

TOWN BOARD
APRIL 26, 1995

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

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

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The first item, according to Supervisor Fuller, was a recommendation from Town Planner, Jeffrey Lipnicky, regarding Beverwyck Phase IIA, Amendment to Building Project Approval No. 12 for referral to the Planning Board for review and recommendation, as well as, referral to the Engineering Division, Department of Public Works and Planning Department for review. The Supervisor introduced the representatives from Beverwyck who gave a short version of the presentation of Phase IIA.

Presentation
Beverwyck
Phase IIA
Building
Project
Approval

Mr. Bob Alund said he is the Project Manager with Beverwyck and introduced Tricia Brown, Project Coordinator and Dave Bixby, who is with the architect firm of Len Angerame. He gave a presentation regarding the Phase IIA, Beverwyck, which is the balance of the independent units. He gave a brief overview of Beverwyck for those not familiar with the development and referred to information distributed with regard to the present facility. He noted the sponsors are the Eddy and the Guardian Society, two not-for-profit organizations in existence for over 200 years combined. He said the Beverwyck community was full within a year, however, normally this takes 2 years. He noted the average age is 80 years and said about 75 percent of the residents came from within 6 miles of the site. Mr. Alund exhibited some photographs of the Beverwyck site.

Mr. Alund said Phase IIA of Beverwyck represents an additional 85 independent units. He noted they are similar to the units in architectural design as in the original plan. He said the difference between these and the original plan is that there are less units but more square footage. He said this is the result of larger units. Also because of some of the Americans with Disability Act regulations, some of the units had to be built out for space accommodations. He said there will be a multi-purpose room of about 1800 square feet, indicating some of the existing rooms are not large enough. Mr. Alund said the 20 unit garage is eliminated and 20 parking spaces have been kept. He said there will be 254 parking spaces. He also noted there are some landscape changes. The court yards will provide the walkways leaving some open area.

Mr. Alund next showed a floor plan of the units indicating there are some larger units. He said this is where this is at. He noted a lot of the changes are minor.

Mr. Alund also talked about future plans. He said in the original plan there was a plan for a community service building. He said there was also an outline for a 120 bed nursing home, indicating to build a nursing home today is almost impossible with the moratorium on nursing home beds, especially in Albany County. Therefore, he said what they are hoping to do is look at the community service building to be converted to what they call a community residence complex. He said this will still consist of an adult day care program, and have a 40 unit assistive living project. He said what they mean by assistive living is a program that is really unique to New York. He said in other parts of the country you find these all over. He said this is a program that provides more services but less space. For example he said, people in Beverwyck now get 1 meal a day dining and in assistive living you have 3 meals a day. He said there is weekly housekeeping instead of monthly, noting it is more intense as people age in. He said average age for

this project would be around 83 or 84 years old. He said the other big difference is the supportive services, indicating as an example, on staff 24 hours a day, 7 days a week home health aides that will be contracted people with a home health agency that can provide assistance with daily living. He said the average size of the unit will be around 400 square feet to 460 square feet. He said they are hoping that will replace the nursing home. He said it will allow for people to age in and the adult day care program will also provide space in the evening for the community. He said a wellness clinic is also being considered and some home care offices. Mr. Alund noted in about 6 months they hope to come back with this part of the program planning. He said that would be on the front portion of the site.

Mr. Alund said there is other land purchased after the approvals for Beverwyck and there are some cottages and walking paths located on it. It is 43 acres of land. An application will be submitted probably around summer and this will tie in the whole campus. He also indicated this would go through zoning change also. He said there would be a total of about 80 acres when this is accomplished.

