

TOWN BOARD  
AUGUST 25, 2004

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 Supervisor called the meeting to order at 5:30 p.m.

PRESENT: Theresa Egan, Supervisor  
Daniel Plummer, Councilman  
George Lenhardt, Councilman  
Thomas Marcelle, Councilman  
Tim Gordon, Councilman  
Catherine T. Picarazzi, Deputy Town Clerk  
James T. Potter, Esq., Town Attorney

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Supervisor Egan invited everyone to join in the pledge of allegiance. She welcomed everyone to the meeting. She asked if anyone had anything in regard to items on the agenda. There were none.

Mrs. Barbara Leonard Carkner and noted she is a member of the Rural Landowners of Bethlehem. She said she wanted to bring to the attention of the Board that they think riverfront development is something to be considered by the Town and wanted to refer the Town once again to the planning concepts that the rural landowners presented to the Town Board maybe 3 or 4 years ago. She said they talked about riverfront opportunities. She said the blurb on the concept is the Hudson River is an asset that should be recognized by the Town for the opportunities it provides such as river access and recreation and water oriented business. She thanked the Board. Supervisor Egan noted that that piece of information has been provided to Saratoga Associates and BPAC for their consideration as they move through the master planning process. She thanked Mrs. Carkner.

Supervisor Egan asked if there were any other comments. There were none.

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The Supervisor said the first item on the agenda was to approve the Town Board minutes of August 11, 2004.

The motion was made by Mr. Plummer and seconded by Mr. Gordon to approve the Town Board minutes of August 11, 2004 as submitted. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Gordon.

Noes: None.

Absent: None.

Abstain: Mr. Marcelle.

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The next agenda item was a presentation by Mr. Brian Hannafin, Economic Development Coordinator, from the IDA pertaining to a river front hamlet concept. Supervisor Egan pointed out that the IDA in conjunction with the BPAC planning process undertook with Saratoga Associates creating a concept for possible water front development primarily in the southern part of Town because a lot of the waterfront in the northern part of the Town is already developed industrially. She said this is certainly meant to be conceptual in nature and basically kind of a catharsis for discussion.

Mr. Hannafin thanked the Supervisor and the Town Board for the opportunity to bring this out and it will be the first time it will see the public light of day. He said they have thrown a couple test balloons up to the IDA and it has been received rather warmly. He said the Hudson River harbor is shown. He said

in early May the IDA from a number of forums and listening to the community in general, they were hearing there were some concerns and issues that needed to be addressed. As a result he said they contacted Saratoga Associates to look into helping them develop a harbor concept that utilizes the riverfront and addresses a number of other concerns. He said they formed a committee of 5 or 6 people who had interest in regard to the riverfront. He said they have arrived at this proposal.

Mr. Hannafin noted it is for discussion purposes, no property line boundaries, it is just for discussion. He said he wished everyone to keep in mind also that it is a 30-year build out.

Mr. Hannafin said there were 3 concepts looked at with one being traffic concerns in Town up and down Route 9W and in Selkirk. He said part of that was a new exit that would roughly align itself near Clapper Road. He said it addresses some of the traffic concerns and additionally it will relieve some traffic and congestion that is currently going on Route 9W. He said the northern alignment, which DOT originally proposed, looked at 3 options. He said the southern route is the preferred route but the northern route accomplishes more goals he thinks. He said it is more costly to government.

Mr. Hannafin said the second theme was the use of the waterfront access. He said it is a wonderful 10-mile stretch that Bethlehem has and a lot of residents think the town line ends at the New York State Thruway. He said they do not know there is 10 miles of riverfront nor do they know how to get there. He said they wanted to try and develop something that would give people a reason to go to the riverfront. He said the concept is to use the waterfront as an asset piece and also play off of the Henry Hudson Park, which is right below this area. He said as a reference point he pointed out location of Clapper Road, the interchange and the riverfront, noting they are talking about 11, 12 or 1400 acres.

Mr. Hannafin said they looked at mixed use – residential, walk ability – and the third underlying theme was address the growing development that is coming. He said for example they could look to the north to the Victor Gush property. He said this concept was a pro-active approach to say let's make a plan for that. He said there have been 5 or 6 potential projects looking into this area. He said instead of being reactive to that, they wanted to pro-actively plan by incorporating mixed uses for smart growth. He said there are some commercial uses with some high and low density residential, some light and industrial uses.

