussions about long term plan, either treated or raw water, they have asked the Town to sign this Memorandum of Understanding that allows the Town to talk to them and allows them to talk to the Town. He said it is a long term thing and they are not going in with an preconceived ideas, going in to talk about general ideas. He said some ideas that have been tossed about are maybe creating a water authority, others are to just do a direct pipeline into one of the Town's plants and just purchase raw water. He further stated none of that has been determined yet and said this will all come out of this project as it progresses. Mr. Kelleher noted

this was very good.

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Supervisor Cunningham asked if there were any other questions on agenda items. There were none.

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The next item was approval of the Town Board minutes of March 12, 2008. The motion was made by Mr. Kotary and seconded by Mr. Hennessey to approve the March 12, 2008 Town Board minutes as presented. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mr. Hennessey.

Noes: None.

Absent: Mrs. Dawson.

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PUBLIC HEARING BEGAN: 6:05 P.M.

SUPERVISOR CUNNINGHAM: The next item is the public hearing to consider the grant application for the South Albany Sewer Improvements.

The reading of the call of the hearing was waived with direction 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: Mr. Cunningham, Mr. Messina, Mr. Kotary, M. Hennessey.

Noes: None.

Absent: Mrs. Dawson.

#### **NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Bethlehem, Albany County, New York will hold a public hearings on March 26, 2008 and April 9, 2008 at 6:00 p.m. at the Town Hall, 445 Delaware Avenue, Delmar, NY to consider making application to the Small Cities Community Development Block Grant program for the South Albany Sewer District. The application will be to secure financial assistance for necessary sewer improvements to the district.

All parties in interest 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 the Town Clerk's office at 439-4955, ext. 1183. Advanced notice is requested.

BY ORDER OF THE TOWN BOARD

TOWN OF BETHLEHEM

Kathleen A. Newkirk, MMC, RMC

TOWN CLERK

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SUPERVISOR CUNNINGHAM: First, I will start by asking if the Town Board has any additional questions to our Commissioner of Public Works regarding the South Albany Sewer Improvements. I know we've talked out about adnauseam but want to make sure... Okay, good. And, then, is there anyone in the public that would care to make comments regarding the South Albany Sewer Improvements?

Okay. May I have a motion to close the public hearing?

The motion was made by Mr. Messina and seconded by Mr. Kotary to close the public hearing at 6:13 p.m. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mr. Hennessey.

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For an official copy of the minutes, please visit the Town Hall, 445 Delaware Avenue, Delmar, NY or call 439-4955.

Noes: None.  
Absent: Mrs. Dawson.

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Town Clerk

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The next item was a presentation on the proposed Meadowbrook Section 3 Building Project Application. Mr. John Schaefer with Spector Engineering said Rich Gladstone was with him, owner of the project. He said Mr. Lipnicky asked that he make a brief presentation of this project because it really started in 1984 and noted it probably transcends several Bethlehem Town Boards and Planning Boards.

Mr. Schaefer said Meadowbrook Section 3 in terms of orientation is along Blessing Road right across from the existing Meadowbrook apartments. He said it constitutes 66 acres and the proposal is to develop 25 of those 66 acres and leave the remaining open as part of a homeowners association, open lands. He said there are 2 sheets that make up the project. He said he won't dwell on the one because that is the open land to the east of what is being proposed for the development. He said in terms of orientation, he indicated Blessing Road and the new traffic circle on Route 85. He noted the project is encompassed on 2 sides by the Normanskill Creek and the zoning is PDD.

Mr. Schaefer said it was a PDD zoning before the moratorium and was continued on as a PDD after. He said what is being proposed is 48 single family lots, fairly small lots the smallest being around 10,000 square feet, ¼ of an acre. He said the public roads which are designed and will be turned over to the Town are Glad Boulevard and Stone Avenue. In terms of topography, Mr. Schaefer said it is quite varied which makes it both interesting, as well as, challenging. He said the elevation of the Normanskill is about 108 and the elevation of the cul-de-sac is about 148. He said there is about a 40 foot rise from the creek level up to the top of the project.

Mr. Schaefer said in terms of facilities, there are a number of storm water facilities that are being designed as part of the project and a number of easements and/or conveyances that will come over to the Town. He said obviously the 2 roads themselves will come over and be owned by the Town. He said in working with the Town Engineering Department, there are a couple other parcels that the developer has agreed to give to the Town – the 5 foot stretch along Blessing Road on the west side of the road and a triangle strip that would be difficult to maintain between the Town road and the adjacent privately owner property so that will be conveyed over to the Town. He said, as well as, the storm water pond located adjacent to the Normanskill. He said in addition to those conveyances, there will be 2 easements for storm water purposes. He said obviously to get to the pond itself from the road, as well as, the easement for these 2 catch basins to be maintained over time.

Mr. Schaefer said the water supply will be from the Bethlehem Water District that serves the area now. He said it will be public water and similarly the waste water will be the exiting wastewater district that serves the area. He said as part of the project, he thinks everyone knows the Bethlehem pumping station is down in this area, and they did take a look at that to make sure it could handle the excess flows from the project.

Mr. Schaefer said the lot layout is pretty typical. All of the utilities will be underground according to Mr. Schaefer, and storm water, of course, was a challenge. He said generally some of the water from the project flows to this unnamed stream that runs into the Normanskill but the great majority of the storm water actually comes down, is collected, and goes into this pond because the Normanskill is a ..... stream we were allowed to do that in terms of the runoff here as well as the design of the facility here was done in a way according to the regulations that it will serve the majority of the water coming off the project. He said in the highest of flows it is allowable to have a weir that allows the water to run directly into the Normanskill.