Mr. Alund asked if there were any questions. Supervisor Fuller thanked Mr. Alund. Councilman Putney asked about the proposal to replace the nursing home. He asked if they are intending this to be a facility from wellness to other stages. Mr. Alund said this was correct. Mr. Putney said he understands there is a moratorium now but has there been any commitment to the present residents in regard to carrying them on during the different stages. He said his concern is that, he knows the nursing home has been eliminated and substituting something of a lessor nature is being considered. Mr. Alund said one of the issues is that no one wants to go into the nursing home first of all. He said that is the last place anyone wants to go and the Eddy has 4 other nursing homes within the system that are available. He said what people really want is to stay independent as possible and have services provided in their unit. He said in today's world this can be done. He said this is designed to provide this, and be less cheaper than a nursing home. Mr. Alund noted that nursing homes are very expensive and they are trying to do this at a lessor cost. Mr. Putney said in the proposals to the Town at an earlier time and to the residents at the present time, he wondered if there was a commitment to the nursing home on site. Mr. Alund said they did not. Mr. Putney asked what the expectations were of the former Town Board Members and the residents. Mr. Alund said the residents -- and it has always been known because under NY State, there is a certificate of need process -- always, if the State would allow it, they would go for a nursing home. He said the State back then and to this day, still will not allow us to do a nursing home, especially in Albany County. He further noted all the residents are aware of this now.

Mr. Alund said what they are doing is trying to do the next best thing. He said they feel the assistive living project will do this.

Councilman Webster said the original PRD only provided the nursing home as an alternate to a community service building. He said that really was not part of the proposal. Mr. Webster said this was back in 1989. Mr. Alund said he thought the final was approved in 1991. Supervisor Fuller said it was in 1991 and revised in 1992.

Councilwoman Davis said it was noted that the adult day care facility would be open to the community for evening use. She said she assumed for meeting places. Mr. Alund said this was correct. She asked if there are any other services provided that would be available to members of the community or particularly residents of that area of the Town. Mr. Alund said the adult day care program would be open to all residents and that has always been in discussion. The issue with the adult day care, is right now -- and you have to know this -- Mr. Alund said is that the State is looking to cut that from the budget. He said they have a certificate of need filed with the State for a medical day care program. He said they have their fingers crossed. He said the Eddy has other day care programs throughout the region also. Mr. Alund said with that in mind, there is discussion of a 45 slot day care program and in the evening the space would be open for community use. He said this is done at some of the other sites and they do get a lot of use.

Supervisor Fuller asked if any of the meeting rooms at Beverwyck are open to the public in the evening at this time. Mr. Alund said he does not think there is space at this time. He said it is open mostly during the day indicating the reason is because in the evening the residents are dining and they stay in the main area. He said this is usually used up to 7:30 or 8:00. He said the other space is used during the day.

Supervisor Fuller thanked Mr. Alund. She noted for the benefit of the audience, that this project had gone through a prior approval. She said it needs to be reviewed by the Planning Board for SEQR purposes. She asked for a motion to send it on to the Planning Board.

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to forward the revised application for Amendment to Building Project Approval No. 12, Beverwyck Phase IIA for referral to the Planning Board for review and recommendation. The motion was passed by the following vote:

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

Approve
forwarding
revised
application
for BPA
Beverwyck
Phase IIA
to Planning
Board

The next item was a recommendation from the Traffic Safety Committee, Richard Vanderbilt Chairman, regarding the traffic ingress and egress at Delaware Avenue, Tool's Restaurant, and a stop sign at Ridge Road at the intersection of West Poplar Drive, Delmar.

The motion was made by Mr. Putney and seconded by Mr. Lenhardt to set a public hearing for 7:30 p.m. on May 10, 1995 to amend the Code of the Town of Bethlehem, regarding one way ingress and egress at Hudson and Delaware Avenues, Delmar, NY at Tool's Restaurant. The motion was passed by the following vote:

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

Set Public
Hearing
Hearing
ingress and
egress
Tool's
Restaurant

The motion was made by Mr. Putney and seconded by Mr. Lenhardt to set a public hearing for 7:45 p.m. on May 10, 1995 to amend the Code of the Town of Bethlehem, Stop Intersections, to permit a stop sign at the intersection of Ridge Road and West Poplar Drive, Delmar. The motion was passed by the following vote:

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

The next item was a recommendation from the Engineering Division, Department of Public Works, regarding award of bids for Corrugated Steel; Corrugated Aluminum; and Plastic Pipe.

