

TOWN BOARD  
DECEMBER 12, 2007

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  
Daniel Plummer, Councilman  
Samuel Messina, Councilman  
Kyle Kotary, Councilman  
Joann V. Dawson, Councilman  
Kathleen A. Newkirk, Town Clerk  
James T. Potter, Esq., Town Attorney

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Supervisor Cunningham asked Councilman Plummer to join him and lead the pledge of allegiance since this is his last Board meeting and invited everyone to join them. The Supervisor presented a Proclamation to Councilman Plummer for his service to the Town of Bethlehem. Assemblyman Tim Gordon also presented a Citation from the New York State Assembly to Councilman Plummer.

Mrs. Marie Capone thanked Councilman Plummer for serving 2 terms. She said he should be remembered for his integrity. She said he was always honest. She said the man replacing Councilman Plummer seems to have similar qualities. She said he stopped over to her house during the campaign. She noted we will miss Councilman Plummer and again thanked him.

Councilman Plummer thanked everyone and said it has been a real privilege to serve the Town Board for the past 8 years. He said it was an honor and had a great opportunity to work with 3 terrific Supervisors, a number of excellent Town Board Members who have lots of talents and Town employees. He said he appreciated that. He said on a personal note he appreciated all the people who voted for him and helped to get him here as Town Councilman. He said those that are involved in the political process he respects immensely and appreciates all their work. He said he is not going to retire, he will be a volunteer now.

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Supervisor Cunningham said the next item is for public comments on agenda items. There were none.

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The first item was the approval of the Town Board minutes of November 14, 2007 and November 28, 2007.

The motion was made by Mrs. Dawson and seconded by Mr. Plummer to approve the Town Board minutes of November 14, 2007 as submitted. The motion was passed by the following vote:

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

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The motion was made by Mrs. Dawson and seconded by Mr. Plummer to approve the Town Board minutes of November 28, 2007.

Councilman Messina commented on the November 28, 2007 minutes that there was a mention from the public that the work he gave for the departments with IMAC he was paid and clarified that he was not paid for that. He said that was as Town Board Member volunteer service. He asked for that to be corrected in the minutes.

The motion was passed by the following vote:

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

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The following item was a request from Comptroller Judith Kehoe for consideration of 2007 budget modifications. The Supervisor noted the modifications information was included in the Board Members packets. He said they are revenue neutral to the budget but they shift budget dollars from one line to another in order to reflect the costs appropriately.

The motion was made Mr. Plummer and seconded by Mr. Kotary to approve the 2007 budget modifications as requested by Comptroller Judith Kehoe. The motion was passed by the following vote:

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

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Resolution No. 28

RESOLUTION TO APPROVE  
THE TRANSFERS FOR THE 2007 BUDGET  
AS PER THE ATTACHED MEMO DATED DECEMBER 7, 2007

The motion to approve the budget transfers as listed was presented for adoption by Mr. Plummer, seconded by Mr. Kotary, and passed by the following vote:

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

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RESOLUTION NO. 29

RESOLUTION TO APPROVE  
THE TRANSFER OF FUNDS INTO CAPITAL RESERVES

WHEREAS, the Town Board has determined that the funding of reserves for future capital projects to be a prudent action;

WHEREAS, the adopted 2007 Water Fund budget as revised provides for a transfer to other funds;

WHEREAS, the Clapper Road Generator Replacement project has been identified as requiring funding;

RESOLVED, that the Town Board authorizes the Town Comptroller to transfer \$300,000 into the Water Fund Capital Reserve.

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

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

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The following item was a request from Town Engineer, Erik Deyoe, for acceptance of map, plan and report; approval of funding; and authorization to advertise for bids for New Salem Well improvements.

The motion was made by Mrs. Dawson and seconded by Mr. Kotary to approve the acceptance of the map, plan and report for the New Salem Well improvements as requested by Town Engineer, Erik Deyoe. The motion was passed by the following vote:

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

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WHEREAS, the Town desires to advertise for bids for the Well House Improvement Project, Contract 1G and 1E for the New Scotland well site, off of Route 85, New Salem, New York, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 19th day of December, 2007 and that bids be received up to 3:00 p.m. on the 17th day of January 2008 at which time the bids will be publicly opened and read.

The resolution was adopted by the following vote:

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

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PUBLIC HEARING Began 6:15 p.m.

SUPERVISOR CUNNINGHAM: From here we'll start the public hearing on the Annual Plan for 2008 Town of Bethlehem Section 8 Housing Choice Voucher Program.

I need a motion to waive the reading of the call of the meeting and to indent Notice of Public Hearing, Affidavit of Publication and Affidavit of Posting.