Mr. Schaefer said in terms of the creek crossing here, there will be 2 - 48 inch culverts to handle the storm water and then 2 - 3 foot high by 6 feet wide animal crossing culverts that will allow small animals to cross the road from this part of the property down to the Normanskill.

Mr. Schaefer said there will be a considerable amount of earth work and according to the new regulations as you probably know we can only disturb 5 acres at a time. So, this 25 acre project is actually broken up into 5 different phases in terms of earth work and construction. He said it is also broken up into 3 phases in terms of building lots and what that simply means is the first disruption of the property in terms of earth work will include part of Glad, this storm water pond, stone and the rest of Glad in the upper section. He said the majority of the road will be done in the first phase. He said the second phase will be the rest of the property alongside and inside the loop so that the first phase where the developer can come in and ask for building permits will be 13 lots along the entrance to Glad. That means there will be temporary shutoffs for both the water and the sewer at some point on the project, Mr. Schaefer said, and that's being designed in.

Mr. Schaefer said those were the major things that he wanted to point out. He said he knows there has been some discussion of sidewalks along the project. He said the drawing did not show any sidewalks but obviously that can be discussed. He asked if there were any questions, thoughts or comments.

Supervisor Cunningham asked Mr. Schaefer to talk about the landslides that have been along the Normanskill. Mr. Schaefer said that was right. Mr. Cunningham said all along and in that area on the other side, asking Mr. Schaefer to talk about the soil in the area and the risk if any exists. Mr. Schaefer said there is a very extensive geotech report done for this project – soil tests, saturation test, that sort of thing. He said if you look closely at the drawing, there are several lots on one side and then all of the lots between Glad Boulevard and the Normanskill will actually have pipes underground that will be installed in order to drain the water to keep the water level in the soil down to a certain level so it will be stable. He said they also have the traditional Town soil notes in the report and they prescribe that the smallest piece of equipment possible will be used in order to dig the trenches to put the pipe in. He said the planting plan is showing the plantings that will be put back in there as soon as the pipes are installed. He said the concept is to make sure the water saturation level of the soil does not get high enough where there can be any slippage.

Supervisor Cunningham asked if the soil is any more or less risky than other soil in the area to landslide or is it just because of the topography that you need to do this. Mr. Schaefer said it is both he thinks and that is why the pipes are so important in order to keep the water level down. He said obviously the more water in the soils, the more plastic it becomes and the less stable it becomes. He said these have been designed to make sure that water content is down below a level such that it will still be stable.

Supervisor Cunningham asked if the water draining out of the lots through these the pipes has to go back through a storm water pond. Mr. Schaefer said everything is being collected from this part of the project and will eventually work its way into the retention pond. Supervisor Cunningham said the pipes will also some how drain back to the retention ponds. Mr. Schaefer said no, those pipes will surface above the level of the Normanskill of course and will drain directly back into the Normanskill. He said whatever water that is in the soil naturally and is there now will be carried off through the underground pipes directly to the Normanskill. He said they are not collected as part of the storm water system.

Supervisor Cunningham thanked Mr. Schaefer. Town Attorney Potter asked as a follow-up to that, what the soils under the storm water pond and has that been analyzed the weight of the water and how it might impact the stability of that area. Mr. Schaefer said the geotech report goes on at some length about that question. He said he did not have the report with him but the engineering staff has that. He said that has been studied pretty thoroughly.

Councilman Messina said he mentioned something he wanted to pursue a little bit but the 2 or 3 route-ways you are constructing for smaller animals. Mr. Schaefer said yes. Mr. Messina asked him to tell him about those because his interest is in what that means for safety and things like that. Mr. Schaefer said there would be 2 arch culverts – 1 on each side of the 2 – 48 inch storm water pipes that carry water and so they would be on each side. He said they would be 36 inches high arches and then 6 feet across at the bottom with either sand or natural soil as their surface. He said they are founded on concrete pillars so that animals, if they want and feel comfortable can walk through them to get from one side of the road to the other.

Councilman Messina asked if kids could walk through them from one side of the road to the other. Mr. Schaefer said he supposed they could being 3 feet high, as well as they could walk through the 48 inch culverts.

Councilman Kotary asked what sorts of approvals are necessary to guarantee the integrity of the drainage system that was talked about. Mr. Schaefer said the first 2 things that come to mind is that the Engineering Department has reviewed this in great detail. He said they have provided several rounds of comments on the storm water system and design, as well as, the Town designated engineer has also made independent comments. He said there have been 2 very thorough and good reviews of the system. He said it is really put together by running the computer models that take the rain as it falls, looks at the topography of the site, the runoff coefficient – not to get too technical – but that amount of water and then depending on the computer model says, there has to be a catch basin and the pipe from this catch basin has to be 12 or 18 inches or whatever. He said it is all computer designed so that the entire system works as one and can handle all the rainfall that is expected for this area. He said again between the Normanskill there is an unnamed tributary, the storm water pond, the easements for catch basins to bring water into the system – it is quite elaborate. Councilman Kotary thanked Mr. Schaefer.

Councilman Kotary said also with regard to traffic mitigation, in the memo it talks about a fee per lot to be put toward a fund for that purpose. He asked Mr. Schaefer to talk about any ideas in terms of traffic mitigation and that can include sidewalks or not. He said he was just trying to get a sense. Mr. Schaefer said as he understands it is being developed right now. Mr. Carpenter said the topic initially came up maybe a year and so ago and it was raised in the context of the number of different developments that are going in in this general area. He said the Town asked whether Gladstone would contribute to a traffic mitigation fund to offset any traffic impacts to existing intersections in the area that would be compounded by this development and other developments. He said there was at least 1 other developer that they knew of who was asked to do the same thing.