The motion was made by Mr. Lenhardt and seconded by Mr. Webster to award the bids for Corrugated Steel, Corrugated Aluminum and Plastic Pipe for the period April 15, 1995 through April 14, 1996 to Lane Enterprises, Inc., Ballston Spa, NY and Chemung Supply Corporation, Elmira, NY as per the Memorandum dated April 11, 1995 from Terrence W. Ritz, Engineering Division, Department of Public Works at the prices indicated. The motion was passed by the following vote:

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

Award Bids
Corrugated
Steel,
Corrugated
Aluminum
and
Plastic
Pipe

Accept
Resignation
Telecommunicator

The next item was a request from Chief of Police, Richard LaChappelle, to accept the resignation of William Schaffer as a per-diem Telecommunicator.

The motion was made by Mr. Putney and seconded by Mr. Lenhardt to accept the resignation of William Schaffer, Delmar, NY with regret from the position of per-diem Telecommunicator. The motion was passed by the following vote:

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

Accept
Donations
DARE
Program

The next item was a recommendation from Richard LaChappelle, Chief of Police, for acceptance of donations to the DARE program from numerous donors.

The motion was made by Mrs. Davis and seconded by Mr. Webster to accept donations totalling \$2,020 to the DARE program:

Edgar and Helen Dennin	Northeast Picture Framing
Michael F. Waldenmaier	Glenna Shaloum and Irma Menard
TACS Auto Body	Dicks Sporting Goods
Albany County Stop DWI Program	
Ravena-Coeymans-Selkirk Teachers Association.	

The motion was passed by the following vote:

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

Dumping
Permit
premises
on Route 144
Glenmont

The following item was a request from John Flanigan, Building Inspector, regarding renewal of a dumping permit for premises located on Route 144, Glenmont.

Councilman Putney said he spoke with the Building Inspector regarding this site, indicating there have been numerous complaints about the appearance of this site. Mr. Putney noted the Building Inspector has recommended that all dumping be confined to the right rear portion of the site and that requirement be made that grass be planted across the length of Route 144. Mr. Putney said he requested the planting take place before the dumping continue and the Building Inspector had no objection to this.

The motion was made by Mr. Putney to approve the renewal of the dumping permit contingent upon grass planting before the dumping resumes and that the right rear portion of the premises be used for the dumping site. The motion was seconded by Mr. Lenhardt and passed by the following vote:

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

Approve
Seasonal
Personnel
Parks &
Rec. Dept.

The next item was a request from David Austin, Administrator, the Parks and Recreation Department, for the approval of appointment of seasonal personnel.

The motion was made by Mrs. Davis and seconded by Mr. Webster to approve the appointment of seasonal personnel as per the Memorandum dated April 26, 1995 from the Administrator of Parks and Recreation Department, at the titles and rates indicated. The motion was passed by the following vote:

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

The following item was approval of Town Board minutes of April 12, 1995.

The motion was made by Mr. Putney and seconded by Mr. Lenhardt to approve the Town Board minutes of April 12, 1995 as presented. The motion was passed by the following vote:

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

Approve
April 12, 1995
Minutes

The next item was a request from Judith Kehoe, Comptroller, for approval of additional authorized depository, Chase Manhattan Bank.

The motion was made by Mr. Putney and seconded by Mr. Webster to approve the addition as an authorized depository for the Town of Bethlehem, Chase Manhattan Bank. The motion was passed by the following vote:

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

Approve
additional
authorized
depository

The following item was a request from Richard Webster, Deputy Comptroller, for declaration of surplus equipment and authorization to dispose of one Konica 2290 copy machine.

The motion was made by Mr. Putney and seconded by Mr. Lenhardt to declare as surplus equipment one Konica 2290 copy machine and allow disposal of the machine. The motion was passed by the following vote:

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

Approval
to dispose
of surplus
equipment
Deputy
Comptroller

The next item was a recommendation by Engineering Services Administrator, Michael Cirillo, for acceptance of three (3) deeds from various owners for Krumkill Road site work improvement at intersection with Blessing Road. The Supervisor noted the work has begun and noted the Traffic Safety Committee has been reviewing this for some time. The Supervisor noted the embankment is being removed to create better visibility. Councilman Webster said it looks better already and Councilwoman Davis noted she has heard some very positive comments about this already. They thanked Superintendent Sagendorph.

Accept
deeds
Krumkill Rd.

