

TOWN BOARD
DECEMBER 27, 2006

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 5:30 p.m.

PRESENT: Theresa Egan, Supervisor
Daniel Plummer, Councilman
Tim Gordon, Councilman
Samuel Messina, Councilman
Kyle Kotary, Councilman
Kathleen A. Newkirk, Town Clerk
James T. Potter, Esq., Town Attorney

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Supervisor Egan welcomed everyone to a regular meeting of the Bethlehem Town Board and invited them to join in the pledge of allegiance.

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Supervisor Egan asked if there was any public comment on agenda items.

The motion was made by Mr. Gordon and seconded by Mr. Messina to close the public comment period on agenda items. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.
Noes: None.
Absent: None.

The next item was to approve the Town Board minutes of November 8, and November 22, 2006.

The motion was made by Mr. Plummer and seconded by Mr. Kotary to approve the November 8, 2006 Town Board minutes.

Councilman Messina asked Town Clerk Newkirk to review the tape of the November 8, 2006 meeting because although they do not want verbatim minutes there was more discussion on the budget than the minutes contain.

The motion was amended to include approval with amendment and passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.
Noes: None.
Absent: None.

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The motion was made by Mr. Messina and seconded by Mr. Kotary to approve the Town Board minutes of November 22, 2006 as submitted. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.
Noes: None.
Absent: None.

The next item was a request from the Supervisor to consider a request from RCS for an appointee to the RCS budget advisory panel. Supervisor Egan said this is removed from the table and asked if anyone wanted to volunteer for this position. She said Councilman Gordon has absolved himself from this function.

Councilman Messina said in the not to distant future there may be another Board Member and, perhaps, it might be a good opportunity to get the new Member involved in budgetary issues. He said he is trying to push it out at this time, noting RCS is trying to recruit 25 members for the committee and that is a lot of people. He said although well intentioned, he does not think they will have a committee set up in the next couple weeks.

Supervisor Egan suggested she get in touch with the Superintendent and notify her the Town does intend to have someone appear and it may have to wait a couple meetings. She asked if that was acceptable to the Board. The Board agreed. She asked Town Clerk Newkirk to keep this with the Board agendas.

Councilman Gordon said perhaps in checking with the Superintendent maybe it could be floated in the sense of not having to be the same Board Member each time. Supervisor Egan said that might be a Board Member designee.

Supervisor Egan said that brings up another item that is not on the agenda this evening but there is a general news release, although a specific request has not been received from Bethlehem Central, they are doing a similar thing where they are seeking a citizen volunteer group for a citizen budget group. She said they have requested any interested community member send a letter of interest by January 5 of 2007. She said she was going to propose on this one, due to pretty significant issues and she has developed a rapport with Dr. Loomis, that she volunteer herself or her designee if she could not be part of that. She asked if this was acceptable to the Board. Councilman Messina said that was fine from his point. Councilman Kotary and Councilman Plummer agreed. Supervisor Egan said she would send a letter to Dr. Loomis.

The following item was a request from Town Engineer, Erik Deyoe, for acceptance of a deed from YMCA for an all purpose easement as required by the Site Plan map.

The motion was made by Mr. Messina and seconded by Mr. Kotary to approve the acceptance of a deed from the Young Men's Christian Association for 900 Delaware Avenue, Delmar, New York for an all purpose easement as required by the Site Plan map and requested by Town Engineer, Erik Deyoe. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.

Noes: None.

Absent: None.

The next item was to acknowledge receipt of Mid-Hudson Cablevision, Inc., 2005 Cable TV Annual Franchise Fee in the amount of \$165.02.

The next item was a request from Parks and Recreation Department Administrator, Nan Lanahan, for acceptance of donations for Maple Ridge Park and Elm Ave. Park Line Drive.

The motion was made by Mr. Messina and seconded by Mr. Kotary for acceptance of donations for the Maple Ridge Park and Elm Avenue Park Line Drive as recommended by Nan Lanahan, Administrator, Parks and Recreation Department. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.

Noes: None.

Absent: None.

The next item was a discussion of the vacancy created on the Bethlehem IDA. Supervisor Egan said she mentioned it at a previous Board meeting. She said

there is a letter signed by IDA Members - Councilman Messina, Bob Ward and Joanne Cunningham – that talks about the resignation of Dave Petraglia. She said this week, Frank Venezia has officially accepted Dave's resignation. In as much as the Members of the Governor's Committee -- the agency are required under the Public Authority Accountability Act of 2005 -- are advising the Board in regard to the skills and experiences that would be required of an incoming IDA Board Member.

Supervisor Egan asked Economic Development and Planning Director Leveille if this vacancy creates a problem with quorums or anything. Mr. Leveille said it did not. The Supervisor suggested that if anyone has any recommendations for this that the letter be used as parameters within which to seek any interested parties. She said she has one person who has called with a name for a suggested Member.

Councilman Plummer asked Mr. Leveille if there was only 1 vacancy. Mr. Leveille said there was only one. Mr. Plummer asked how many are on the Board. Mr. Leveille said there are 7. Supervisor Egan said again because of the accountability act, Mr. Leveille and Mrs. Kehoe are not members anymore. They removed themselves as members, according to the Supervisor, noting they are staff assigned to the IDA.

Councilman Kotary asked what kind of time frame they were looking at. Mr. Leveille said the IDA has been operating with an even number of members and they do not normally have votes that are deadlocked or anything like that but it would be appropriate to appoint someone as soon as possible. Mr. Leveille noted that the position is not compensated. Supervisor Egan said it is not a paying position and the meetings are held at 8 a.m.

Supervisor Egan again suggested that resumes to be considered be sent into her office and she will get copies to the Board Members. Councilman Messina noted he sent one in electronically but he will resend it. Supervisor Egan thanked Mr. Messina.

The next item was the presentation of IMAC reports for Comptroller and MIS Offices. Supervisor Egan said Mr. Dammeyer will present the Comptroller report.