The motion was made by Mr. Plummer and seconded by Mrs. Dawson to waive the reading of the Notice of Public Hearing, Affidavit of Publication and Affidavit of Posting with direction to indent them on the minutes of the meeting. The motion was passed by the following vote:

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

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TOWN CLERK NEWKIRK:

**TOWN OF BETHLEHEM PUBLIC HEARING  
ANNUAL PLAN FOR 2008  
TOWN OF BETHLEHEM  
SECTION 8 HOUSING CHOICE VOUCHER PROGRAM  
DECEMBER 12, 2007 – 6:15 P.M.**

The Town Board of the Town of Bethlehem will hold a public hearing on Wednesday, December 12, 2007 at 6:15 p.m. at the Town Hall, 445 Delaware Avenue, Delmar, New York 12054 for the purpose of receiving comments from the public on the Town's proposed Agency Plan for 2008 for the Section 8 Housing Choice Voucher Program.

Copies of the Agency Plan and all supporting documentation are available for review by the public at the following locations:

Town of Bethlehem	Joseph E. Mastrianni, Inc.
445 Delaware Avenue	242 Union Street
Delmar, NY 12054	Schenectady, NY 12305
(518) 439-4955	(518) 372-4739 Ext. 26.

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

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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.

Kathleen A. Newkirk, MMC, RMC  
TOWN CLERK

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

KATHLEEN A. NEWKIRK, being duly sworn, deposes and says that she is the Town Clerk of the Town of Bethlehem, Albany County, New York and the attached Legal Notice was published in the Town's legal newspaper, The Spotlight, on November 21, 2007 and that I posted the Notice of Public Hearing on November 21, 2007 on the sign board of the Town maintained pursuant to subdivision six of Section thirty of the Town Law.

/s/ Kathleen A. Newkirk  
Town Clerk

Sworn to before me this  
14th day of November 2007.

/s/ Julie S. McNeil  
Notary Public

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SUPERVISOR CUNNINGHAM: Okay, you are on.

MR. MASTRIANNI: Thank you for holding the public meeting... public hearing. My name is James Mastrianni. I'm from Joseph Mastrianni Inc. I'm the President of that company. We administer the Section 8 Housing Choice Voucher Program on behalf of the Town of Bethlehem.

Annually we are required to hold a public hearing to review the policies and procedures that is in an agency plan. That agency plan was transmitted to the Town 45 days ago. There has been a copy here and we have a copy at our office. We also allow for public comment of that plan.

In addition, we like to take this time to present some summary statistics on the program. Serves as a checkup on how we are doing. And, this is the first time I have presented in front of this Board so I will briefly, briefly tell you about myself. So, I've been working in various capacities for the company for 20 years. 12 years ago I founded a software company which provides software for more than 400 housing authorities across the nation. For 3 years I've been working closely with the former President of the company so he could transition into retirement. I hold undergraduate degrees in sociology and a Masters in Business.

JMInc was founded 32 years ago. We administer more than 20 of these programs helping more than 2200 families in the Capital District and we are considered one of the largest housing authorities in the State outside New York City.

The Section 8 Housing Choice Voucher Program gives low income families a choice in where they would like to live. Participants receive a subsidy that pays a portion of their rent to a participating landlord within the municipality. And in conjunction with the Section 8 program we offer a family self-sufficiency program and we also offer a home ownership program.

In front of you, you should have a handout with a summary of statistics and I will walk through some of these with you. So this program was initiated in 1985 so we've been doing business with the Town of Bethlehem since then. The annual Federal funding is \$266,000 and allows us to help a maximum of 59 families within the Town. The family self-sufficiency program that we have... we right now have 7 participants on the program representing 13 percent of the total program population and 3 of those folks have escrow accounts. And, the escrow account is a really neat concept. What it does is, when people work through the family self-sufficiency program they're income increases and as their income increases, their subsidy decreases. So the difference between that is placed into an escrow account for them. If they successfully graduate from the program, they are able to access that money and they use it typically for education, transportation, purchase of a home.

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We... at this time we don't have any participants in the home ownership program in the Town of Bethlehem right now but that's a very... it's a new program very popular. It allows tenants instead of to rent a unit, rent an apartment, they are able to take that subsidy and use it toward the purchase of their own home. In the Capital District we've helped 15 families achieve this goal.

There is a waiting list for this program so it is not an emergency program so if someone applies right now, it is almost a 3 year wait to get onto the program. Right now we have 86 folks waiting. Of the 86 folks waiting, 67 live or work within the municipality and they are given a preference on our program.