The motion was made by Mr. Webster and seconded by Mr. Lenhardt to approve the acceptance of three (3) deeds from Mr. and Mrs. James Martley, Slingerlands, NY and Andrew Chainyk, 400A Schoolhouse Road, Albany, NY for Krumkill Road site work improvement at intersection with Blessing Road. The motion was passed by the following vote:

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

The next item was a recommendation from the Engineering Services Administrator, Michael Cirillo, for acceptance of seven (7) deeds for Cedar Ridge Subdivision, Section 2.

Accept deeds
Cedar Ridge
Subdivision

The motion was made by Mr. Webster and seconded by Mr. Putney to approve the acceptance of seven (7) deeds for Cedar Ridge Subdivision, Section 2 as submitted by J. Lucarelli Land Development Co., Inc., Schenectady, NY. The motion was passed by the following vote:

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

Noes: None.

Proclamation
Municipal
Clerks'
Week

The next item was a request from Town Clerk, Kathleen A. Newkirk, to adopt proposed proclamation regarding Municipal Clerks Week, May 7 through May 13, 1995.

The motion was made by Mr. Webster and seconded by Mrs. Davis to adopt the following proclamation:

PROCLAMATION
MUNICIPAL CLERKS' WEEK
May 7 through May 13, 1995

WHEREAS, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

WHEREAS, The Office of the Municipal Clerk is the oldest among public servants, and

WHEREAS, The Office of Municipal Clerk provides the professional link between the citizens, the local governing bodies, and agencies of government at other levels, and

WHEREAS, The Municipal Clerk has pledged to be ever mindful of their neutrally and impartiality, rendering equal service to all.

WHEREAS, The Municipal Clerk serves as the information center on functions of local government and community,

WHEREAS, The Municipal Clerk continually strives to improve the administration of the affairs of the office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations.

WHEREAS, it is most appropriate that we recognize the accomplishments of the office of Municipal Clerk.

NOW, THEREFORE, I, Sheila Fuller, Supervisor of the Town of Bethlehem, do recognize the week of May 7 through May 13, 1995, as Municipal Clerks' Week, and further extend appreciation to our Municipal Clerk, Kathleen A. Newkirk, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this 26th day of April 1995.

/s/ Sheila Fuller
Supervisor

The motion was passed by the following vote:

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

Noes: None.

Town Clerk's
Office
Open House

Supervisor Fuller announced the Town Clerk would be having an open house on May 9, 1995 from 1 p.m. through 4:30 p.m., noting all are welcome to attend and visit with the Town Clerk and Deputy Town Clerks.

Bicycle
Auction
Police Dept.

The next item was a request from Chief of Police, Richard LaChappelle, to hold a bicycle auction on May 13, 1995 at 11 a.m. at the Town Hall.

WHEREAS, the Town Board of the Town of Bethlehem is authorizing a bicycle auction to be conducted by the Bethlehem Police Department, Youth Bureau, as permitted under Section 253, Duties of police, and Section 254, Item 3, Disposition of lost property, according to law,

WHEREAS, proceeds from the auction will be donated to the D.A.R.E. program of the Town of Bethlehem Police Department.

NOW, THEREFORE, BE IT RESOLVED, that the Notice of Auction be published in THE SPOTLIGHT, a newspaper published in the County of Albany and having a circulation in the Town of Bethlehem on the 3rd day of May, 1995; and

BE IT FURTHER RESOLVED, that said bicycle auction be held on May 13, 1995 from 10 a.m. through 12 noon at 445 Delaware Avenue, Delmar, New York.

The foregoing resolution was presented for adoption by Mr. Lenhardt, was seconded by Mr. Webster and was duly adopted by the following vote:

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

Noes: None.

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Supervisor Fuller noted these are bikes that have been sitting in the basement that have been lost, stolen, or unclaimed. The Police Department will be auctioning them off and the funds from this auction go to the DARE fund.