Mr. Carpenter said to follow-through with that, they agreed to put “x” number of dollars into this fund to offset traffic mitigation impacts. Mr. Carpenter said if the Town has a different set of criteria and concerns, they are certainly open to discussion about what that might be. He said if there are impacts that need to be offset then they should discuss the impacts – if they are not traffic impacts any more and they are something else, they should discuss them. Supervisor Cunningham said it was his understanding that they contacted someone this week and it has been agreed that it can be either traffic or pedestrian. He said in this way the funds could be used either traffic mitigation or sidewalk. Mr. Carpenter said again, whatever the impact is, if it needs to be offset then the parameters will have to be set for that. Supervisor Cunningham said correct and it is a per lot fee that will be collected as the development moves forward.

A gentleman said just as an engineering comment, putting sidewalks on the west side of Blessing is very, very difficult. He said the guide rail is right next to the pavement and it drops off pretty quickly. He said this is not so on the other side. He said there are maybe 3 or 4 trees that might be impacted but it is much easier to do it on that side. Supervisor Cunningham said the sidewalks that he is looking at would come from that down towards the roundabout because there will be a pedestrian bridge that will bring pedestrians over to New Scotland. He said it

would give pedestrian access to the hamlet zone that is being built on New Scotland. The gentleman said he did not know if his comment from here down or not. Mr. Carpenter asked if this would be a connector between this subdivision and another pedestrian way. Supervisor Cunningham said the desire would be to get a sidewalk on Blessing Road coming down and to the roundabout – there will be a crosswalk at the roundabout – and a pedestrian bridge across the Normanskill and then DOT's project will bring sidewalks from Cherry Avenue all the way to the Normanskill. He said there will be pedestrian access all the way up basically to Ross's and the Golden Coin and theoretically you could walk up to the Price Chopper. He said they are trying to create that interconnection, noting this is the good news in all this.

Supervisor Cunningham asked about the animal culverts. He said he has not seen this done in Town before nor is he familiar with it. He asked if this was a requirement for this project. Mr. Carpenter asked Mr. Lipnicky to help since this project goes back a long ways. Mr. Lipnicky said this came out of the work done and the Army Corps of Engineers wanted to see a connection between the wetlands that flow through the tributary and part of that. He noted DEC is doing this on a lot of projects and the Corps of Engineers, essentially where you are cutting off one side of a stream from another side of the stream. He said they want to see a biological connection between the 2 to allow animal wildlife to continue to utilize it. Supervisor Cunningham noted he has heard of them along the Northway but never in Town. Town Attorney Potter asked Town Planner Lipnicky if the Town will be taking title to that. Mr. Lipnicky said he believed the Town would because it would be in the right-of-way. Town Attorney Potter asked if there would be a danger of flooding in that. Mr. Lipnicky said yes, saying the culvert would be within the flood plain of the Normanskill and if anybody has seen the Normanskill flood, it can get pretty high. The engineer said the good news of that he supposes is that the bottom level of the animal crossing culverts is 4 feet higher than the invert of the storm water pipes so they would not flood regularly. He said if they did flood, it would only be in the most severe circumstances.

The engineer said an interesting question was raised about the wetlands. He said there are a couple of very small wetlands on the project that do not show on the map exhibited. He said they show on sheet 12 of the 15 drawings he thinks. He said as part of the mitigation, there used to be a road that came in from Blessing Road and crossed the creek and actually went across the Normanskill and served property on the other side of the Normanskill. He said that road has been dealt with from a legal standpoint and is no longer owned by anyone other than the owner of this property. He said as part of the wetland mitigation, they are going to take out the fill that constituted the old road as part of the wetland mitigation. He noted the Army Corps of Engineers wanted them to take that fill out of there.

Councilman Messina said he had one more question. He said it may be a little early to ask but his interest was in regard to the Memorandum that Mr. Lipnicky talks about a draft parkland resolution. He said the question is that it might not be developed yet but is the Town Board going to be dealing with a choice of set aside park land or fees in lieu of, how will it work. Mr. Lipnicky said both the staff and the Planning Board has recommended on this particular parcel the fee in lieu. He said the reason is primarily that although the land area along the Normanskill is very nice there is difficulty in access to it. He said it is also within the 100 year flood plain and partially in the 100 year flood zone. He said they have an area that if facilities were developed, it would be difficult to maintain and homes right adjacent to it. He said what happens in terms of kids and ATVs and other things could become annoying to homeowners. He said this was discussed with the Administrator of Parks and Recreation also and there is agreement that this is not the best site for a park.

Mr. Lipnicky said in the alternative, what is going to happen to all that land area is it is going to be in a homeowners association and deed restrictions will be looked for as part of that and maintain the land in open space under the ownership of the homeowners association. He said the only negative of that is from some person's perspective that there would be no public access unless you are a member of the homeowners association.

The engineer said in addition to the homeowners association, of course, there will be a drainage district created as part of this project. He said the drainage district is intended to fund the clean out and maintenance of any of these storm water facilities that are required over time. He said the drainage district will encompass all of the land that is seen that will be developed on the one sheet.

Councilman Hennessey asked what the anticipated price of a house will be. Mr. Carpenter said he would hazard to guess. Supervisor Cunningham asked about the square footage of the houses or any concept of what the square footage might be. Mr. Carpenter said his understanding is that they would be somewhere in the neighborhood of between 2,000 and 3,000 square feet. He asked not to be quoted on that, noting he can get that information.

Supervisor Cunningham asked if the Board had any other questions. There were none and he thanked everyone.