We have the authority to help 59 families, currently right now we are helping 52 families and when we go through the financials I'll explain why that's happening. Why we are a little underutilized and the majority of the folks on this program, 85 percent are elderly and disabled.

As required, we do an inspection every year of every unit to ensure that the housing is safe, sanitary and decent. It's not as restrictive as a code inspection and last year we did 105 inspections within the municipality. On average folks stay on this program for not quite 5 years and their average gross monthly income is \$1200 and the average subsidy that someone receives is \$350.

Flipping to the back side, you can see our funding that was provided. HUD had a tough time getting their budget completed last year and so for the first half of the year they were operating on a continuing resolution and so they didn't know how much money they were going to give us. They were just continuing with what they had given us previously. So because of that, we had to play a very conservative game and so we underutilized the program to make sure that we didn't spend too much money. Then in July you can see that there was a bump up from \$17,000 a month to \$19,500 per month and then in September we were able to apply for a special type of funding called a setaside and we were able to get that. So, the net effect is we're coming into the year with a surplus and we will be able to carry that surplus forward to the following year and apply that that year.

Currently we have 10 people searching right now for housing because we are little underutilized. So we've taken 10 people off the waiting list and they're looking right now for housing.

And, so that concludes my presentation and I'm available now for questions and comments from the Board and from the public.

SUPERVISOR CUNNINGHAM: Questions from the Board? Good.

COUNCILMAN KOTARY: First question is you said the program is limited to 59... is that based on a formula given the annual Federal funding... you know divided by X amount gives you 59?

MR. MASTRIANNI: Exactly... HUD... Well, originally when the program was started it was set up demographically based on the area and what a need for the area would be. And, then additionally what they will do is do a 3 month average of what the subsidy is per unit and then they will divide that to get that 59.

COUNCILMAN KOTARY: Okay, second question, in terms of home ownership. I know you said it was a new program, do you have a plan in place because I know there is probably some folks in town who would potentially qualify and could put this program to use? So, what are you going to do to search out families who might be... might qualify for this?

MR. MASTRIANNI: They have to be participants in the Section 8 program first. Yes and so typically our home ownership participants come from our family self-sufficiency program. And, so on your program there's only a pool of 7 people. So, we have been working with them and offering them home ownership. It's really

the best of our best FSS participants who are able to earn the recommendation to go on to home ownership.

COUNCILMAN KOTARY: Okay and the waiting list is so long just simply because we are bound by the Federal spending limit and formula and therefore the 59. Is there anything we could be doing to get people off the list or off the list quicker or through the process?

MR. MASTRIANNI: The number 1 barrier in this municipality is affordable housing. So, right now, we have 10 people searching. We don't expect all 10 of them to be able to find housing that they can afford.

COUNCILMAN KOTARY: Yes, given the voucher amount.

MR. MASTRIANNI: Yes, right, given the amount of the voucher and just the high expense of rental in this area.

COUNCILMAN KOTARY: Okay, thank you.

TOWN ATTORNEY POTTER: Does the Town Board need to approve the plan tonight or this is strictly information?

MR. MASTRIANNI: You need to approve the plan. I'll need a resolution from you.

SUPERVISOR CUNNINGHAM: Sam, did you have a question?

COUNCILMAN MESSINA: Just one question with respect to the people that are searching, that are looking – the 10 that you mentioned how has that changed over the last couple of years? I mean what's impacting that? Is there anything that the Town can do to help those people other than to have more affordable housing?

MR. MASTRIANNI: Sir, affordable housing and certainly some of the housing complexes in the area, some of the apartments, they have the option to opt out of Section 8 and so certainly some of them have chosen to do that making it a little more difficult to house people in the area. So, certainly you know, doing these types of things and really explaining that this program is primarily for your elderly and disabled – you know 85 percent of the people here are elderly and disabled. And, kind of getting rid of the negative stereotype of who rents in Section 8 housing is certainly helpful.

COUNCILMAN MESSINA: So, why do they opt out of the program? Because of the stigma relative to it?

MR. MASTRIANNI: Stigma... that would be the main reason. We... HUD does require a little more restrictive of a lease and so often times, they feel that our lease is a little too restrictive and that's just a requirement of the program.

COUNCILMAN MESSINA: Okay, thank you.

SUPERVISOR CUNNINGHAM: Does the Board have any other questions? Okay. Thanks, you can have a seat. This is the public hearing so if anyone in the public has any comments on our Section 8 program, now is the time to come up and speak. Okay, can I have a motion to close the public hearing?