MIS Director, Jeff Dammeyer, said the office serves internal customers and secondarily external customers. Services provide critical services such as payroll preparation, vendor claim payment, employee benefit administration, human resource services and cash management. He said other essential services provided include investment of funds, purchasing management, debt issuance and management, annual budget preparation and accounts reconciliation.

Mr. Dammeyer said the management structure of the office consists of the Town Comptroller who is responsible for financial reporting, budgeting, investing and cash management, as well as, debt management. He said the Deputy Comptroller is responsible primarily for purchasing and general services. According to the report, Mary Tremblay Glassman is primarily responsible for human resources and payroll processing.

Mr. Dammeyer said regarding the management structure while there is some cross training of these duties, due to the time to perform these tasks and the related skills required there is limited depth to the cross training which could lead to service impacts if those positions were vacated. He said this is an issue for some smaller staffed departments where the personnel depth is not available.

Mr. Dammeyer said in regard to technology, there is an extensive amount of technology used in the office. Software solutions are in place for virtually every process performed in the office and electronic file transfers are used for almost all reporting to external agencies, according to Mr. Dammeyer. He said all systems in place are fully integrated with each other to eliminate any redundant data entry.

Mr. Dammeyer noted the Comptroller has been instrumental in attaining the level of automation in her office. He said she has also been an advocate for automation in other departments as well, something he appreciates as the MIS Director.

Mr. Dammeyer said there are emerging priorities and service tracks. He said an emerging trend that could be looked into further is electronic vendor payment processing which would replace the current paper printed checks. He said this can be explored in the future. He said another emerging priority is to address another potential operational vulnerability caused by vesting too much key responsibility solely in the Comptroller. He said the independent auditors have addressed this in their risk assessment several years now. He said the financial review shows the Comptroller's budget is relatively fixed and primarily personnel services and fringe benefits. He said there are some larger contractual costs related to the external audit fees and software support.

Mr. Dammeyer said on the revenue side, the office is pretty much an internal service department so there is really no significant departmental fees generated.

Further recommendations regarding this office include improving the purchasing functions by using a standardized template for bid specs for all departments and expanding the usage of the bid net purchasing system. He said a review of the internal audit function to see if there is an area that could be improved upon or if some assistance should be given to this function. He said another recommendation was to explore centralizing grant administration allowing one person to seek out grant opportunities on a town-wide level and that person write and administer the grant throughout the grant cycle. He said due to the volume of grants in the Town this is probably a part-time or contract position. He said another recommendation was to evaluate the cost benefit of devoting more time to investing idle funds to see if there are investment avenues that could potentially generate more revenue.

Mr. Dammeyer said the last one was a review of assignment of Town vehicles and equipment to see if there are any avenues for efficiencies such as pooling vehicles, changing the type fuel used in vehicles and changing the size of the vehicles. He said overall the IMAC committee found that the Comptroller and staff does an excellent job.

Supervisor Egan thanked Mr. Dammeyer. She asked if there were any questions. Councilman Plummer asked under the recommendation section where it talks about looking at the investment strategies, if that was something that would be a task that the new auditors would do or was it separate. Comptroller Kehoe said that is an internal management function. She said it is an operation for the office itself to do. She said the auditors would be evaluating how they reported the assets but not normally a role for the independent auditors. Mr. Plummer asked if she envisioned when this is included that she would do the actual examination or the consideration as to other investment opportunities or would she seek outside help to do that. Comptroller Kehoe said she may seek outside help to do something like that. She noted there are numerous investment vehicles even in the State of New York where there is a very restrictive investment policy. She said certainly the Town's investment policy is restrictive also but you can do things with treasury, state obligations. She said there are all sorts of other investment vehicles but there is an administrative cost to managing that because you need to be tracking who the investments are with, when are they maturing and things of this nature. She said there is a relatively good yield with the high yield money markets but it is possible by putting a little more time into that, you might be able to ladder some of the investments so that they are staggered maturities and staggered returns. She said it takes more time so the question is, will you get a greater benefit by increasing your yield on the investments or will it be a negative return based on the time put into it. She said there has been a very low interest rate environment over the last 3 years so it really has not been much of an issue but rates are beginning to move up.

Councilman Plummer said he just wondered what the motive is, to seek outside assistance or is it something that she would do. Comptroller Kehoe said she could do it. She said the issue is available time to devote to that activity when you are looking at competing priorities. Supervisor Egan said one of the issues from IMAC that ties into one of the other recommendations in regard to considering a new position as a result of the lack of depth in the office is if there was a little more depth and it could free some of the Comptroller's time since she is capable of doing this but a question of balancing what the return would be on spending that time on versus basically the other requirements of the office right now that she is stuck doing. She said it is unbalancing. Comptroller said enjoying doing, not stuck doing.

Supervisor Egan said the issues are related and again from IMAC's perspective, it is something that will be talked about going into next year's IMAC, trying to get into the depth of some of these and the balancing of one versus another strategy – outside versus inside, what's the cost of outside, the benefit return on it, etc. Comptroller Kehoe said it is a fairly busy office and the demands keep growing and that is something that the auditors commented. The Comptroller mentioned one of the risks is that there are quite a few tasks that are vested primarily with her. She said if there was more depth in the office in terms of someone with financial management background, you could set up some more compensating controls and things like that. She said they have them in place now and it has not risen to the point where it is such a concern that the auditors write it up as a problem. She said it is something the Board needs to be aware of.

Councilman Plummer said he would like to see a seeking of outside assistance because there are firms that do this full time and he thinks there is a real value to that. He said he would like to see different options that might be out there. Comptroller Kehoe agreed. Councilman Plummer commented maybe a general solicitation can be done or something like that to find out.