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The following item was a request from Commissioner of Public Works, Josh Cansler, to authorize the Town Supervisor to sign a Memorandum of Understanding (MOU) with the City of Watervliet to enter into discussions relative to the purchase of water. Supervisor Cunningham noted this was talked about a little earlier but he briefly reviewed. He said the City of Watervliet has approached the Town with an interest in selling the Town water. He said the Town has currently 2 water sources -- one is the New Salem plant and the reservoir in New Scotland and the Clapper Road plant that produces water primarily for industrial use and 23 homes. He said that water is not brought into the main water system. He said the remainder of the water for the Town is purchased from the City of Albany. He said there is a contract that was originally for 20 years, we are 4 years into that contract and they are looking at the long term and looking at what other options the Town has available to it in order to manage the cost of water and make sure that we have a sufficient supply going forward. He said to that end, the City of Watervliet has asked the Town to sign a Memorandum of Understanding to begin discussions on options available to the Town.

Supervisor Cunningham said the request is for the Supervisor to be authorized to sign the Memorandum of Understanding with the City of Watervliet to enter into discussions. He said the Mayor was authorized to sign the Memorandum on Monday.

The motion was made by Mr. Messina and seconded by Mr. Hennessey to authorize the Town Supervisor to sign a Memorandum of Understanding (MOU) with the City of Watervliet to enter into discussions relative to the purchase of water. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mr. Hennessey.

Noes: none.

Absent: Mrs. Dawson.

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The next item was a request from Town Engineer, Erik Deyoe, for approval of award of bid for Clapper Road Generator Replacement to FPI Electric, Inc., Cohoes, NY at a bid price of \$117,800. Supervisor Cunningham noted there was a break down of this generator so it is a timely replacement.

The motion was made by Mr. Kotary and seconded by Mr. Messina to approve the award of bid for the Clapper Road Generator Replacement to FPI Electric, Inc., Cohoes, New York at a bid price of \$117,800 as requested by Town Engineer, Erik Deyoe. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mr. Hennessey.

Noes: none.

Absent: Mrs. Dawson.

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The next item was a request from Deputy Commissioner of Public Works, Erik Deyoe, to authorize the Town Supervisor to submit a grant application to the New York State Office for Small Cities for South Albany Sewer District Funding.

The motion was made by Mr. Hennessey and seconded by Mr. Kotary to authorize the Supervisor to submit a grant application to the New York State Office for Small Cities for the South Albany Sewer District Funding as requested by Deputy Commissioner of Public Works, Erik Deyoe. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mr. Hennessey.  
Noes: none.  
Absent: Mrs. Dawson.

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The following item was a request from Erik Deyoe, Deputy Commissioner of Public Works, to accept the map and plan regarding Sanitary Pump Station Improvements and schedule a public hearing for April 23, 2008 at 6 p.m.

The map and plan regarding Sanitary Pump Station Improvements for Sewer District No. 1 was accepted on motion of Mr. Hennessey, seconded by Mr. Kotary and passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mr. Hennessey.  
Noes: None.  
Absent: Mrs. Dawson.

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The following order was presented for adoption on motion of Mr. Hennessey and seconded by Mr. Kotary:

A meeting of the Town Board of the Town of Bethlehem, in the County of Albany, New York, was held at the Town Hall, in said Town, on April 9, 2008.

PRESENT:

Hon. John H. Cunningham, Supervisor  
Joann Dawson, Board Member  
Mark Hennessey, Board Member  
Kyle Kotary, Board Member  
Samuel Messina, Board Member

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In the Matter  
of the

Increase and Improvement of Facilities of  
the Town of Bethlehem Sewer District No. 1  
and the construction of improvements  
therein, in the Town of Bethlehem, County  
of Albany, New York, pursuant to Section  
202-b of the Town Law.

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**ORDER CALLING PUBLIC  
HEARING TO BE HELD ON  
APRIL 23, 2008**

WHEREAS, the Town Board of the Town of Bethlehem (herein called "Town Board" and "Town", respectively), in the County of Albany, New York, has, pursuant to Town Law, created the Town of Bethlehem Sewer District No. 1 (the "District"), and has directed Barton & Loguidice, P.C., a professional engineering firm licensed in New York, to prepare a map and plan for the District sewer improvements, including but not limited to, the reconstruction and construction of pump stations located on Thatcher Street, Elsmere Avenue, John Street, Kenholm, Hudson Avenue, Skycrest and Kenwood Avenue along with the reconstruction and construction of control buildings, installation of new electric service, installation of stand-by generators, installation of radio telemetry based PLC controlled SCADA systems at each pump station, site improvements including

new water service, paved access, security fencing and forcemain improvements and the replacement of approximately 4,200 linear feet of 8-inch, 15-inch and 18-inch forcemain with new 10-inch and 24-inch gravity sewer; and all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto, (the "Improvements"); and pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board such map and plan for said increase and improvement of facilities of the District and has estimated the total cost thereof to be a maximum amount of \$5,200,000; said cost to be financed by the issuance of serial bonds of the Town in the amount of \$5,200,000, offset by any federal, state, county and/or local funds received; and

NOW, THEREFORE, BE IT

ORDERED that a meeting of the Town Board of the Town of Bethlehem will be held at the Town Hall, 445 Delaware Avenue, Bethlehem, New York, on April 23, 2008 at 6:00 p.m. o'clock P.M. (prevailing Time) to consider said increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in each newspaper designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

TOWN BOARD OF THE  
TOWN OF BETHLEHEM

The adoption of the foregoing Order Calling for Public Hearing was duly put to a vote on roll call, which resulted as follows:

AYES: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mr. Hennessey.

NOES: None.

ABSENT: Mrs. Dawson.

The Order Calling for Public Hearing was declared adopted.

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The next item was a request from Deputy Commissioner of Public Works, Erik Deyoe, to approve hiring Barton and Laguidice, consultants to complete trunk sewer capacity study.

The motion was made by Mr. Messina and seconded by Mr. Kotary to approve hiring Barton and Laguidice, consultants to complete trunk sewer capacity study as requested by Erik Deyoe, Deputy Commissioner of Public Works. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mr. Hennessey.