The motion was made by Mr. Kotary and seconded by Mr. Messina to close the public hearing at 6:27 p.m. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

Noes: None.

Absent: None.

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Town Clerk

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Supervisor Cunningham asked if he could have a motion to adopt the Annual Plan for 2008 for the operation of the Town of Bethlehem Section 8 Housing Choice Voucher Program. The following resolution was presented for adoption:

**RESOLUTION NO. 27**

**Resolution Adopting an Annual Plan for 2008**

For the Town of Bethlehem Section 8 Housing Choice Voucher Program

WHEREAS, the Town of Bethlehem operates a Section 8 Housing Choice Voucher Program funded by the U.S. Department of Housing and Urban Development, and

WHEREAS, the Town of Bethlehem is required by the U.S. Department of Housing and Urban Development to prepare and adopt a written Annual Plan that establishes local policies for administration of the Section 8 Housing Choice Voucher Program in accordance with regulations of the U.S. Department of Housing and Urban Development, and

WHEREAS, the Town Board of the Town of Bethlehem has caused a written Annual Plan for 2008 to be prepared establishing local policies for administration of the Section 8 Housing Choice Voucher Program in accordance with regulations of the U.S. Department of Housing and Urban Development, and has reviewed such written plan,

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Bethlehem hereby adopts the Annual Plan for 2008 for operation of the Town of Bethlehem Section 8 Housing Choice Voucher Program.

The foregoing resolution was presented for adoption by Mr. Plummer, seconded by Mrs. Dawson and duly adopted by the following vote:

Ayes: Mr. Cunningham, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson

Noes: None.

Absent: None.

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The Supervisor said the next item was a presentation by Comptroller Judith Kehoe of the Ambulance District Overview on Budgets, Revenue Recovery and Tax Rates January 2008.

Comptroller Kehoe thanked the Supervisor. She said when you have a medical emergency and you call for help for 911, most people take it for granted that the emergency providers are going to arrive and take care of your needs. She said what a lot of people do not realize is how that service really works, how it is funded and what they wanted to do this evening was to give a quick overview of the mechanics about what goes on. She said we are one Town but within the boundaries there are 3 separate ambulance companies who provide the services – the largest is the Delmar-Elsmere-Slingerlands Ambulance Company which serves about 68 percent of the population in Bethlehem, followed by the Bethlehem Volunteer Ambulance which his mainly in the Glenmont, Selkirk area and that covers about 26 percent of the population and then Western Turnpike Ambulance Company serves North Bethlehem, predominantly Guilderland. She said there is really just a small piece of Bethlehem that's in that.

In addition, Comptroller Kehoe said, there are Paramedics who serve the residents who work for Albany County and the Town contract's with the County Sheriff's Department for that program.

Mrs. Kehoe said there are 2 tiers of service -- BLS is basic life support and ALS is Advanced Life Support. BLS is the primary life support function that the ambulance companies provide – patient stabilization and transportation to the hospital with basic first aid. The services are largely provided by a large corps of volunteers who invest many hours in the program – both in training and servicing on the calls. Occasionally with the demands on everyone's time, Mrs. Kehoe said, there are growing difficulties in getting enough volunteers to cover all the hours

needed to be covered and there is the beginning of the volunteer companies needing to hire paid EMTs also through Albany County.

ALS is the advanced life support, she said and they usually operate in tandem with the ambulance companies and those are the paid paramedics and they are actually employees of the Albany County Sheriff's Department and they are the ones who provide a higher level of care for the more severe medical emergencies.

Mrs. Kehoe said the Town's role and where this all comes together is the Town enters into a contract with each of the 3 ambulance companies to provide the services and in turn the ambulance companies enter into separate contracts with Albany County for the EMTs if they need assistance to supplement the ranks of their volunteers. She said the Town also contracts with Albany County Sheriff's Department for the ALS as mentioned and the Town is also the operator of the 911 call center. She said when the call comes in within the Town of Bethlehem, they ring into our dispatch center.

Mrs. Kehoe said these services are all funded through budgets that get submitted to the Town by the ambulance companies and also by Albany County. She said the total paramedic program is a portion between the other towns within Albany County that share the services. She said once the budgets are approved during the annual review process, the tax levy amounts are set and collected when the January property tax bills are issued. She said there are 2 lines on the bills – 1 for the BLS services which would be 1 of the 3 ambulance companies and the second line item for the Albany County Paramedic charges and that is the ALS line item.