Mr. Hannafin said that was basically the design they have put together. He said this could be high tech and green space, open space and high and low residential and mixed commercial/retail use.

Mr. Hannafin gave some figures that pertained to this concept. He said it is about 53 million dollars for all of the infrastructure and other utilities. He said 2/3 of this would be the responsibility of the developers. He said it is not a large cost to the community to get this started.

Mr. Hannafin said he believes this addresses some of the concerns expressed at the focus meetings. He said there are issues but this is for discussion purposes for the future. He said going forward; they welcome comments, concerns and suggestions. He offered to answer any questions.

Supervisor Egan added one of the other reasons this was brought forward was that as the EPA dewatering process was being reviewed, one of the reasons that the community was not disqualified from consideration was because there is no local waterfront revitalization plan. She said a grant application has been submitted to develop a plan and this was part of that as an idea as to what could be done on the waterfront. She said that was one of the incentives of moving this forward.

Supervisor Egan again noted this is for discussion purposes only. She said there will be a BPAC focus group on the waterfront area on September 2, 2004 at

Town Hall from 7 p.m. to 9 p.m. She said this is a kick off for discussion purposes. She said as was mentioned, it was a small committee that was put together to work with Saratoga Associates to get something going. She thanked Councilman Lenhardt, Mrs. Lanahan, Mr. Rowan, Ken Daves and Joe Richardson along with a lot of internal staff.

The Supervisor said the only thing in addition in regard to the road interchange a while ago there was a whole discussion on how to alleviate the truck traffic on 396. She said DOT together with the Town had come up with this southern bypass idea. She said it bypassed 396 and was a short straight road and there was about 7 million dollars of Federal highway funds that were allocated for that. She said her understanding of that was that the Town was presented with over 300 signatures against that particular design which launched everyone into other considerations, which there was a mid-point, as well as, the northern alternative. She said this is a sort of picture on the board now. She said after starting in January, she has talked to DOT several times and been in with the Thruway Authority, there seems to be a consensus at least among the agencies that the better route is some sort of northern alignment for various reasons. She said this would provide the thoroughfare to get into the developable acres available in Town.

Supervisor Egan said she thinks the key thing is that what this presents is an opportunity to provide some good solid economic development in Town in a very controlled manner that provides for a lot of mixed-use setting. She said one thing that is needed is to stabilize the tax base and bring the residential and commercial into better balance. She said even since January there have been 4 very large, different, proposals that have come to her for that particular area. She said, however, most of the property is rural unzoned and she knows a lot of attendees are familiar with the rural unzoned designation -- some of the good things and the negative things that go with it. She said that will certainly be an area addressed as the master planning process proceeds with the updating of the zoning code.

Supervisor Egan said another reason for floating this out now is as the input is received, they want to address some of it with the zoning changes.

Mr. Hannafin said this is posted on the Town's website as of this date.

Supervisor Egan said they welcome everyone to come to the focus group on September 2<sup>nd</sup>. Mr. Hannafin thanked the Board. The Supervisor thanked Mr. Hannafin.

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The next agenda item was a request from Fire Services to place a banner in front of Town Hall for recruitment purposes. Councilman Marcelle said there is a resolution for the Board's consideration. Supervisor Egan noted there was a request a while ago to do this. She said the Board is ready to move this resolution. The following resolution was adopted:

**RESOLUTION FOR THE TOWN OF BETHLEHEM TO ASSIST IN THE  
RECRUITING PROCESS FOR VOLUNTEER FIREFIGHTERS**

WHEREAS, the Town Bethlehem recognizes the volunteer fire departments of the Town perform services vital to public health and safety; and  
WHEREAS, the Town of Bethlehem recognizes that it is in the interest of the Town to maintain a strong and fully staffed volunteer fire departments; and  
WHEREAS, the volunteer fire departments of the Town are presently recruiting volunteers to serve as firefighters; and  
WHEREAS, the Town wishes to assist in the recruiting process;

Let it be

RESOLVED, that the Town of Bethlehem will post appropriate signs and make other appropriate efforts to assist the volunteer fire departments of the Town in their effort to recruit firefighters

The foregoing resolution was presented for adoption by Mr. Marcelle, seconded by Mr. Lenhardt and passed by the following vote:

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

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Supervisor Egan thanked Councilman Marcelle for his work on the resolution.