Noes: none.

Absent: Mrs. Dawson.

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The following item was a request from Administrator, Nan Lanahan, Parks and Recreation Department, to authorize Town Supervisor to sign a 3 year Agreement with Ellison Enterprises to operate concession stand at Elm Avenue Park. Supervisor Cunningham said Ellison Enterprises has been operating the concession stand for 12 years. He said this is an extension and a slight increase in their lease.

The motion was made by Mr. Kotary and seconded by Mr. Hennessey to authorize the Supervisor to sign a 3 year Agreement with Ellison Enterprises to operate the concession stand at the Elm Avenue Town Park as requested by Nan Lanahan, Administrator, Parks and Recreation Department.

Councilman Messina mentioned that he did reach out to Mrs. Lanahan on the issue of competitive bidding and also clear understanding of a satisfaction of a vendor and from what he has heard from both Mrs. Lanahan and in the past, this has been a good deal for the Town. He said he wanted to enter that in the record and be comfortable with that. Supervisor Cunningham said the vendor has done a very good job for the Town.

The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mr. Hennessey.

Noes: none.

Absent: Mrs. Dawson.

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Request from Nan Lanahan, Administrator, Parks and Recreation Department to approve the appointment of seasonal personnel.

The motion was made by Mr. Hennessey and seconded by Mr. Kotary to approve the appointment of seasonal personnel as listed on the Memorandum dated April 9, 2008 at the titles and salaries listed as requested by from Administrator, Nan Lanahan, Parks and Recreation Department. The motion was passed by the following vote:

Ayes: Mr. Messina, Mr. Kotary, Mr. Hennessey.

Noes: none.

Abstain: Mr. Cunningham.

Absent: Mrs. Dawson.

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The following item was a request from Director of Economic Development and Planning, George Leveille, to reappoint the following individuals to the Community Advisory Committee on Conservation (CACC) for a term of two years expiring April 30, 2010 –

- Libby Leibschutz – Chairman;
- John Mead;
- David Van Luven;
- Nancy Heinzen; and
- Mike DiPaolo.

Supervisor Cunningham said there were 5 members' terms that expire this month. He said all 5 have agreed to extend to another term which he is very grateful for noting they have done a great job.

The motion was made by Mr. Messina and seconded by Mr. Hennessey to approve the reappointment of the following individuals to the Community Advisory Committee on Conservation:

- Libby Leibschutz – Chairman;
- John Mead;
- David Van Luven;
- Nancy Heinzen; and
- Mike DiPaolo

as requested by George Leveille, Director of Economic Development and Planning. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mr. Hennessey.

Noes: none.

Absent: Mrs. Dawson.

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The next item was a request from Director of Economic Development and Planning, George Leveille, to authorize the Town Supervisor to amend the contract with Behan Planning Associates, LLC to include consultation services for the Farm and Open Space Protection Plan. Supervisor Cunningham said he wanted to talk a little bit about this item. He said this is an amendment to the contract with Behan

Planning. He said they had been approved to work as consultants on the open space plan and said this amendment will include in the contract the farmland protection plan. He said the funding for the amendment to the contract comes from the grant just received on farmland protection.

The motion was made by Mr. Kotary and seconded by Mr. Messina to approve the amendment to the contract with Behan Planning Associates, LLC to include the farmland protection plan with funding coming from the grant received for farmland protection. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mr. Hennessey.

Noes: none.

Absent: Mrs. Dawson.

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Supervisor Cunningham thanked the staff for all the hard work done putting this plan together and getting the grant money together. He further said Rob Leslie, George Leveille and Mike Morelli have done a great job and he really appreciates the work.

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The following item was a request from Assistant Director, Michael Morielli, Economic and Planning Department, regarding adoption of Resolutions for the VISTA Master Plan modifications.

The following resolution was presented for adoption:

**RESOLUTION NO. 9  
TOWN BOARD OF THE TOWN OF BETHLEHEM  
MIXED ECONOMIC DEVELOPMENT DISTRICT (MED) #1  
Reaffirmation of VISTA Technology Campus Master Plan**

WHEREAS pursuant to Section 128-37.F of the Zoning Law of the Town of Bethlehem, on July 11, 2007 the Town of Bethlehem Town Board approved **MEDD Application - MED No 1** – Master Plan for the VISTA Technology Campus; and,

WHEREAS the project consists of approximately 330 acres of land within the Town of Bethlehem currently zoned MEDD, and approximately 128 acres of land within the Town of New Scotland currently zoned Residential-2 (R-2), for a total project acreage of roughly 458 acres. Development will occur on approximately 150 acres of the site. The Project proposes the development of approximately 1.4 million square feet of building space. The bulk of the building space will consist of research, technology and office space. Secondary uses will include residential condominium units, a bank and a mix of retail uses, restaurants, hotel; and,

WHEREAS the project is located on LeGrange Road, at the round about at LeGrange Road and NY Route 85, in the Town of Bethlehem, Albany County, New York; and,

WHEREAS on March 26, 2008 the applicant appeared before the Town Board to present revisions to the plan, which includes the realignment of the proposed public roadway. The realignment will decrease the amount of public roadway and utilities by approximately 5,500 feet and would result in the elimination of all wetland impacts throughout the Vista site. Also proposed is the inclusion of up to forty-eight (48) residential condominium units to be developed in the area previously identified for a hotel. The hotel is proposed for a later phase in the project and is anticipated that the current Jones' residence would be converted and expanded for that use; and,

WHEREAS the overall build-out of the site will remain at 1.4 million square feet and the ratio of primary to secondary uses remains the same; and,