SUPERVISOR FULLER: Before I turn to the audience this evening, I can't sit here and assume that everyone reads the Spotlight or the Times Union. I feel it is only fair to bring everyone up-to-date on the negotiations with the City of Albany. Mayor Jennings was nice enough to send a response to my office which arrived on Monday, April 16th. This was a response to a letter that I had sent to Mayor Jennings February 1. The response that came was not a response to an offer that we, the Town, have made. I must say I was a little disappointed and I felt it was a response that was not a response. But, hopefully, things will improve and I look forward to continuing negotiations with Mayor Jennings. The most important point that needs to be made is, 9 months ago, I and Mayor Jennings sat down and negotiated. We had meetings in August, September, December, January and correspondence in between those dates. February 1st was an offer that really Jerry Jennings had said the \$1.66 was the lowest cost he could sell this water for supplemental use to the Town of Bethlehem. We, the Town, had offered \$1.43 back in December which is in response to his August letter that he sent here -- or the October letter, I am sorry... the October letter that he refers to now in his last letter to us.

Discussion
Water
Negotiations
with Mayor
Jennings

Under no circumstances was I trying to negotiate or keep things hidden or try and operate behind closed doors. This was mutual agreement that Mayor Jennings and I had. He had asked it remain confidential and I respected his wishes. I felt it was very important not to build false hope in this community for anyone. I started with the premise, and Mayor Jennings knew the premise, it is a supplemental supply of water to be able to separate our drinking water from the residential... from the treatment plant, sorry. No one knows more than I and this Town Board, what has gone on in negotiations. Let me tell you it has been a sincere effort from the Town of Bethlehem. Mayor Jennings and I work very well together. I am a little surprised by the recent turn of events. It appears to me that Mayor Jennings is not interested in the supplemental supply when he had been back in December and January. Everyone here needs to know that the Town of Bethlehem cannot continue to pay the City of Albany \$700,000 for water. We have our water. We would like to have the supplemental supply of water so that we have water for our future to encourage industry in our Town and to provide our residents with additional water so we can separate the system. don't know if the other Board Members wish to comment at this time but I must tell you, this is where we are. As you well know and now as I found out it was in the paper and I had received phone calls before the letter had ever hit my office. We are responding to Mayor Jennings response to

me that was in the newspapers. I have now decided to make it public. I know that there has been some requests for all correspondence which we are getting together and will be available. There are copies of all the communications between the Mayor Jennings and I that will be available. Any comments from anyone else.

I will continue to negotiate and hopefully, we will get it resolved for the benefit of Bethlehem and Albany.

Is there anyone in the audience who would like to address the Board at this time?

MRS. ALLIGER: On that subject you mean?

MRS. FULLER: Any subject at all.

MRS. ALLIGER: I was just wondering what status might be right now of that home for the elderly that is considered, isn't that also going to be down around Krumkill Road?

COUNCILMAN WEBSTER: Marie Rose Manor.

SUPERVISOR FULLER: Marie Rose Manor?

MRS. ALLIGER: Yes.

SUPERVISOR FULLER: That is scheduled to be back on the Planning Board agenda -- I believe May 2nd.

MRS. ALLIGER: You know, I was wondering because I have been reading about it. But, then I just wondered, you know.

SUPERVISOR FULLER: It is May 2nd it will be back on the Board. Would you give us your name, please?

MRS. ALLIGER: Dorothy Alliger.

SUPERVISOR FULLER: Anyone else? Would you please give us your name.

MRS. BURTIS: You want me to stand up and...

SUPERVISOR FULLER: No.

COUNCILMAN WEBSTER: She can probably hear you.

MRS. BURTIS: Linda Burtis. I can come up if you want me to.

COUNCILMAN WEBSTER: No, we can hear you.

MRS. BURTIS: I am sorry, I am just getting out of work but I missed a lot of what you said, Sheila. But, if it is true, what they said in the newspaper today, that the Town of Bethlehem is planning... has made its major decision to separate out the drinking water piece from the new water system of the Hudson River.

SUPERVISOR FULLER: You met with me earlier today and as I told you earlier today, this is not a major decision or a news breaking story -- I think the important part of is...

MRS. BURTIS: It is a news breaking story to separate out the drinking water piece from the industry piece, you have been saying no to that all along.

SUPERVISOR FULLER: Wait a minute, the negotiations are not complete. It is all one puzzle that has to be put together. As I said to you today, the supplemental supply from the City of Albany is necessary, 250,000 gallons of water.