Councilman Kotary jumped in on that and asked if there was a thought to have an advisory committee. He said the Board could look to certain members of the financial community who happen to live in-town or Board Members or other interested parties that could, perhaps simply in an informal capacity, get a lot of the research that takes the time and the effort to get to and help float some of the ideas. He also asked if there were opportunities through associations – Association of Towns or the like... Comptroller Kehoe said absolutely and that is where she would go, not wanting to reinvent any wheels. She said she has numerous contacts also through NYS Government Finance Officers Association, noting that would be their primary role. She said they are not going to do the day-to-day management of this or if they do, they will charge a fee. She said that is where it nets out with a positive return or not. She said it is not like there are multiple millions of dollars at play.

Councilman Kotary asked if the Comptroller thought there was a significant amount of revenue to be brought in or really talking about one of many priorities that maybe could round the edges. The Comptroller said there could be more if it were significant, noting she would be devoting more time to it. She said the purpose of IMAC was to look at areas to do better and that is one of them potentially.

Supervisor Egan thanked everyone. Councilman Kotary said they had looked at human resources as well as perhaps a new finance position. He said sometimes it would be great if both could be provided but if she had to and if it is fair to ask, where is that priority on the list, HR is up a little higher but if they had an opportunity where should staff be added first. Comptroller Kehoe said finance without a doubt. She said Mrs. Glassman is doing a good job and the assistance from the other staff that HR is running relatively smoothly. She said they are human and there is only so much they can do and the Town continues to grow along with mandates coming down.

Councilman Kotary said his last question was along the lines of what Councilman Plummer was suggesting in terms of seeking potential outside

advice/help on the investments and that is in grants. He asked if much has been done in the past in terms of going to outside grant writers or do we also have a potential. Supervisor Egan chose to answer for the Comptroller.

Councilman Kotary said perhaps the Comptroller will want the second part with regard to the IDA and he is wondering if there are ways to increase efficiencies by researching grant opportunities maybe through the IDA and the Town at the same time to share resources. He said maybe this is already being done. Supervisor Egan said in the last couple years they have increased the number of grants that Comptroller Kehoe is implementing. She said she did not know how many fold. She said there are many applications they have applied for and thankfully been very successful with. She noted recognizing that and the fact that there may be more opportunities and the priorities on Comptroller Kehoe's time, they spoke with a couple people and had one woman come in. She said it seems to be you will not get somebody that is going to volunteer his or her time to do this. She said there are a couple ways to do this – one is a percentage of the grant application money that comes in. She said because most are municipal type grants, most people say no one will touch this without it being a contract basis. She said again, the question is the amount of money that would be spent on that for a grant with no guarantee of receiving any monies. She said they have been doing the applications in house, thanks to Town Engineer Deyoe, so as far as maximizing what the Town has, they have been trying to do that. She said if a grant application comes in and depending on what it is for, the Department Head involved with the grant, has been jumping in with oversight by anyone who can give input. She said clearly there probably are other opportunities out there but the Town would have to make an investment in someone to do this. Comptroller Kehoe said she sees the bigger piece, not so much on the applying for the grants but on administering them once we have them. She said this is because it is not centralized. She said if there is an economic development and planning grant, it is Mr. Leveille's staff that are doing reports. She said it is time consuming to do that, noting if there was a staff person with available time, they could help with that effort. She said unfortunately the grant requirements are not consistent from agency-to-agency with idiosyncrasies from one to another. She said she has worked to develop checklists to go over with the departments as they get new grants. She said sometimes it is difficult to identify the ultimate sources of funding, sometimes they think it is from New York State and its really coming from the Federal government which affects the single audit threshold. She said there are ramifications based on where the money is coming from. She said obviously they want to be in compliance with all the grants so that they remain eligible to receive new funds. She said the administration of the grants once received is important and time consuming. She said it is decentralized and she is working with the departments to help them but in an ideal world, the Town would have someone who could devote more time to it and help process them. Supervisor Egan said this could overlap with the finance person probably more so than an IDA appointee. She said with all of the latest hires over the last year, they have been looking at where they can duplicate for other services to fill in. She said she thinks this is a key one and would fit nicely with the Comptroller's office. Comptroller Kehoe said despite those requirements, they have been able to get new people.

Supervisor Egan asked if there were any other questions or comments and thanked the Comptroller and indicated she would be doing the MIS report.

Comptroller Kehoe said they saved Mr. Dammeyer's report and hers to the end of the IMAC review process because their departments are somewhat unique in that their customers are the internal departments. She said they serve the public but often it is on an indirect fashion. She said if you look at what the IT department is doing for the public, the most visible thing is the web page but only the tip of the iceberg for what that department does. She said there are 7 different servers, the hardware and the mainframe equipment, that process all of the data that the Town handles, 135 pcs that all come with users who are of varying degrees of sophistication and tend to need a lot of help from the IT department. She said not only are they doing help desk services but also administering the network and all the equipment and software that goes along with that. She said there are certain folks in the outside world who like to spend a lot of time developing new ways to

get spam in through networks and to send viruses out to the networks and she does not know the percentage of time that takes for the IT department to handle. She said she knows it is pretty sizeable and the number keeps growing.

Comptroller Kehoe said the network is very reliable and it does not go down other than for planned maintenance most likely. She said it is a big responsibility and they have kept it running rather smoothly. She said it is highly technical and complex when looking at it through the IMAC standpoint and some of the definitions and they had a number of questions to be converted to layman's terms. She said she is glad they can rely on Mr. Dammeyer and his staff for that information.

Comptroller Kehoe said one of the big services they do -- and she has had the pleasure to work with IT department -- is when a new software module is implemented. She said she has gone to national conferences and talked to a lot of to her finance professionals who have programs on the types of computer systems and designs that local governments should have in place and we are doing it. She said this is talking about best practices and functions and how you should be minimizing the duplication of data entry tasks between multiple departments, ways to do things more efficiently, ways to hard code data so that you don't have human error entering into the equation. She said we are doing that and a large portion of that is coming from the IT director and his staff and effort working with all the departments. She said they are also very helpful to the departments because they know what is going on operationally in the other departments so they can say what is being done elsewhere. She said they have been able to keep the staffing in various departments relatively flat and it has been largely due to the automation and the efficiencies that have come from the IT department and networks. She said it is never pleasant to go through an implementation indicating the Director of Economic Development and Planning will be going through that next. She said there is always a good end result once it is completed.