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The next item on the agenda was a request from George Leveille, Commissioner of Public Works, for approval of re-award the bid for PAC Coagulant for the water purification plant to the Holland Company, Inc, Adams, MA. Supervisor Egan said there was a problem with the previous award with some of the chemicals and they want to be able to have a second choice if delivery is critical.

Councilman Marcelle asked if the bid was to be changed to the new bidder or if this was for the option to use either bidder. Commissioner Leveille said he needs the flexibility. He said there have been questions about availability that they are concerned about. Mr. Marcelle asked if this was the company's reliability but the availability of the product. Mr. Leveille said it is the company's ability to provide the product in a timely basis, as it is needed. He said they do not want to be caught when they cannot get the product. He said this gives the leeway to have more than one vendor for the product.

Councilman Lenhardt asked if there was a significant difference in cost from one vendor to the other. Councilman Leveille said he did not believe it was a big difference. He said it was a preference for the primary bidder's product but the other product will work.

Councilman Gordon asked where the original vendor was located. Commissioner Leveille said he did not know off the top of his head.

The motion was made by Mr. Plummer and seconded by Mr. Marcelle to approve the re-award for PAC Coagulant for the water purification plant to the Holland Company, Inc. Adams, MA; as requested by George Leveille, Commissioner of Public Works. The Holland Company will be a back up to Westwood Chemical Company that was awarded the bid in 2002. The motion was carried by the following vote:

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

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The following item was a request from Judi Kehoe, Comptroller, for approval of appointment of a building maintenance helper effective September 8, 2004.

The motion was made by Mr. Marcelle and seconded by Mr. Lenhardt to approve the appointment of Mr. Wesley Vroman, Albany, New York to the position of Building Maintenance Helper, as requested by Judi Kehoe, Comptroller, effective September 8, 2004 at a salary grade 6, step 1, at \$24,339 per year. The motion was carried by the following vote:

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

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The next item is a request from Nancy Mendick, Receiver of Taxes, for approval of appointment of Clerk/Typist I, effective August 26, 2004.

The motion was made by Mr. Gordon and seconded by Mr. Marcelle to approve the appointment of Ms. Mary Jane McGuire, Delmar, New York as a part time Clerk Typist I, as requested by Nancy Mendick, Receiver of Taxes. The motion was carried by the following vote:

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

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Supervisor Egan introduced Ms. McGuire who was in attendance and welcomed her.

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The next agenda item was a request from Chief of Police, Louis G. Corsi, to approve acceptance of donation of \$50.00 to the DARE program.

The motion was made by Mr. Lenhardt and seconded by Mr. Plummer to approve the acceptance of a donation from Nancy Farr in the amount of \$50.00 to the DARE program and authorize a budget modification to increase the gifts and donations revenue line item and to increase the police 67-13 DARE program expense line item; as requested by Louis G. Corsi, Chief of Police. The motion was carried by the following vote:

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

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The following agenda item was a request from Gregg Sagendorph, Highway Superintendent, to approve a three-year grant from the NYSDEC Municipal Waste Reduction and Recycling State Assistance Program at an estimated amount of \$36,000. Supervisor Egan said this covers about 50 percent of the Recycling Coordinator's salary and other expenses related to the Town's recycling program.

The following resolution was presented for adoption:

#### RESOLUTION

Resolution Authorizing the Filing of an Application for a state Grant-In-Aid for a Municipal Waste Reduction and/or Recycling Project and signing the associated State Contract, Under the Appropriate Law of New York State.

WHEREAS, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects; and

WHEREAS, the Town of Bethlehem, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein call the STATE, and the MUNICIPALITY be executed for such STATE Aid;

NOW, THEREFRE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF BETHLEHEM.

1. That the filing of an application in the form required by the State of New York in conformity with the application laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.

2. That Theresa L. Egan, Supervisor, is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE;

3. That the MUNICIPALITY agrees with it will fund its portion of the cost of said Municipal Waste Reduction and/or Recycling Project.
4. That the MUNICIPALITY or MUNICIPALITIES set forth their respective responsibilities by attached joint resolution relative to a joint Municipal Waste Reduction and/or Recycling Project.
5. That five 5) Certified Copies of this Resolution be prepared and sent to the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, ALBANY, NEW YORK 12233-4015, together with a complete application.
6. That this resolution shall take effect immediately.