MRS. BURTIS: So, if Albany were to agree to that amount of water, the Town of Bethlehem would separate out. You would... the impossible would become possible and you would give the drinking water to the residents coming from Vly Creek reservoir and the Alcove reservoir and not from the new supply down on the Hudson.

SUPERVISOR FULLER: That is correct.

MRS. BURTIS: That is a major... I just would like these remarks to be verbatim. I would like... that is a major, major step that we have been asking that of the Town Board for a year and a half.

SUPERVISOR FULLER: Linda, you have been asking and as I said before, the... we do need to negotiate the contract.

MRS. BURTIS: But if Albany were to agree to that... I mean the people in Town to say that that is an astonishing thing because so many people go down to the river and they see everything being built and have a feeling that it is a done deal. And now, you are saying it is possible to separate out the drinking water from the new water system.

SUPERVISOR FULLER: And, the plant will be used for the industrial water but we need to have the supplemental supply to have the water for our residents -- ample supply for the residents. And, yes, it will be verbatim on the minutes.

MRS. BURTIS: I think it would be sad that if the way the newspaper article read today... if it... you know, this blame going back and forth and Bethlehem was angry with Albany and Albany was angry with Bethlehem. The key issue that people are concerned about in Bethlehem is not drinking water that comes from the Hudson River. So, I mean, if that... that is a major, major step -- I appreciate that you are willing to take that step and I think that... you know, I hope that the headlines in the paper next Wednesday reflect that because that is big time news.

SUPERVISOR FULLER: I don't put the headlines in the paper. If I could, I would have some good ones in tomorrow.

COUNCILMAN WEBSTER: What are you going to say, Mel?

SUPERVISOR FULLER: Mel, you need to give a better headline. All the communication will be available. Try to get it put together by tomorrow. I know at least one freedom of information, come in and see what's going on in the negotiations. Glad to make it available.

MR. DAVIES: Sherwood Davies. Has the engineering design been completed with regards to the separation and how that will be accomplished?

SUPERVISOR FULLER: I am going to ask the engineer to respond to your question, Sherwood. Go ahead, Bruce.

MR. SECOR: Again, we talked about this earlier. Until the negotiations with the City are complete, you know, I can't really answer that, Sherwood. I mean, right now there is no deal. So, we have had letters going back and forth trying to do something. Albany has turned down this latest offer. So, until there is a deal in place, I really can't answer the specifics of it.

MRS. BURTIS: Well, can you do it theoretically, if there was a deal in place. Suppose Albany says tomorrow we will deal with you -- then how would you do it?

MR. SECOR: Again, rather than preguess the thing, let's see what we can come up with for a deal and then we will come up with the solution. The guessing game is no good.

MRS. BURTIS: Well, it wouldn't be a guessing game, if Albany said that they would be selling you water, I mean you have to be thinking about how you would separate out -- because you are building right now, aren't you? You are doing things every day to bring this thing closer to fruition. I mean...

SUPERVISOR FULLER: We would have the surplus supply of water in the Vly Creek that is not going into industry that is going into industry right now. That in combination with the additional water from Albany, provides the residential water. It can be coming through from the Kenwood/Dumbarton area.

MRS. BURTIS: In the new plan, did you every plan to take General Electric and Owens Corning out of Vly Creek? In... aside from what is happening now?

COUNCILMAN WEBSTER: It is a combination.

MR. SECOR: You go back to the original engineer's map, plan and report which was presented in 1991, which is the same thing we are working on now -- I don't have the thing here but from the water plant across Creble Road, directly into the industrial area, the new water main that was put in here was for hydraulic balance. You know, it wasn't a decision on water quality, it was a decision on how to get the water to where it needed to be. Right now all the water has to flow in one direction and get down here. This brought water from 2 directions to hydraulically balance the system. So, under that, since we were pumping directly into the industrial area in that hydraulic balance, the Vly Creek reservoir is coming down from the northwest, this is coming up from the southeast, so the simple answer to your question is, this water was coming into the industrial area for purposes of hydraulic balance and would be consumed there. So, there is about 2 1/2 to 3 million gallons a day in the industrial area and that is what this plant's production was intended to be 2 1/2 to 3 million gallons a day and would grow in the future as the needs grew.

MRS. BURTIS: So, it is possible that you are saying... saying that it is possible to have a dual system in the Town?