Comptroller Kehoe said one of IMAC's goals was to try to generate ways to save money and they found that in the IT department due to a lot of reconfiguring of the equipment and the contracts already generated substantial savings and are listed in the report. She said the one she wanted to highlight was just due to a change in the server model where they upgraded it, it saved \$20,000 a year just in the maintenance costs that were associated with the unit. She said there are other items that total up close to \$5,000 a year on top of that in savings that Mr. Dammeyer has been able to generate for the Town. She thanked Mr. Dammeyer for that.

Comptroller Kehoe said many of the users have come to feel spoiled since they identified that people are accustomed to picking up the phone and calling the IT department and want an answer immediately but there are not too many places you can call and get an answer that quickly. She said one of the needs that has been identified is a need to be able to queue those different requests and then to prioritize them so that with the limited resources they have they can more effectively manage those requests. She said she thinks the difficulty with that is that they are going to have to have a little bit of a culture change because the users have grown very accustomed to almost immediate service and they need to ramp back on that and everyone will have to still be satisfied customers even if they have to wait 6 hours for something.

Comptroller Kehoe said she thinks, despite the complexities due to the fact that the network is so reliable, maybe there is a false sense of security. She said she liked to use the analogy of plates spinning -- seen at the various circuses -- in the air and the person going down the line to spin them. She said she feels that is what she is seeing when she looks at Mr. Dammeyer's office. She said the fact that they have not dropped any plates belies the difficulty and the complexities of what they are dealing with. She said they saw that through IMAC and the Board is aware of what is going on.

Comptroller Kehoe said if the Board looks to the recommendations that are within the report, there really are not many. She said there is the help desk

software that was talked about. She said the work environment is a little bit unstructured and chaotic and they talked at the IMAC level that due to some of the savings that were achieved, it would be a good idea to buy some additional workspace – desks, tables and things – so that is being accomplished now. She said the other 2 items a billing form research would benefit citizens who might be able to access certain forms that we require and do it on a web based method and the server, virtualization, that speaks to Mr. Dammeyer and his office being aware of changing trends in the IT world and taking steps to get the Town there.

Comptroller Kehoe asked if there were any questions. Councilman Kotary said one of the things he was surprised to see is that we have equipment in the same room as staff. He said that got him thinking in terms of fire suppression equipment but also in terms of redundancies. He said right now it seems like that may be a potential critical expenditure if something happened. He asked Mr. Dammeyer how much we are rolling the dice with the current protection systems. Mr. Dammeyer said as far as redundancies, for the Police Department there is a redundant system at the Parks Department. He said every transaction written here is also written there and they could be switched over in about 3 minutes. He said as far as the rest of the systems, it would take probably a day to restore everything and get us back up. He said really you should not have the servers with the people because you really need fire suppression system that is harmful to people if it ever goes off. He said same thing with any water situation or anything like that. He said ideally you would have a server room separate, climate controlled, and then somewhere else you would put the staff that is managing it. He noted he has been recommending this for quite some time but there are limitations with the building.

Councilman Kotary asked if we have available space. Supervisor Egan said we do not. Mr. Kotary said any solution to that would involve a much bigger space. Supervisor Egan said it is one of the issues that was considered during the facility needs assessment which will be presented soon. She said that is one of the issues the MIS Department brought to the needs assessment.

Councilman Kotary congratulated Mr. Dammeyer on the website noting it gets better and better. He said he thinks as Mrs. Kehoe mentioned, his primary customers or one of the 2 customers is certainly internal but then also there is an obligation to the external customers, the citizens. He said he is curious about whether there are any emails received or telephone calls received concerning being able to get things easier or even people who approach Mr. Dammeyer about software or anything like this. He was wondering if there is any feedback if there was a way to generate and use the resources in Town. Mr. Dammeyer said the feedback he is getting is pretty much positive and saying how easy it is to find the information. He said they have also commented that there isn't anything they were not able to find. He said one thing being discussed is the e-newsletter that is being developed. He said people will be able to go to the website and subscribe to the newsletter and then monthly they will receive a newsletter to their mailbox. He said it will have links and everything for additional information.

Councilman Kotary said he was also wondering if we have an intranet. Mr. Dammeyer said we do indicating not a full intranet like an employee newsletter that people could go to. He said it could be done. Mr. Kotary wondered without spending any more money if there is the capability of doing this. He said that is something the State does and various agencies and it can be helpful. He said he is not only trying to help the 240+ employees but really to help Mr. Dammeyer. He asked if there were ways to utilize an intranet to help cut down on some of the time that is tied up answering questions. Mr. Dammeyer said the help software would do more. He said an intranet would give his office more work. Mr. Kotary said he just wondered to what extent we have that for internal communications. Mr. Dammeyer said again like the website the key to any of these information providing things is getting the content. He said getting the content from the departments at times can be difficult, noting they are not the writers of the information.

Councilman Kotary said his last question was in regard to wireless communications. He asked if we have wireless or if wireless would work since the

walls in the Town Hall are pretty thick but do we have the ability to have a wireless dome at Town Hall. He also asked if there is wireless capability for other offices throughout Town. MIS Director Dammeyer said what they have done is wireless for outside the building for the inspectors. He said they are using Verizon wireless access cards so they can go out into the field and connect into the network and work as if they were in their office. He said as far as inside the building, there is a cost tradeoff as to what you are providing since wiring has already been done. He said what kind of extra benefit would be derived, noting there was a port in the auditorium. He said it is something that can be done but he did not think the cost benefit was there. Councilman Kotary thanked Mr. Dammeyer.