CERTIFICATE OF RECORDING OFFICE

That the attached Resolution is a true and correct copy of the Resolution, authorizing the signing of an application for State Aid, authorizing the signing of a State Contract, and assuring funding of the municipal portion of the cost of the project as regularly adopted at a legally convened meeting of the Town Board of the Town of Bethlehem Duly held on the 25<sup>th</sup> day of August, 2004. And further that such Resolution has been fully recorded in the Records Book in my office.

In witness whereof, I have hereunto set my hand this 26<sup>th</sup> day of August, 2004

/s/ Catherine T. Picarazzi  
Signature of Recording Officer  
Deputy Town Clerk  
Title of Recording Officer

Motion for the attached Resolution was made by Councilman Lenhardt and seconded by Councilman Gordon as requested by Gregg Sagendorph, Highway Superintendent. The motion was carried by the following vote:

Ayes: Supervisor Egan, Councilman Plummer, Councilman Lenhardt,  
Councilman Marcelle and Councilman Gordon.  
Noes: None.

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

The motion was made by Mr. Lenhardt and seconded by Mr. Plummer to grant permission to dispose of vehicles at auction as listed in Mr. Sagendorph's Memorandum dated August 18, 2004 at the Northway Auto Exchange Inc., Clifton Park, New York as requested by Gregg Sagendorph, Highway Superintendent. The motion was carried by the following vote:

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

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

The motion was made by Mr. Gordon and seconded by Mr. Marcelle to approve the appointment of seasonal personnel as requested by Nan Lanahan, Administrator, Parks & Recreation Department as listed on the August 26, 2004 list at the titles and salaries indicated. The motion was passed by the following vote:

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

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The following item was a request from Nan Lanahan, Administrator, Parks & Recreation Department, to approve acceptance of donation of a new shed at the Line Drive field complex from Bethlehem Babe Ruth League. Supervisor Egan noted the estimated value is \$1,600 noting the shed is needed for additional storage and will be used for the sale of concession items.

The motion was made by Mr. Lenhardt and seconded by Mr. Plummer to accept a donation of a new shed at the Line Drive field complex from the Bethlehem Babe Ruth League, estimated value to be \$1,600 as requested by Nan Lanahan, Administrator, Parks and Recreation Department. The motion was carried by the following vote:

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

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The next item was to acknowledge receipt of the Quarterly Franchise Fee from Time Warner Cable in the amount of \$93,287.03.

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The next item was to acknowledge receipt of Final Plat for the Feeney-Castronouovo Subdivision No. 2 from the Planning Board for information purposes.

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The following agenda was a presentation by in regard to upgrade of New Salem Water Treatment Plant System. Supervisor Egan noted the next two items are items that were on the agenda about a month or so ago in regard to the upgrade to the New Salem Water Treatment Plant. She noted Councilman Plummer had some questions regarding this.

Commissioner of Public Works, George Leveille, said in regard to water production that provides water for both commercial, industrial, residential users in Town, if you look at the production costs based on the budget and actual expenditure over recent years, the Town is selling water in the \$2.50 range per thousand gallon, noting this is on average, what the yield is for the sale. He said the costs are more in the \$2.30 range for producing the water that is being sold. He said the Albany water purchase at \$2.42 blends into that mix because it is only about 15-20 percent of the water production. He said it is definitely in the ballpark where we are paying, if you will, a fixed infrastructure in place that we are now simply bringing Albany water into. He said there is no additional cost to the Town for the distribution of the water other than we are allowing for the connection of Albany water to the Town's water. He said in rough terms about \$2.50 per thousand gallons of water is what our yield is on the revenue side and our costs are more in line with about \$2.30 per thousand gallons. Councilman Plummer asked if that \$2.30 factor as part of the blend. Commissioner Leveille said it does. Councilman Plummer said the \$2.42 is part of the \$2.30. Mr. Leveille said that was correct. He said it is a small volume of the total water production. Councilman Plummer asked when the upgrades are done, the increased cost and debt service will not impact the current water rate base at all. He said that the rate base would cover the increased debt service. Commissioner Leveille said that was correct. He said the basis for the rate structure that was approved in 2003 was the long-range water study. He said in the model it was produced to factor in cost and demand and all those, there were contingencies built in for how much money is put into reserve and how much would be expended on capital projects and with a slight modification, there certainly will be increased debt service costs but there is capacity within the operation of the water system to be able to absorb that without any material change in the rate structure. He said he is not saying there may not be an incremental increase because costs continue to rise and so forth but basically the structure that was put in place 2 years ago does provide for the coverage of this

improvement. Councilman Plummer said this will not trigger the need for a rate increase. Commissioner Leveille said it will not.