WHEREAS the Town of Bethlehem Town Board finds that proposed revisions provide for an improved project design but does not represent significant modifications to the original Master Plan approval; and,

WHEREAS the project remains consistent with the Town of Bethlehem's Comprehensive Plan and the Town of Bethlehem's Zoning Law; and,

WHEREAS except for the revisions noted above and shown on the following drawing, the Town Board's Master Plan approval of July 11<sup>th</sup>, 2007 remains in full force and effect:

**Title of Drawing: Revised Master Plan For Vista Technology Campus**

Prepared by: Hershberg & Hershberg  
18 Locust Street  
Albany, New York 12203

**Dated:** December 4, 2007 with the latest revision date of March 20, 2008

WHEREAS subdivision and/or site plan approval by the Planning Board, as provided in §128-71 of the Town of Bethlehem Zoning Law and Chapter 103, is required for each building prior to the issuance of a building permit;

NOW, THEREFORE, BE IT RESOLVED,

The Town Board has reviewed the revisions to the approved Master Plan; and has determined that the revisions provide for an improved project design but does not represent a significant modification to the original Master Plan and further that said Master Plan remains consistent with the Town's Comprehensive Plan and meets all the criteria set forth for the Mixed Economic Development District (MED) in § 128-37 of the Town of Bethlehem Zoning Law.

On a motion by Mr. Kotary, seconded by Mr. Hennessey, and by a vote of 4 for and 0 against, 1 absent, this RESOLUTION was adopted on April 9, 2008.

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The following resolution was presented for adoption:

**RESOLUTION NO. 11**  
**April 9, 2008**  
**TOWN OF BETHLEHEM - TOWN BOARD**  
**RESOLUTION REAFFIRMING PREVIOUSLY ADOPTED FINDINGS**  
**STATEMENT**  
**APPLICATION OF VISTA DEVELOPMENT GROUP, LLC,**  
**A SUBSIDIARY OF BBL DEVELOPMENT GROUP**  
**VISTA TECHNOLOGY CAMPUS**

WHEREAS, An application was submitted on December 21, 2005 pursuant to Chapter 128, Article V of the Town of Bethlehem Municipal Code for review of a project located in a Mixed Economic Development District under the State Environmental Quality Review Act: and,

WHEREAS, a Final Environmental Impact Statement (FEIS) has been prepared on an application for Development Master Plan Approval in a Mixed Economic Development District: and,

WHEREAS, the Town Board has received an application for Development Master Plan Approval from the Vista Development Group for development of the proposed Vista Technology Campus a mixed use commercial development of approximately 1.4 million square feet of building space (the "Project") on a parcel that consists of approximately 330 acres of land within the Town of Bethlehem currently zoned MEDD, and approximately 128 acres of land within the Town of New Scotland, for a total project acreage of roughly 458 acres ; and,

WHEREAS, the Town Board acting as SEQRA lead agency accepted a Draft Environmental Impact Statement (DEIS) on the project as its meeting of December 27, 2006 and determined that the DEIS was complete and adequate with respect to its scope and content for the purpose of commencing public review; and,

WHEREAS, a Public Hearing was held on the DEIS by the Town Board at its meeting of January 24, 2007, at which time public comment on the DEIS was accepted by the Town Board; and,

WHEREAS, a public comment period was also provided by the Town Board during which written comments on the DEIS were accepted, and said comment period ran between December 27, 2006, and February 5, 2007; and,

WHEREAS, a draft FEIS on the project had been prepared by the applicant and submitted to the Town Board and said draft FEIS contains the comments that were

received during both the public hearing and public comment period on the DEIS, as well as responses to those comments; and,

WHEREAS, prior to its final submission to the Town Board, the draft FEIS had been reviewed by the Town's consultants for the project, Barton and Loguidice, P.C., the Town Department of Economic Development and Planning and other Town Departments; and,

WHEREAS, on May 9, 2007, the Final EIS was declared complete by the Town Board, including responses to all comments received at the public hearing and during the public comment period; and,

WHEREAS, more than ten days had passed since the acceptance and filing of the FEIS, as required by SEQRA;

WHEREAS, on May 29, 2007, the Town of Bethlehem Town Board adopted the SEQRA Findings Statement for the action;

WHEREAS, on June 13, 2007, the Town of Bethlehem Town Board held a duly noticed public hearing on the proposed Master Plan;

WHEREAS, a minor modification was set forth by the Applicant at that hearing;

WHEREAS, the minor modification consisted of a change in the location of the roundabout, secondary right in / right out curb cut and minor additional alignment changes to the access roads, and hotel within the Vista site as set forth on a plan prepared by Saratoga Associates, dated June 13, 2007 and displayed at the public hearing;

WHEREAS, the Town of Bethlehem Town Board decided, in light of the changes to the Master Plan, to continue the public hearing at its next regularly scheduled Town Board meeting on June 27, 2007 and to refer the revisions to the Plan to the Town of Bethlehem Town Planning Board for its recommendation pursuant to § 128-37 of the Town of Bethlehem Zoning Law.

WHEREAS, the Town Planning Board at its regularly scheduled meeting of June 19, 2007 reviewed the revisions to the Master Plan and made a positive recommendation to the Town Board, reaffirming its previous positive recommendation to the Town Board;

WHEREAS, on July 11, 2007 the Town of Bethlehem Town Board reaffirmed the previously adopted Findings Statement and approved the Master Plan for the Vista Technology Campus.

WHEREAS, the Applicant appeared before the Town Board on March 26, 2008 to present a minor modification to the master plan as shown on a plan prepared by Hershberg & Hershberg, Consulting Engineers and Land Surveyors which included the realignment of the roadway which will reduce the length of said roadway and utilities and which eliminates the impact of all wetlands on the Vista site. A total of forty-eight (48) residential condominium units are proposed in the area where a hotel was originally proposed. The hotel is proposed for a later phase of the project and involves the adaptive reuse and expansion of the Jones' residence.