Supervisor Egan asked if there were any other questions or comments. Councilman Messina said he had a comment about finance and the IT area and the involvement on the IMAC. He said he does not tend to ask many questions because he has been fortunate to be a part of the Committee. He said having both Comptroller Kehoe and MIS Director Dammeyer there was certainly well worth it in terms of their involvement in reviewing all of the other departments. He said in addition to the work that has been done presenting the respective environments, their involvement in the entire initiatives have been great. He said he would also mention since IMAC has not been wrapped up yet and still moving forward a bit, that there is an IMAC meeting scheduled for January 3, 2007 and he is sure one of the things to be done will be implementation and a couple hundred recommendations that come out of this and how to move forward in the process so that there is follow-up. Mr. Messina said they knew this was not a one year deal. He said it will be a multi-year project to implement some of the recommendations. He wanted to share the fact that there is some additional work to be done. He said everything that has been presented to this point is a draft report. He thanked everyone for their work.

Supervisor Egan agreed and thanked everyone. Councilman Gordon added to MIS Director Dammeyer when the website was unveiled, he had a couple concerns for using it himself and those were addressed. He said he lamented at the time that he did not express what a fine job this has been and how important that is in opening up government and the internet is a great tool. He also noted you have to use it right and have the content there. He applauded Mr. Dammeyer's efforts.

Supervisor Egan thanked MIS Director Dammeyer.

The following item was a request from Deputy Director of Economic Development and Planning, Michael Morelli, to declare the Vista draft DEIS complete. Supervisor Egan noted Mr. Hebert was in attendance and asked if he wanted to make a statement or just be available for questions. Mr. Hebert said he was available for questions. Supervisor Egan said process wise, everyone received the package with the draft EIS and there was some discussion with the Town's TDE in regard to this over the last several weeks. The Town's TDE are now satisfied that the DEIS is now in a complete form. She said this does not have to do with substance, it has to do with the things that have to be in the report. She said there are various processes that have to be gone through which is part of the next agenda item. She said if there are any questions, Mr. Hebert will be happy to address them, however, if there are not, she would entertain a motion to declare the VISTA draft EIS as complete. The following resolution was presented for adoption:

RESOLUTION NO. 45

**TOWN BOARD
TOWN OF BETHLEHEM
SEQR RESOLUTION
COMPLETION AND ACCEPTANCE OF DRAFT EIS
ESTABLISHMENT OF COMMENT PERIOD AND PUBLIC HEARING DATES
VISTA TECHNOLOGY CAMPUS
ROUTE 140 (CAPTAIN TIMOTHY J. MOSHIER MEMORIAL HIGHWAY) AND
ROUTE 85
APPLICATION FOR MIXED ECONOMIC DEVELOPMENT DISTRICT (MEDD)
APPROVAL**

MEDD NO.1

WHEREAS, on December 20, 2005, Vista Development Group, LLC, a subsidiary of BBL Development Group, of Albany, NY (the "Applicant") filed an application for Mixed Economic Development District approval (the "Application") with the Town of Bethlehem Town Board (the "Town Board"), proposing to construct the Vista Technology Campus a mixed use commercial development of approximately 1.4 million square feet of building space (the "Project") on a parcel that consists of approximately 330 acres of land within the Town of Bethlehem currently zoned MEDD, and approximately 128 acres of land within the Town of New Scotland currently zoned Residential-2 (R-2), for a total project acreage of roughly 458 acres (the "Site"); and,

WHEREAS, the Town Board has undertaken the role of lead agency for the Project pursuant to Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617 ("SEQRA"); and,

WHEREAS, as SEQRA lead agency, the Town Board determined on February 15, 2006 that the Project may have a significant effect on the environment, and required the preparation of a Draft Environmental Impact Statement ("Draft EIS"); and,

WHEREAS, Town Board thereafter conducted public scoping for the draft EIS final scope on March 22, 2006; and,

WHEREAS, the Town Board and its consultants have now received and reviewed the proposed Draft EIS for the Project with respect to its scope and content for the purpose of commencing public review;

NOW, THEREFORE, BE IT RESOLVED THAT,

1. the Town Board hereby determines that the Draft EIS for the Project is complete and hereby accepted as adequate with respect to its scope and content for the purpose of commencing public review, pursuant to 6 NYCRR § 617.9; and,
2. pursuant to 6 NYCRR §617.9(a)(3), written comments on the draft EIS will be accepted until February 5, 2007; and,
3. pursuant to 6 NYCRR §617.9(a)(4), a public hearing will be conducted on the Draft EIS on January 24, 2007 at 6:15 p.m.; and,
4. the annexed Notice of Completion of Draft EIS and Notice of Public Hearing shall be filed with involved agencies and published in accordance with the requirements of 6 NYCRR §617.12; and,
5. in addition to the requirements of 6 NYCRR §617.12, the Draft EIS shall be filed in the Bethlehem Town Library to insure maximum public access to the document; and,
6. the Application is hereby referred to and shall be filed with the Albany County Planning Board pursuant to General Municipal Law § 239-m.

On a motion by Daniel Plummer, seconded by Kyle Kotary, and a vote of 5 for and 0 against, and 0 absent, this RESOLUTION was adopted on December 27, 2006.

The next item was a request from Michael Morelli, Deputy Director of Economic Development and Planning, to set the public hearing on the VISTA DEIS for January 24, 2007 at 6:15 p.m. Supervisor Egan said following up, the next step is to have a public hearing with regard to the draft EIS for the VISTA Technology Park. She asked for a motion to set the public hearing.

The motion was made by Mr. Plummer and seconded by Mr. Gordon to approve setting the public hearing for January 24, 2007 at 6:15 p.m. with regard to the VISTA DEIS as requested by Deputy Director, Michael Morelli, Department of Economic Development and Planning. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.

Noes: None.

Absent: None.

Supervisor Egan noted the IDA is having and sponsoring a public meeting on January 17, 2007 at 7:00 p.m. here at the Town Hall on the VISTA DEIS as a supplementary tool again to provide as much information as possible. She said it is the most critical economic development initiative we have had here in Town. She

Highway Superintendent, Gregg Sagendorph
Public Works Commissioner, Oliver Holmes
Pat Bloom, Technical Assistance on Non-Chemical Alternatives.