Comptroller Kehoe said the ambulance companies and the Sheriff's Department are experiencing the same types of financial pressures that the Town is and they work very hard to control the costs. She said they manage the budgets aggressively and have active campaigns where they are trying to recruit and train new volunteers. She said they try to look long term with their budgets and they plan ahead for future capital needs – new ambulances are very expensive and the equipment associated with that. She said they try to set up reserves anticipating that at the end of the life of those pieces of major equipment, they can replace them without having a major tax increase.

Mrs. Kehoe said on the other side of the ledger you need to look at ways to maximize revenues because as it stands now, most of the costs are funded with tax dollars. She said new in 2008 as was mentioned during the budget workshops and overview of the budget, the Delmar-Elsmere-Slingerlands Ambulance Company and the Bethlehem Volunteer Ambulance Company are going to begin doing insurance billing. She said this is something that is becoming more common in the ambulance providers noting it is a source of revenue that can help minimize the tax impacts to the residents. She said this is expected to provide a sizeable revenue stream and help control future tax increases.

Mrs. Kehoe noted Western Turnpike has been doing this for several years and they are able to fund about 95 percent of their operating budget through these insurance billings. She said their 2008 budget provides almost \$800,000 in insurance billings.

Mrs. Kehoe said since this is an initial year for Delmar-Elsmere-Slingerlands and for Bethlehem Volunteer Ambulance, it would be unrealistic to assume that we would be able to collect insurance billings at that level. She said it will probably take a few years before that program gets its legs underneath it.

Mrs. Kehoe said the Delmar-Elsmere-Slingerlands Company has provided about \$220,000 as a revenue offset in 2008 and Bethlehem Volunteer Ambulance Company has provided \$50,000. She said over time, it is possible that the revenue recovery accounts could start to approach a funding source similar to Western Turnpike's experience.

Mrs. Kehoe showed a chart showing the operating costs are for the 3 different ambulance companies comparing 2007 to 2008. She said there is an increase for all of about \$495,000. She said the community is not going to see a collective \$495,000 increase in the tax levy and the reason is because of the insurance billing revenue estimates that will be included. She said the tax rate impact will be about the same for every member within the 3 districts. She said the increases are mainly from having to hire supplemental paid staff to help cover services when the volunteers are not available.

Mrs. Kehoe said the ALS budget with Albany County was increasing about \$113,000 over the prior year and that was from staffing costs, equipment and insurance and fuel costs.

Mrs. Kehoe said one of the things they have been working with the ambulance companies to do over the last few years is to try and get to the point where they can measure the true cost of providing those services. She said the BLS costs have been charged into the tax payers for many, many years. She said in 2001, they started charging for the ALS costs on the tax bills breaking that out from where it had been previously reported with in the Town's General Fund as another department. She said in 2008 they want to do a similar type of thing where they recognize that the cost of providing the 911 dispatch services should be allocated in so that they can see what the total cost is for providing those services to the community.

Mrs. Kehoe said in talking with the Police Department, they have said there is about 1 staff person that needs to be dedicated year round, 24 hours a day, 7 days a week that is available to take the 911 calls. She said the cost of the salaries and fringes for covering that level of service is \$240,000. She said this amount is going to be added into the tax rate for the BLS line item starting in 2008.

Mrs. Kehoe said the next chart shows the summary of the tax dollars. She said if you live in the Delmar-Elsmere-Slingerlands ambulance district you will see an increase with a \$200,000 home of only \$14. The total taxes for the Delmar-Elsmere-Slingerlands would be about \$40. And, similarly for Bethlehem Volunteer Ambulance, Mrs. Kehoe said, it's a \$10 increase and a total of \$57 for the year. And, in Western Turnpike since it is the smaller of the 3, Mrs. Kehoe said, this would have the lowest impact or lowest total bill of \$25.

Mrs. Kehoe said when the tax bills are received, everyone will see a mandatory column on there where the percentage increases have to be shown. She said this was one of the reasons for this presentation. She said the percentage increases will appear larger but really when you boil it down and you look at the dollar amounts involved it's a nominal amounts for those total services.

The Comptroller said for the ALS program it's a \$5 increase on a \$200,000 home and the total bill of \$38.

Mrs. Kehoe said in summary they just wanted to reemphasize the gratitude that the Town feels as a community for the volunteers who dedicate so much time to providing the services for the community and to the paramedics. She said she is thankful they have not had to call for their services but if needed it is a comfort to know they are there. She said if you combine the BLS and the ALS line items a \$200,000 home pays less than \$100 a year for the services. She said that is everyone's insurance policy to make sure you get the care that one needs. She said the Town is excited going forward to continue working with the ambulance and other emergency providers, working together as a team and trying to make sure the highest level of services is provided at the lowest possible cost.