Councilman Plummer said he thought initially if this could be phased in, it would be a way of doing this that would be helpful to the taxpayers but after having met with O'Brien and Gere and talking with him and the staff, the best approach is to do it at once because of the costs that it will save. He said also the less interruption is better. Commissioner Leveille said just operationally has to maintain the operation of a plant while you are reconstructing is going to be a challenge. He said if it is phased, the time is extended to be facing the challenge in addition to other issues. He said incompatibility of equipment is relatively frequent and they are hoping to have consistent equipment from front to back in operating the plant. He said they think the right way to go is to do it all at once.

Commissioner Leveille said they also have to recognize that the Clapper Road plant which is not producing the 6 million gallons. He said the long-range water study assumed it would be producing the 6 million gallons, however, it has yet to do that. He said it creates a different sense of urgency in terms of getting this improvement which is the backbone of the water system up and running and working at peak capacity. Councilman Plummer asked if the Clapper Road plant were not to produce the 6 million gallons a day, would the upgrades be enough to accommodate the industrial needs or would it be a combination of the upgrade and more water from Albany. Commissioner Leveille said he thinks in trying to answer that as concisely as possible, he would say no. He said the key issue would be the need to find additional raw water to be able to be produced at New Salem. He said it will have the capability of producing enough water to serve all the needs of the Town but for the fact that there is not a raw water source to feed the plant that provided the water requisite for that. He said without finding an additional raw water source, the New Salem plant will not be able to meet the total demand of the Town for the next 30 years.

Supervisor Egan said with the upgrades it will be able to process the requisite amount of water if a raw water source can be found. Commissioner Leveille said for example if once the plant is upgraded, the Albany water supply was down for whatever reason, we could sustain and replace that water for a limited period of time because of the production capability of our upgraded plant. He said similarly with Clapper Road, if it were down for some short period of time but long term and for long periods of production, no. He said this plant can produce 10 million gallons but it cannot produce it over an entire year because of the safe yield and the limitations of the watershed that feeds it. Councilman Plummer thanked him for all the time that has been spent on this and agreed that it is the right thing to do.

Councilman Lenhardt said his only comment is that this is necessary maintenance to keep our plant running and he is certainly in favor of doing it all, stating pay it now or pay it later. He said the one item that he has brought up continuously is the trunk line along New Scotland Road being downsized from 24 to 20 inch. He said he knew O'Brien and Gere were comfortable with that and he assumes Mr. Leveille is comfortable with that. Mr. Leveille said he thinks there is still time to make that final decision. He said they have accounted for the entire line being built at 24 inches in the budget. He said they believe the 24 inch to the New Scotland tank is required but 20 from the tank into Fisher Boulevard is more than adequate given the 16 inch line that is also there. Mr. Lenhardt asked if that would satisfy the Town for the 30 year time period. Mr. Leveille said it would, noting there is still the chance to revisit it and make a final decision.

Supervisor Egan said what is before the Board is a resolution for authorization to enter into the design agreement with O'Brien and Gere for the entire upgrade packet. She said they will not be voting on the increase of the bond. Mr. Leveille said the Board does not have to do that yet. He said they are really authorizing the design of the 17 million dollar plant. Councilman Plummer asked if once it is designed then the specifications will go out for bid construction. Supervisor Egan said yes. Mr. Leveille said prior to issuing the bonds, they will

need to update the bond resolutions, which were set at 13.3. He said the long-range water study did not consider Clapper Road. He said given the situation there and the continued uncertainty they are looking at other ways to improve the flexibility of the system. He said as an example, there is the interconnect with Albany at Creble Road that currently is not used and they are looking at the possibility of using that and being able to feed water into the southern part of the town which seems to suffer when there are deficiencies in water. He said he probably will be bringing some information back to the Board in the next few months.