The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.

Noes: None.

Absent: None.

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Councilman Kyle Kotary offered to be a Member of the committee.
Supervisor Egan noted the motion was amended to include Mr. Kotary.

The next item was a request from Councilman Plummer to consider a letter of intent to Open Space Institute on Colonial Acres. Councilman Plummer said he feels he has very positive news and he is cautiously optimistic. He said there is an agreement in concept between the Open Space Institute and the owners of the Colonial Acres Golf Course. He said there has been an exchange of a draft and the lawyers are looking through it and reviewing it. He noted this has a ways to go but it is an agreement in concept on the price. He said part of what has happened is the grant application that the Open Space Institute applied for and the Town helped on has been approved by the Governor's office. He said the Governor's Empire State Development Corporation Board has signed off on a grant. He noted it happened earlier this month and that grant is \$375,000.

Councilman Plummer said the Open Space Institute and its Board has agreed to pay the balance of the price. He said he did not want to divulge the price because that is something that has been agreed to in concept. He said as part of this, the Open Space Institute would own the golf course. He said what they have required of the Town is 3 things for right now – 1. Town would operate the golf course and have to do an operation agreement; 2. Town will make its best efforts to apply for grant acquisition money that may be available at the State level. He mentioned the Environmental Protection Fund as an example. He said if the Town were to apply and were successful, then that money would go to the Open Space Institute. He said there is no obligation on the Town if it is not successful; 3. In addition, there is equipment that is being used by the maintenance individual and the owners believe there is a value of \$40,000 on the equipment and the Open Space Institute has asked the Town to purchase the real property (equipment).

Councilman Plummer said they have been given a list of the equipment and his understanding is that it is being evaluated now and it is close to the \$40,000 but the review is going on.

Councilman Plummer said the letter in front of the Board is a draft letter that would go from the Town to the Open Space Institute saying that we would agree to those 3 things. He said again this is moving kind of quick because they have all been waiting for the action from the Governor's Board on the \$375,000 that just happened earlier this month. He said the discussions between the Open Space Institute and the landowners have been very positive. He noted the reviews are going on and that's where we are right now. He said the motion that would be requested, along with the document that Comptroller Kehoe just handed to the Board, would call for the transfer of \$40,000 from the planned deficit.

Councilman Plummer asked Mrs. Kehoe if this was correct into the Parks and Recreation Department to be available in the event that these terms are worked out and there is agreement.

Supervisor Egan said that is kind of the secondary piece. She said first the motion would be to give her the authority to sign the letter and pass it on to the Open Space Institute. Councilman Plummer said Councilman Messina called him in the morning and there is one sentence that makes reference that if the Town is successful in obtaining a grant that the Town would acquire the Colonial Acres

property from the Open Space Institute and it should say for clarification purposes that the Town if successful will acquire the Colonial Acres property from the conservancy for the grant amount. Councilman Messina thanked Councilman Plummer for the clarification. Councilman Plummer said he spoke with Mr. Martens as well.

The motion was made by Mr. Messina to approve the Supervisor executing the letter to the Open Space Institute with the amendment for clarification purposes that if the Town is successful in obtaining a grant, the Town would acquire the Colonial Acres property from the Open Space Institute for the grant amount. The motion was seconded by Mr. Kotary and passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.

Noes: None.

Absent: None.

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Supervisor Egan said the equipment list has been received and there was a meeting with Parks Administrator, Nan Lanahan, and Pat Bloom last week to go over the list. She said it is being reviewed by Mr. Reagan at the Parks Department also. She said this will be further evaluated over the next week or two.

Councilman Gordon thanked Councilman Plummer for his efforts, noting it is outstanding in maintaining this jewel, the Colonial Acres Golf Course. He said it is a fantastic thing. Councilman Plummer thanked Councilman Gordon but said you need to give credit where credit is due and there is a ways to go. He said everybody has been very helpful and certainly Governor Pataki and his staff. He said he appreciates everything they have done, noting that is significant. He said the Open Space Institute to step up front to agree to put up a significant amount of money is just great for the community. He said they are the ones who came forward with the cash. He said he thinks this is a wonderful opportunity for this Town, noting it can be expanded and a lot done with it. He said there can be services and trails, cross country skiing in the winter. He said he hoped it will keep going.

Councilman Messina thanked Councilman Plummer for his humility but Councilman Gordon's appreciation of that was certainly warranted. He mentioned that he knows Mr. Plummer took a lead in negotiations in working with Supervisor Egan and Mrs. Lanahan, Mr. Leveille and the staff. He said without that effort, he thinks there might have been more development and not the preservation of a wonderful piece of land that is valuable for the Town. He thanked Councilman Plummer for his efforts. Councilman Plummer said you cannot jinx this, they have to move on.

The following item was a request from Comptroller, Judith Kehoe, to consider end of the year transfers. Supervisor Egan said it is that year end time of year where they make all the adjustments that have accrued during the year. Comptroller Kehoe set forth a detailed list. She suggested without going through all of it, if anyone had questions, she would take those at that time.

Comptroller Kehoe said it is administrative housekeeping, there is nothing extraordinary on there. Councilman Plummer said it is significant that, if he is reading this correctly, so much savings occurred at all the different departments. He said he understands Highway because of the weather situation and what is being done to support that. He said the thing he was going to ask that he thought would be helpful is when you look at water and sewer as an example, particularly water that \$350,000 is just huge, significant. He said it would be good to know that as part of the budget discussions. He asked if things are happening like that if they could know this sooner than December. Supervisor Egan said using that as an example that has to do with savings from not having to buy water from Albany as a result of the wells coming somewhat on line. She said they are doing a couple million gallons a day. Due to the wells and plenty of water at the reservoir this

year, Comptroller Kehoe said there has been minimum purchase throughout the year and that is a large portion of that savings for the water fund.