Supervisor Cunningham thanked Mrs. Kehoe and asked if there were any questions on the ambulance. Councilman Messina said he appreciates and he knows the Board appreciates the work of the EMS and other service providers but there are 2 numbers he wanted to ask about to make sure he got the correct information. He said there was a \$400,000 increase roughly for our total services from one year to the next and he said that was about 30 percent or a bit more,

asking if that is related entirely to the transfer of responsibilities to paid staff from volunteer staff. Mrs. Kehoe said no, in fact, the increase in the budgeted costs were the total, the increases were largely from the paid staff increases and some of the other insurance. She said although the one screen is the total budget, this also includes the \$240,000 reclassification. She said it is a combination of the paid staff and that reclassification. She said the reason you do not see that impact on your tax bill is because of the revenue recoveries that are anticipated from the insurance billing.

Councilman Messina asked when referring to 211 services and the requirement to have a staff person full time equivalent dedicated to that with fringe benefits and other costs, did she mention a number of about a quarter of a million dollars, \$200,000 for that cost. Mrs. Kehoe said \$240,000. Mr. Messina asked how that breaks down for a staff person and fringe benefits. Mrs. Kehoe said remember it is not one staff person, it has to be covered for 24 hours a day. So, she said that is staffing. Mr. Messina said you are talking roughly 3 equivalent people or something like that. Mrs. Kehoe said because it is 7 days a week, it is more than 3 people but that is the salaries and fringes covering that length of time. Mr. Messina thanked Mrs. Kehoe.

Supervisor Cunningham thanked Comptroller Kehoe.

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The following item was a request from the Supervisor for authorization to execute the Order of Consent from DEC relative to the South Albany Sewer District Wastewater Treatment Plant. Supervisor Cunningham said there has been some discussion on that. He said the Order of Consent needs to be signed for the South Albany Sewer District Wastewater Treatment Plant by December 18. He said the Town Attorney is in contact with DEC relative to discussions about whether it is the Town signing or the Town signing as the Sewer District. He asked the Board to give him authorization to sign but it will not be signed until the issue is ironed out with DEC. Town Attorney Potter said he has been in touch with DEC about the issue and explained the complications here. He said it may be possible that the Town is not required to sign by the 18<sup>th</sup>, however, the letter sets forth that deadline. He said it would be helpful if the Board did give the Supervisor that authority to sign it. He said in all likelihood, the Town would be signing on behalf of the district rather than in the name of the Town. He said there may be some minor modifications to the form but nevertheless, they would need the authority for the Supervisor to sign.

The motion was made by Mr. Messina and seconded by Mrs. Dawson to authorize the Supervisor to execute the Order of Consent from DEC relative to the South Albany Sewer District Wastewater Treatment Plant. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

Noes: None.

Absent: None.

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The next item was a request from Commissioner of Public Works, Joshua Cansler, for approval of the 2008 Rate Structure for Water and Sewer Rates.

The motion was made by Mr. Plummer and seconded by Mr. Kotary to approve the 2008 Rate Structure for Water and Sewer Rates as requested by Joshua Cansler, Commissioner of Public Works. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

Noes: None.

Absent: None.

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The next item was a request from Town Engineer, Erik Deyoe, for acceptance of map, plan and report; approval of funding; and authorization to advertise for bids for New Salem Well improvements. The Supervisor explained these are improvements that will basically take pumping equipment out from underground and put it above ground and building metal houses.

The motion was made by Mrs. Dawson and seconded by Mr. Kotary to approve the acceptance of the map, plan and report for the improvements to the New Salem Well.

Councilman Plummer asked Town Engineer Deyoe if there is motive here to increase the safe yield at the 2 wells. Mr. Deyoe said there is really 2 parts to this project. He said he tried to explain it in his emails. He said in March the Town Board authorized the initial design of well improvements which basically are structural elements around the existing wells and re-piping and basically a well protection and security and confined space type of effort. He said in parallel with that they are also pursuing the increase of the safe yield at the wells through a series of tests and so forth to increase the permitted safe yield of the wells. He said the equipment there now allows for the pumping of more water than the permit allows. He said it is his experience that we can pump significantly more than what they are permitted to pump now. He said essentially the capital improvement on the agenda tonight has no change in the pumps themselves, they are building structures around the pumps. He said they also sent a report into DEC requesting and increase in the safe yield from combined 400,000 gallons a day at both of the well sites. He said they are requesting 1.3 million gallons a day based on the pump tests.