Councilman Plummer asked if these improvements allow the City of Albany to sell water to New Scotland or Guilderland through our system. Mr. Leveille said no, not really. He said in effect, if the Town was selling water to New Scotland, they would be buying water we produced but really we would be replacing that with Albany water in our system elsewhere. Councilman Lenhardt said it just helps balance the hydraulic balance of the system. Mr. Leveille agreed. Mr. Leveille said right now we are using just the Kenwood Avenue interconnect and it has to force the water to out the entire system to get to Selkirk. He said with the Creble Road up and running, they will have the ability to maintain higher pressures in the southern Town, which he thinks is very important.

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The last item on the agenda was a request from George Leveille, Commissioner of Public Works, for authorization to enter into a design agreement with O'Brien and Gere for upgrades to New Salem Water Treatment Plant System

The motion was made by Mr. Gordon and seconded by Mr. Lenhardt for approve the authorization to enter into a design agreement with O'Brien and Gere for upgrades to the New Salem Water Treatment Plant System as requested by George Leveille, Commissioner of Public Works. The motion was carried by the following vote:

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

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Supervisor Egan asked if there were any other questions or comments. Councilman Gordon said he feels the improvements are needed and it is important that they be done when it can be afforded as opposed to letting it go and facing worst costs.

The motion was made by Mr. Gordon and seconded by Mr. Marcelle to authorize entering into the design agreement with O'Brien and Gere for upgrades to the New Salem Water Treatment plant system. The motion was passed by the following vote:

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

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Supervisor Egan thanked Commissioner Leveille.

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Supervisor Egan said there were a couple of things. She said for everyone's attention, the EPA dewatering facility is still kind of quiet. She said they have not heard much noting the public comment period did end on July 31<sup>st</sup>. She wanted to let everyone know that they contacted EPA because she was curious of what kind of comments had been received. She said for Bethlehem, throughout the entire comment period since it opened, there were 69 comments received. She said 5 for and 64 against. She said in conjunction with the other municipalities, there was 1 comment from Old Moreau, 4 from Halfmoon, 28 from Fort Edward and 1500 plus in regard to the Schaticoke site. She said Bethlehem had a good amount of

comments. She said bottom line still is that she is befuddled that this is still not a lot of comment for a fairly large issue. She said EPA has told her that they are still in the process and no decisions have been made. She said final decisions would be made some time late fall or early winter. She said she is guessing some time before the end of the year. She said the Citizen Advisory Group, which has been active continues to meet but took August off. She said they do have a site visit planned for New Bedford. She said they have a similar size dewatering facility. She said hopefully it would be on line and running by the October visit. She said there is a bus trip planned.

Supervisor Egan added that Niagara Mohawk is looking for entries for the 2004 Community Renaissance Award with the deadline being September 15, 2004. She said applications describing extraordinary work taking place in the cities, towns and villages across the service area. They are inviting everyone to share work in the community that is done to foster the kind of social and economic environment that makes upstate New York communities great places to live, work or visit. She said she passed this through Town Hall and anyone who has any ideas or who would want to submit an application please see her.

Supervisor Egan noted that a Memorandum of Understanding in regard to the scoping document for Beacon Harbor has been received. She said Town Planner Lipnicky is on vacation and it will be passed on to him. She said this is the same site that is being discussed for the dewatering facility.

Supervisor Egan said in regard to things to come, at the September 8, 2004 meeting, there is a plaque commemorating Kevin Shea and the kickoff of the Firemen's Convention.

The Supervisor also noted receipt of the \$5,000 line item from Senator Breslin for upgrading to the Memorial Park. She said the funds have been received and there will be a ribbon cutting on September 7, 2004 at 1 p.m. at the Memorial Park. She said she is bringing notice that there is a beautiful retaining wall, flowers and it looks beautiful. She said Highway Superintendent Gregg Sagendorph and the Highway Department crew did a nice job. She also mentioned Mr. Kleinke did a nice job with the design. She invited all to attend.

Supervisor Egan said Gregg Sagendorph and the Highway Department staff have improved the Four Corners and the clock area again. She said whomever hand cut the stone; Ms. Delaney was still talking about. She said it was amazing. She encouraged everyone to go and take advantage of it. She said they are still looking for donations to help fund it and pay for it.

The Supervisor said there is a request from a citizen for some lease of land and has come on the fields but it is another issue to be talked about and investigated. She said there has been a meeting internally specifically with regard to the baseball field and the use of public lands for that. She said there have been a lot of questions raised and they are continuing to investigate. She said a report might be ready for the next meeting or the one after that.