Supervisor Egan said we know sometime earlier in the year, mid-year, this may be but Highway is tough again because you have winter both at the end and the beginning of the year. She said a lot of the savings seen here were a result of what IMAC was doing and the message of the department heads but a little bit cautionary and it was part of the discussion during the budget process. A lot of the savings seen this year are not necessarily repeatable, according to Supervisor Egan. She said they were one-time shots where some things were deferred and other items hold off. She said she thinks the point is a good one to the extent that we have those larger savings. She said if we go through an easy spring, there may be an idea that Highway will be different. She said they certainly can look into different ways they can forecast that a little bit tighter. Councilman Plummer said he understands Highway 100 percent. He asked if this information is for water and sewer or the general fund, that it is very healthy and the sooner they know it helps in the budget discussions. Supervisor Egan said that is a good point.

The Supervisor asked if there were any other questions. Councilman Messina asked about the transfer from the unexpended Police contractual, and what that was about. Comptroller Kehoe noted the Police Department budget under Contractual items was significantly unexpended. She said Chief Corsi reigned in a lot of other contingencies that had been built into that. He put the brakes on a lot of spending, according to the Comptroller and generated about \$110,000 in unexpended funds. She said on a 7 million dollar budget that is a pretty sizeable savings that he was able to produce. She said they were able to use those savings to help fund other projects that they thought were important and needed to be accomplished during 2006. She said not all of it is being transferred, noting some of the amount will remain within the fund as a benefit going forward.

Councilman Messina said the only other question he had related to the transfer from unexpended shared services budget, 3 line items, shown below MIS. He said it is about \$47,000. Comptroller Kehoe said it is about \$30,000 from the shared services. She said the \$8,000 and the \$22,000, noting the \$17,000 was from the Police budget. Councilman Messina asked about the shared services part. The Comptroller said the shared services is for things that are for the general building maintenance so there were certain projects that were deferred. She said they received some significant savings by doing some upstairs renovation work with Town staff. Councilman Messina thanked Comptroller Kehoe.

Councilman Kotary just wanted to echo a little bit of what Councilman Plummer said in terms that this is very positive in increased savings and healthy fund balances, as well as, putting forth almost a million dollars in reserves. He said this allows the Board to better plan as discussed during the budget sessions for both the unexpected and the expected and in some cases put off capital expenditures.

One thing, Councilman Kotary wanted to ask was in terms of the money that goes back seems to be going back into the General Fund or toward the general expenditures in some cases. He asked to what extent should the Board balance what individual departments save and goes back into the General Fund and that which the Department can keep. She said a lot of local governments have the mentality of it is in the budget if it is not spent, it will never be there again. She said they want only more and whether they need it or not they are spending it down. She said the Department heads with the Town have been wonderful because they understand that the bigger picture is the limited resources from the community and we need to spend them where they are most important to be spent. She said they know if push comes to shove, they work to get the funding. They know, according to Comptroller Kehoe, that they can count on the office and the Town Board to get them the funding they need for these things. She said they understand if there are unexpended funds it will go to a Capital Reserve if it is possible so they can avoid the issuance of debt going forward. She said they are able to accomplish some of the smaller projects using the reserves. She said that culture is very much present with the Department heads and benefits the entire community. Mrs. Kehoe said Supervisor Egan also conveys this message to the Department heads.

Comptroller Kehoe said in terms of the crystal ball, the General Fund is where she puts the bulk of her effort and that forecasting is pretty accurate even with these transfers. She said the Town is coming in at a \$700,000 deficit. She said on the transfer approvals listed, the language which says subject to a maximum amount and if in the event the 4th quarter sales tax is not as good, it can be rolled back. She said at the end of the day she wants to make sure that the fund balance is still in a healthy position. She said water and sewer fund surpluses are due to favorable conditions and the cutting back, She said it is a little tougher to predict only because not only do you have variances on the expenditure side but they are also doing quarterly billing for usage based on the consumption patterns of the residents. She said that is split into 4 different customer groups throughout the Town. She said that is more difficult to project going forward. Mrs. Kehoe said she works with Commissioner of Public Works Holmes to finalize these budget items.

Councilman Plummer asked about the \$700,000 planned deficit, out of that how much is going into Capital Reserves. Comptroller Kehoe said the \$200,000. She said operationally it is a \$500,000 shortfall which she has been expecting. She said they built up the fund balance to cover that.

Supervisor Egan asked if there were any other questions. She said the only other item to be added to the list is the proposal to transfer not to exceed \$40,000 for the equipment purchase having to do with the Colonial Acres Golf Course. She said this should be added to the list. Comptroller Kehoe said to clarify to make sure everyone is on the same page, this was for 2006 budget and Colonial Acres is the 2007 budget. She said it can be done as a single approval.

The motion was made Mr. Kotary and seconded by Mr. Plummer to approve a budget transfer of \$40,000 from Planned Deficit to Parks and Recreation Equipment in the 2007 Town of Bethlehem budget. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.
Noes: None.
Ayes: None.

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The following resolutions were presented for adoption:

RESOLUTION TO APPROVE
THE TRANSFER FOR THE 2006 BUDGET
AS PER THE ATTACHED MEMO DATED DECEMBER 22, 2006

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

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.
Noes: None.
Absent: None.

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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 2006 General, Highway, Water and Sewer Fund budgets as revised provide for a transfer to other funds;

WHEREAS, the following funds have been identified as requiring funding to cover anticipated significant capital improvements:

<input type="checkbox"/> General Fund Capital Reserve	\$150,000
<input type="checkbox"/> Recreation Reserve Capital Reserve	50,000
<input type="checkbox"/> Highway Fund Capital Reserve	250,000
<input type="checkbox"/> Water Fund Capital Reserve	350,000
<input type="checkbox"/> Sewer Fund Capital Reserve	125,000

RESOLVED, that the Town Board authorizes the Town Comptroller to transfer the amounts as specified above to the listed reserve funds. In the event financial conditions do not warrant the transfer of the full amounts, the Comptroller is authorized to reduce the transfer as necessary.