MR. SECOR: Again, the same hydraulically considerations that were presented in 1991 exist today. And, that is there is 19 miles from Alcove reservoir to the City and there is one pipe and again, it depends on the deal that Albany comes up, what they offer and how they respond to us and then I can give you the details. There is just an awful lot of hydraulics involved but this single pipeline going through the Town is the key. And, that is... we have to go back and get details from Albany and then I can give you detailed answer.

MR. DAVIES: Sheila, I think the elected officials should be in a better position than I guess on the part of the engineer's or consultants that we can give you an answer after you make the deal. Because, I sincerely believe that with a good engineering consultant, and a good engineering evaluation, that question can be answered now. Can it be severed with the present hydraulics, the present storage in our system and severing the 2 supplies? That is a very basic simple question.

SUPERVISOR FULLER: Yes, it can be separated. Can it be separated without Mayor Jennings providing the supplemental supply of water? No, it cannot.

MR. DAVIES: But, Bruce just said he had to look at it. Does he...

MR. SECOR: Let's go back. The question was -- can I give you the specific engineering details? And, I said, not until I know the specific details of the agreement are. The general approach is the same hydraulic approach that we have had on the drawing board that has been here since the beginning. You know, it is a very extensive system. There is interconnections that are going on and to say you want a specific engineering view and I know you will hold me there until the last little dot and period and I can't give that to you until I know what the deal is.

MR. DAVIES: Assume right away that they give you the water. Can you do it?

COUNCILWOMAN DAVIS: They won't give it to us, they will sell it to us.

MR. DAVIES: Well, let's make an assumption.

MR. SECOR: Again, you are asking me to give you things that I just can't answer.

COUNCILMAN WEBSTER: The answer is yes.

MRS. BURTIS: But, you are saying that.

MR. SECOR: It can be done. The answer is it can be done... Detailed... specific engineering details I can't give you without the deal in place.

MR. DAVIES: Cost factors.

SUPERVISOR FULLER: Did that answer your question, Sherwood? Yes, it can be done.

MR. DAVIES: Not really.

COUNCILMAN WEBSTER: We are assured it can be done?.

MR. DAVIES: Pardon.

COUNCILMAN WEBSTER: We are assured it can be done.

MR. DAVIES: And, cost effective?

COUNCILMAN WEBSTER: I assume cost effective, yes.

COUNCILWOMAN DAVIS: That depends on the contract. Linda, you have had an effective writing campaign. You might send them to Mayor Jennings to urge him to the end that we are hoping that he will.

SUPERVISOR FULLER: Any other questions? Yes.

MRS. ALLIGER: I think I have one more question about this Beverwyck phase that the gentleman was describing. Like, if they have that... like day care facility, does that mean that they would be maybe driving people from their home to maybe spend the day there and then they would go home or isn't it that type of a...

SUPERVISOR FULLER: It would be probably an outpatient facility, just a day care program. We would have to check with them as they go through their approval process. What is the actual procedure here and how they are going to run it.

MRS. ALLIGER: I was kind of wondering like a lot of the people live over there -- I won't be one of the ones living over there -- but for the ones who have invested -- I am just wondering how they are going to feel about so much of an addition to that facility.

COUNCILMAN WEBSTER: I think he said that that day care facility was for both residents and non-residents. Those people have access to it also.

MRS. ALLIGER: Okay.

COUNCILMAN WEBSTER: So, instead of them going on to a nursing facility, they would stay with their own quarters but they would have the day care at the new center.

SUPERVISOR FULLER: Thank you all for being here.

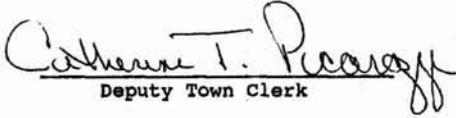
The motion was made by Mr. Webster and seconded by Mr. Lenhardt to meet in executive session following the regular meeting to discuss negotiations. The motion was passed by the following vote:

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

Noes: None.

The motion was made by Mr. Lenhardt and seconded by Mr. Webster to adjourn the regular meeting at 8:23 p.m. The motion was passed by the following vote:

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


Deputy Town Clerk

There was no formal action taken at the Executive Session.