Supervisor Egan said everything else is about the same, including the rails to trails situation. She asked if anyone had any further comments.

Mrs. Capone said the second item on the agenda presentation from IDA pertaining to a riverfront hamlet concept. She said 250 years ago this was called a hamlet. She said now it is the Town of Bethlehem. She asked why the word hamlet is used. Supervisor Egan said hamlet is smaller than a town. Mrs. Capone asked how small it has to be. Supervisor Egan said she did not know but they are in the process of finding out. She said we are planning a new town for the southern part of the town. She said it is to be a community based area.

Mrs. Capone said when you meet with other groups, the word shottee. She said shoda is a French word. Supervisor Egan said the word is charrette. Mrs.

Capone said it is a French word meaning wheelbarrow and asked what it relates to. Mr. Leveille said it was not a wheelbarrow; it was like something you see in a parade.

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Supervisor Egan asked if anyone else had any other comments or wished to address the Board. Mr. Norman Moran, living on Carstead Drive, wondered when the Board was going to put a limit on the builders and get them to come back and finish jobs. He said he talked to the Supervisor 6 or 8 weeks ago, you sent the engineer up and he indicated the drainage should be improved but as far as he is concerned, Mark in the Building Department is complete waste. He said nothing has been done and he read the newspaper where it indicated there are a lot of people in the Town with complaints against builders. He said he thinks it is about time the Board clamps down on these builders and make them do their job and complete the jobs. He said next to him, it is not complete yet, now a guy moved into a shed next to his house, apparently he is going to move into the back of the yard some day but nothing is getting done. He asked what he has to do to get it done. Supervisor Egan said the article in the Times Union dealt with one builder and steps are being taken in regard to that. She said the conversation she had with him was that her understanding in speaking with Mr. Cirillo about a week and a half ago and somebody was there. She said someone met with him and they were increasing the swale and doing some other things. Mr. Moran said it was 3 weeks ago that Mr. Cirillo came to his house. Supervisor Egan said there was a date that they would be coming to do the work. Mr. Moran said that was 2 or 3 weeks ago and nothing has been done. Supervisor Egan said that was news to her. Mr. Moran said every time he talks to Mark he gets nothing but lip service. Supervisor Egan said she would be more than happy to look into it.

Mr. Moran next asked if there is anything being done about the upgrading of the water pipes on Route 85. Supervisor Egan said that is exactly what was mentioned. Mr. Moran said they are constantly breaking down and his understanding in talking to one of the members of the Water Department is that the pressure has been increased in the pipes and the pipes are old and they cannot withstand the pressure. Mr. Leveille said there is a brand new 24 or 20 inch main being built along New Scotland. He said the 16-inch main would remain in use. Mr. Moran asked if that was going to come all the way down New Scotland. Mr. Leveille said all the way to Fisher Boulevard. Mr. Moran said they are breaking down below Fisher Boulevard. Mr. Leveille said that might be another issue that relates to the maintenance and ongoing upgrade of the distribution system. Mr. Moran asked when that was supposed to take place. Mr. Leveille said these issues are continuously being looked at and they are trying to put together a capital program that is responsible. Mr. Moran asked if there would be a bond issue for that he was sure. Supervisor Egan said part of that is what has already been discussed. She said part would be taken care of with what was discussed down to the Fisher Boulevard area. Mr. Leveille said in the normal operating budget of the department, there is funds committed to upgrading and replacement of old pipe. He said they recognize that as an ongoing need and they are going to continue to put money in the budget for that purpose.

Mr. Moran asked about the sewage treatment plant and asked if that was nearing capacity. Mr. Leveille said the sewage treatment plant is well below its capacity and has plenty of capacity and as they look at the comprehensive plan and the Town's projected growth, this will be looked at also, as far as, upgrades in the future.

Mr. Moran thanked the Board.

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Supervisor Egan asked if anyone else wished to address the Board. She asked for a motion to meet in Executive Session following the close of the regular meeting to discuss personnel issues.

The motion was made by Mr. Marcelle and seconded by Mr. Plummer to adjourn to Executive Session to discuss personnel issues. The motion was passed by the following vote:

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

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The motion was made by Mr. Lenhardt and seconded by Mr. Plummer to adjourn the regular Town Board meeting at 6:16 p.m. The motion was passed by the following vote:

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

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Deputy Town Clerk

EXECUTIVE SESSION

There was no formal action taken at the executive session.