Councilman Plummer said what is being specifically asked for then is the 600,000 to go out to bid to do the work around the wells. He said work that has to be done and is unrelated to enhancing the yield. Mr. Deyoe that was correct. Mr. Plummer said the yield has to be approved by DEC. Supervisor Cunningham said they were in the same resolution. Mr. Deyoe said he put them in there for the Town Board's information to close the loop since they had asked to go out and get the increased yield.

Councilman Messina asked for clarification to that point that he had spoke with Town Engineer Deyoe about if there was a benefit in terms of savings or the purchase of cheaper water and with the emails it looks like there maybe \$125,000 to \$150,000 savings over time. Mr. Deyoe said yes essentially noting it is a function. He said the way the water system is managed in terms of supply is with the contract with Albany Water Board to purchase a certain minimum amount of water and that is the most expensive water. He said this is obviously the most inexpensive water they can make. He said it is minimally treated and it meets all the standards. He said they are trying to maximize the cheapest water source essentially. Supervisor Cunningham thanked Town Engineer Deyoe.

The Supervisor mentioned this is part of the infrastructure improvements that they frequently say they are working toward accomplishments. He said this is one of the improvements.

The motion was passed by the following vote:

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

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The following resolution was presented for adoption:

### **RESOLUTION NO. 30**

#### **RESOLUTION AND PUBLIC NOTICE**

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 12th day of December 2007, duly adopted, subject to a permissive referendum, a resolution as follows:

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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.

WHEREAS, the Town Board of the Town of Bethlehem has determined that it is necessary to fund the construction of water system improvements at the New Salem Wells and

WHEREAS, it is estimated that the costs of said work will not exceed \$600,000; and

WHEREAS, in recognition of these needs, funds for such purpose are in the Water Fund Capital Reserve Fund; and,

NOW, THEREFORE, BE IT RESOLVED that it is in the public interest to complete the construction of water system improvements at the New Salem Wells as described above; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the expenditure of the reserve moneys to fund this project up to a maximum amount of \$600,000 and,

BE IT FURTHER RESOLVED, that the Town Comptroller is authorized to expend from the water Fund Capital Reserve Fund the funds necessary up to \$600,000 in said reserve fund; and

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

The motion to adopt the resolution was made by Mr. Plummer, was seconded by Mrs. Dawson and duly adopted by the following vote:

AYES: Mr. Cunningham, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

NOES: None.

ABSENT: None

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The following resolution was offered by Mr. Mrs. Dawson and seconded by Mr. Kotary:

WHEREAS, the Town desires to advertise for bids for New Salem Well improvements, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 19th day of December, 2007 and that bids be received up to 3:00 p.m. on the 17th day of January, 2008 at which time the bids will be publicly opened and read.

The resolution was adopted by the following vote:

Ayes: Mr. Cunningham, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

Noes: None.

Absent: None.

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The following item was a request from Senior Planner, Robert Leslie, for approval of Amendment C to Adams Station Planned Residential District BPA No. 19 for the Clubhouse.

The motion was made by Mr. Plummer and seconded by Mr. Messina to approve Amendment C to Adams Station Planned Residential District BPA No. 19 for the Clubhouse as requested by Robert Leslie, Senior Planner. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

Noes: None.

Absent: None.

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The next item was a request from the Department of Economic Development and Planning to approve a resolution to secure grant funding from the New York State Department of Agriculture and Markets to fund development of a Municipal Agricultural and Farmland Protection Plan.

The following resolution was presented for adoption:

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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.

TOWN BOARD  
TOWN OF BETHLEHEM

RESOLUTION

**AGRICULTURAL AND FARMLAND PROTECTION PLAN GRANT  
APPLICATION**

**New York State Department of Agriculture and Markets**

WHEREAS, the Department of Economic Development and Planning requests for the Town to submit to the New York State Department of Agriculture and Markets a grant application to secure funding for a Municipal Agricultural and Farmland Protection Plan (Plan);

WHEREAS, a resolution by the Town in support of the application is required by the New York State Department of Agriculture and Markets;

WHEREAS, the Town of Bethlehem recognizes that as it continues to grow, its agricultural lands and natural resources face increasing conversion pressure;

WHEREAS, the Town of Bethlehem Comprehensive Plan recognizes the Town’s working landscape as a significant factor contributing to the long-term management of natural resources and to the rural character of the Town;

WHEREAS, the Town of Bethlehem Comprehensive Plan recommends that the Town create a Farm and Open Space Protection Program;

WHEREAS, the requested grant application consists of securing \$25,000 of State funds to hire a consultant to assist the Town in preparing an Agricultural and Farmland Protection Plan, as a component of the Farm and Open Space Protection Program;

WHEREAS, the town is committed to fund the cash match portion of the grant application for a total required match of \$1,667.