WHEREAS, the Applicant appeared before the Town Board on March 26, 2008 to present a minor modification to the master plan as shown on a plan prepared by Hershberg & Hershberg, Consulting Engineers and Land Surveyors which included the realignment of the roadway which will reduce the length of said roadway and utilities and which eliminates the impact of all wetlands on the Vista site. A total of forty-eight (48) residential condominium units are proposed in the area where a hotel was originally proposed. The hotel is proposed for a later phase of the project and involves the adaptive reuse and expansion of the Jones' residence.

NOW, THEREFORE, BE IT RESOLVED,

**The Town Board has reviewed the EAF and the criteria set forth in the SEQRA regulations at 6 NYCRR § 617.9(a)(7) and has determined that a Supplemental Environmental Impact Statement will not be required for**

the minor modifications to the Master Plan because the minor modifications do not raise any "specific significant adverse environmental impacts not addressed or inadequately addressed in the EIS." Rather the minor modifications include a realignment of the proposed roadway, which will reduce the length of said roadway and utilities and will have fewer environmental impacts, e.g., elimination of all wetland impacts throughout the Vista site. Also proposed is the inclusion of up to forty-eight (48) residential condominium units, which are an allowed secondary use in the mixed economic development districts and the adaptive reuse/expansion of the Jones residence for a hotel use. The condominiums are proposed to be developed in the area previously identified for a hotel. The Town Board hereby reaffirms the previously adopted SEQRA Findings Statement.

On a motion by Mr. Kotary, seconded by Mr. Hennessey, and a vote of 4 for, 0 against, 1 absent, this RESOLUTION was adopted on April 9, 2008.

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The following resolution was presented for adoption:  
Resolution No. 10

**TOWN BOARD  
TOWN OF BETHLEHEM  
RESOLUTION  
RESERVATION OF PUBLIC PARKLAND / FEE REQUIREMENT  
VISTA TECHNOLOGY CAMPUS**

- WHEREAS, the Town Board of the Town of Bethlehem has received an application under the Town's Mixed Economic Development District regulations from the Vista Development Group for the development of the proposed Vista Technology Campus, a mixed use development of approximately 1.4 million square feet of building space including up to forty-eight (48) residential condominium units; and,
- WHEREAS, §128-37(F) of the Code of the Town of Bethlehem provides the Town Board with the authority to review and approve Development Master Plan applications; and,
- WHEREAS, Local Law No. 7 of 2001 of the Town of Bethlehem adopted by the Town Board on June 13, 2001 and §128-57 of the Town Code authorize the Town Board to require the reservation of land for public park, playground, or recreation purposes, or the payment of a fee in lieu of parkland, as a condition of mixed economic development project approval that includes residential uses; and,
- WHEREAS, said Local Law was adopted by the Town Board after careful consideration of the impacts that new residential development is having on the Town's park and recreation facilities, as outlined in a memorandum from the Town Planning Department dated May 15, 2001; and,
- WHEREAS, the Town Board has considered the project site and its potential for accommodating a public park site for active recreation use;

NOW, THEREFORE, BE IT RESOLVED,

that the Town Board hereby finds that the proposed Vista Technology Campus presents a proper case for the requirement of public parkland, but that a suitable park of adequate size, which meets the criteria outlined in Local Law No. 7 of 2001 and §128-57 of the Code of the Town of Bethlehem, cannot be properly located on the parcel; and,

BE IT FURTHER RESOLVED,

that the Town Board of the Town of Bethlehem hereby requires that a fee be paid in lieu of parkland reservation for the proposed residential condominium units of the Vista Development Master Plan, the amount and payment of which shall be made in accordance with Local Law No. 7 of 2001 and §128-57 of the Code of the Town of Bethlehem.

On a motion by Mr. Kotary, seconded by Mr. Hennessey and a vote of 4 for and 0 against, and 1 absent, this RESOLUTION was adopted on April 9, 2008.

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The following item was a request from Highway Superintendent, Gregg Sagendorph, to approve purchase of equipment under State Contract and approve expenditure from Highway Capital Reserve Funds for additional equipment.

The motion was made by Mr. Kotary and seconded by Mr. Hennessey to approve the purchase of equipment from State contract. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mr. Hennessey.

Noes: None.

Absent: Mrs. Dawson.

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The following resolution was presented for adoption:

**Resolution No. 12**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Bethlehem in the County of Albany, State of New York has on the 9th of April, 2008 duly adopted, subject to a permissive referendum, a resolution as follows:

WHEREAS, the Town Board of the Town of Bethlehem has determined that it is necessary to purchase two three-ton dump trucks with plows, one street sweeper and one used sidewalk snowplow for use by the Highway Department, and

WHEREAS, it is estimated that the cost of said equipment will be approximately \$330,000; and,

WHEREAS, in recognition of these needs, for such purpose are in the Highway Department Equipment Reserve; and,

NOW, THEREFORE, BE IT RESOLVED that it is in the public interest to purchase this machinery; and,

BE IT FURTHER RESOLVED, that the Town Board authorizes the expenditure of the reserve moneys to fund this purchase up to a maximum amount of \$330,000; and

BE IT FURTHER RESOLVED, that the Town Comptroller is authorized to expend from the Highway Department Equipment Capital Reserve the funds necessary up to \$330,000 in said reserve fund; and,

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

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

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mr. Hennessey.

Noes: None.

Absent: Mrs. Dawson.

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Supervisor Cunningham next acknowledged receipt of the Town of Bethlehem IDA Audit. He mentioned that the report is available in the Town Clerk's office if anyone wishes to examine it.

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The Supervisor asked if there was any new business from the Board. There was no new business but Councilman Kotary said he wanted to mention something quickly. He said there were a few items on the agenda that dealt with receiving grants. He noted if he did his math, he thinks the amount is right around a \$500,000 in grant funds. He wanted to extend a thanks, echoing the words of the Supervisor, to the staff for working hard on going out and researching, finding where we qualify for grants and receiving the grants. He said because you qualify, it does not necessarily mean you are going to receive the funds. He noted it takes a lot of work, time and effort. He said everyone has been trying to continue to receive and increase grant funding.

Councilman Messina said Mr. Kotary reminded him of a discussion they had a couple years ago and it was whether or not to set up a grants office with a person or 2 in it. He said they did not go that way because of resources although centralization sometimes makes good sense. He said it is doubly true that without setting up a separate office and running it through the programs where the real knowledge is that a terrific job has been done.

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Supervisor Cunningham next made a few announcements –

- Last year in honor of Earth Day a community clean-up day was started. He said Earth Day will be April 22, 2008 and April 19, 2008 will be the first monthly one this year. The location will be on the Town website and anyone wishing to volunteer can go there and sign up. The Supervisor explained he would be there or one of the Town Board Members. He noted they identify a site, a lot of Route 32 and areas by the Town Park.
- May 3, 2008 is Household Hazardous Waste Day at the Highway Garage on Elm Avenue East. He said if residents have toxic waste, pesticides, fluorescent bulbs, computer equipment and electronics. He said there was a flyer that went out or the information is on the website. He noted the hours are 8:00 a.m. to 1:00 p.m. in the afternoon.
- April 25, 2008 is Arbor Day and the Town will be planting 2 trees at Town Hall.
- May 16, 2008 will be a bike tour day around the Capital Region. There will be 2 locations where people can gather to ride their bikes to work. He said there will be the CDTA parking lot on Delaware Avenue and the CDTA lot on the end of Route 32. He said there will be lead bikes to follow.
- The docks at the Henry Hudson park have been installed and anyone who is interested in fishing or boating, the docks are ready to go.
- Weather permitting Saturday, April 12, 2008 the Colonial Acres Golf Course will open for its first full season under Town of Bethlehem oversight.
- Announce that Assemblyman Tim Gordon has secured \$3 million dollar funding opportunity for the Town for infrastructure improvements in the Slingerlands area to support the Vista Technology Park. He said the budget passed the Assembly this afternoon and it is anticipated it will pass the Senate and the funding will become available to the Town. Supervisor Cunningham publicly thanked Assemblyman Gordon for all his hard work in making sure the funding is available. He said Vista Technology Park is a very important project, not only to the Town of Bethlehem, but it is important regionally, represents jobs and good economic opportunities for the area.

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The Supervisor asked if there were any public comments on non-agenda items. Town Engineer and Deputy Commissioner of Public Works, Erik Deyoe, said he needed to go back to the agenda. He said there was one additional item with regard to the sanitary sewer pump station action taken. He said they were requesting approval of the Town Board to authorize the Supervisor to sign an agreement with Clough Harbour and Associates to initiate design on 2 force main projects that were talked about last week. Supervisor Cunningham asked for a motion from the Board to approve his signing an agreement with Clough Harbours and Associates for 2 force main construction projects.

The motion was made by Mr. Kotary and seconded by Mr. Hennessey to authorize the Supervisor to sign an agreement with Clough Harbour and Associates for design work on 2 force main sewer projects as requested by Town Engineer and Deputy Commissioner of Public Works, Erik Deyoe. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mr. Hennessey.

Noes: None.

Absent: Mrs. Dawson.

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Mrs. Marie Capone said she likes this young man because he was trained by Bruce Secor. He said there is an article in the Spotlight, she looked at some issue

in it – Mr. Daniel Plummer was a very good choice for Deputy Supervisor, born and raised here, his father has a business here for years and years, very honest and everybody knows him. Under the Republican administration, the job placement were put in the Spotlight, everybody in Town gets the Spotlight, nothing was in it about the computer or what have you. She said it was done in the Spotlight. Supervisor Cunningham thanked Mrs. Capone.

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Mr. William Kelleher said he wanted to comment on the Watervliet contract. He said he thinks it is a very good idea and completely endorse it. He said he just would like to say a little bit of word of caution. He said Watervliet reservoir does not have a very good reputation. He noted when he was a kid he used to go out with his mother and father and it was the algae laden reservoir.

Mr. Kelleher said he just wanted to give a word of caution. He said the Alcove Reservoir is a much better quality of water and the Town should not just be looking at the amount of water but also look at the water quality. He said he thinks it should also be brought before the entire community. He said he has been involved in water quality for quite some time and he knows the people have a lot of input into it. He thanked the Board. Supervisor Cunningham thanked Mr. Kelleher.

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Supervisor Cunningham asked if anyone else had any comments on non-agenda items. There were none.

The Supervisor asked for a motion to go into Executive Session to discuss a current litigation matter and a collective bargaining matter.

The motion was made by Mr. Messina and seconded by Mr. Hennessey to meet in Executive Session to discuss a current litigation matter and a collective bargaining matter. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mr. Hennessey.

Noes: None.

Absent: Mrs. Dawson.

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The motion was made by Mr. Hennessey and Mr. Kotary to adjourn the regular Town Board meeting at 6:52 p.m. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mr. Hennessey.

Noes: None.

Absent: Mrs. Dawson.

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Town Clerk

### EXECUTIVE SESSION

The motion was made by Mr. Messina and seconded by Mr. Hennessey to authorize Supervisor Cunningham to sign the Consent Order from the Department of Environmental Conservation regarding the South Albany Sewer District. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mr. Hennessey.

Noes: None.

Absent: Mrs. Dawson.