NOW, THEREFORE, BE IT RESOLVED,  
that the Town Board hereby determines that submittal of the grant application to the New York State Department of Agriculture and Markets will execute the recommendation of the Comprehensive Plan;  
that the Town Board authorizes the Department of Economic Development and Planning to submit the grant application to the New York State Department of Agriculture and Markets.

On a motion by Mrs. Dawson , seconded by Mr. Messina, and by a vote of 5 for, 0 against and 0 absent, this RESOLUTION was adopted on December 12, 2007.  
Supervisor /s/ John H. Cunningham

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The following request from Town Engineer, Erik Deyoe, for acceptance of deed for Milltowne Plaza Subdivision.

The motion was made by Mr. Plummer and seconded by Mr. Messina to approve acceptance of deed for Milltowne Plaza Subdivision as requested by Town Engineer, Erik Deyoe. The motion was passed by the following vote:

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

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The next item was a request from the Supervisor for authorization to sign the City of Albany Rapp Road Landfill Agreement for the year 2008.

The motion was made by Mr. Plummer and seconded by Mrs. Dawson to authorize the Supervisor to sign the City of Albany Rapp Road Landfill Agreement for the year 2008. The motion was passed by the following vote:

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

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The next item was to approve the issuance of Trailer Camp Permit for Breckenridge Village and Shady Grove West, Route 9W and Old Town Road, Selkirk.

The motion was made by Mr. Messina and seconded by Mr. Kotary to approve the issuance of the Trailer Camp Permit for Breckenridge Village and Shady Grove West, Route 9W and Old Town Road, Selkirk. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

Noes:: None.

Absent: None.

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

The motion was made by Mr. Plummer and seconded by Mrs. Dawson to approve the appointment of seasonal personnel as requested by Nan Lanahan, Administrator, Parks and Recreation Department, as listed in the Memorandum dated December 12, 2007 at the titles and salaries listed. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

Noes:: None.

Absent: None.

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The following item was a request from Assistant Director of Highway Department, Fleet Manager, Howard Hyer, for disposal of vehicles at Auction at Northway Auto Exchange.

The motion was made by Mr. Kotary and seconded by Mr. Plummer to approve disposal of vehicle, One 1997 Ford 4WD Tom Dump Truck, at auction at Northway Auto Exchange, Clifton Park, NY as requested by Assistant Director of Highway Department, Fleet Manager, Howard Hyer. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

Noes:: None.

Absent: None.

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Supervisor Cunningham announced that the swearing in ceremony will be held at the Town Hall on December 28, 2007 at 3:00 p.m. with the public invited.

The Supervisor asked if there was any public comment on non-agenda items. Ms. Maryalyce Lyons said she lives on Orchard Street and she proposed to the Town to install sidewalks on Orchard specifically from Cherry to Union but ideally all the way to Brockley. She said she did not know how many of the Board Members are familiar with the street but it is very busy. She said they have a lot of foot traffic, buses – due to the Slingerlands Elementary School being around the corner – and then many people may not be aware that they also have a CDTA bus route that goes along Orchard Street.

Mrs. Lyons said she has been able to collect pretty easily over 100 signatures of people in support of this project. She said she thinks there is the support. She said the other thing she has stumbled across is a possible funding source. She said she did not know if anyone on the Board are familiar with the Safe Route to School Initiative explaining it is tailor written almost for this kind of project. She said there are 32 million dollars through New York State, available for municipalities and towns to provide a safe walking route to school for children.

Mrs. Lyons asked the Board if this possibly could be followed up on for this particular situation. She said she knows there is a time line for the funding and that was why she came to get things rolling. Supervisor Cunningham said they appreciate that and they are in the process of putting together a plan for sidewalks throughout Town. He said they are aware of the Safe Routes to Schools funding program. He said they are trying to identify areas that could be applied for under that. He said he believes this are is one of the areas they identified.

Mrs. Lyons asked if there was anything she could do as far as continuing to help with this. Supervisor Cunningham asked her if she had the petition with her. Mrs. Lyons said she did not. The Supervisor asked that she deliver the petition to his office and they can submit that with the grant process. He said he does appreciate her coming by and they are working on it and if there are any questions, feel free to contact him and he would give updates.

Mrs. Lyons thanked the Supervisor.

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The Supervisor asked for other comments on non-agenda items. There were none. Supervisor Cunningham asked Councilman Plummer to give a motion to adjourn the meeting.

The motion was made by Mr. Plummer and seconded by 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. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

Noes:: None.

Absent: None.

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Town Clerk