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

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.
Noes: None.
Absent: None.

Supervisor Egan noted the last thing on the agenda was with regret or happiness, she was not sure which. She said it was to acknowledge receipt of the resignation of Councilman Tim Gordon, effective January 1, 2007. She said as has been mentioned, Councilman Gordon successfully ran for office and was elected to Assemblyman for New York State. She said on behalf of the Town Board she acknowledges the resignation and wished him the best. She also asked that he not forget the Town of Bethlehem when it comes to member items. She congratulated Assemblyman elect Gordon.

Councilman Gordon thanked everyone. He said it is both happy and with regrets leaving the Town Board. He said he wanted to thank the people of the Town of Bethlehem for giving him the opportunity to represent them on the Town Board and look forward to doing that in the Legislature and the Assembly. He said serving with the present Town Board, Clerk Newkirk, as well as, George Lenhardt and Tom Marcelle before, has resulted in everyone putting the Town's best interest first. He said there was never a vote that fell on political lines really. He said everyone voted their conscience and what they felt was best.

Assemblyman elect Gordon said he is very fortunate, the 108th Assembly District contains 15 municipalities in all, Bethlehem being one of them, but 25 percent of the population of the district is here in Bethlehem. He said as he is getting acquainted with 14 other Town Boards and Town governments, he is very happy that the bulk of it is Bethlehem. He said he sees a great opportunity being asked to serve in the majority caucus to do things that they want to do in Town by providing, hopefully, some resources from the State. He said the budget is tight and there are a lot of things on the wish list. He hopes to help here in the Town, as well as, the school districts and the Counties of all 4 counties. He said he would look forward to seeing everyone about and thanked everyone for the well wishes.

Supervisor Egan thanked Assemblyman-elect Gordon.

Supervisor Egan said just a couple of items to mention. She said she received a card from Chris Hanifan who was a former Town prosecutor and was deployed probably a year and a half ago and did a year in Afghanistan and Kuwait without his family. She said his family has been able to join him in Germany. She wished him well and noted she was anxious to get him back home.

The Supervisor said MIS Director Dammeyer mentioned and she wanted to reiterate the launching of the e-newsletter in February. She said it will be available for subscribers. She said everyone can sign up on the web page for the e-newsletter to keep up-to-date with what is going on in Town.

Supervisor Egan said one of the other things that is happening is a trolley tour of Bethlehem. She said in conjunction with the Aqua Duck Company and the Albany Trolley a historic trolley tour of Bethlehem has been put together. She said the Town Historian, Raymond Houghton and Parker Mathusa have been working on this. The tour dates, according to Supervisor Egan, are February 20, February 24, February 28, March 14 and April 10. She said it will be available on the

website. She said it is a joint effort of the Town of Bethlehem, the Bethlehem Historical Association, the Bethlehem Chamber of Commerce, Perfect Blend, and Albany Aqua-Ducks. She said these are the prime sponsors of this.

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Supervisor Egan noted the Cherry Avenue Extension was renamed the Captain Timothy J. Mosher Memorial Highway in honor of Tim Mosher which was one of our Town resident's that was killed in Iraq earlier this year.

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Supervisor Egan spoke with regards to Mr. Gordon's resignation and how filing his position was going to be handled. She said she has been collecting resumes and has distributed them to the Board Members. There also has been discussion with the Town Attorney and Bob Freeman regarding open government and how to proceed. The concern is that interviews of potential candidates according to Mr. Freeman's office cannot appropriately be held in executive session so then it becomes a balance of how to handle this. The Supervisor felt that a solution needed to be made on how the process is going to be handled.

Councilman Plummer stated a public interview process is the wrong way to go. He felt the interviews should be done on their own where you can learn much more about an individual by talking to them one on one. He also stated that everyone has different views on every single issue and because of that intuitively they will be asking questions and maybe supporting people that are going to go our way. His recommendation would be to conduct interviews as you see fit. Now speaking for himself, he has already made a decision on who he is going to support and this is based on the recommendation of the Bethlehem Democratic Committee and the Independence Party. That is where he came from, they gave him support to run for office and he feels a certain allegiance to that process. He respects the political process and he is going to support the candidate that they have recommended.

Councilman Kotary stated that he agreed with Councilman Plummer. He felt that interviewing and reviewing resumes would work best with the restrictions of open meeting law to conduct them on their own. There is ample time, he has already looked at resumes and has had discussions with several people who have expressed interest and has been open to having conversations with anybody and everybody. He felt it was great that there was so many very talented people who want to participate in public service and encourages those to do so. This appointment is to finish the term of an elected position and it is important to consider the recommendations of the political parties but it is also important for each Board Member to do what they feel is necessary. The hope is that a vote or an appointment as soon as possible in the new year can be done. Although the Board can operate with only four he felt it is important to bring in a fifth person as soon as possible.

Councilman Messina stated that he respects the opinions and views of his friends Danny Plummer and Kyle Kotary, however, his views are different. He has said he would be comfortable to engage in brief but direct insightful conversations with the individuals whom have expressed an interest in serving on the Town Board. The reason that he feels this should be done here, this leads to an elected office and it is an elected position. He does not see his independence to be a form of disloyalty but is here to tell you what he thinks and what he believes. His view is that the political parties can have their committee meetings and make recommendation for their candidate to be considered for the Town Board and then the Board has to decide what to do. With respect to the budget issues and there were some disagreements it is important that the Town moves forward with business. He too can meet, interview, discuss and go beyond the information that is covered in a resume. This way he can get a sense of what he wanted to do by talking with some of the candidates that he feels would be good Board Members. He is willing to pursue that process and he feels that accomplishments and good objectives would be met.

The Supervisor stated that it is the Town Board's job to make appointments to the best qualified person that comes before the Board. There are several letters of interest with resumes and a number of the candidates on paper are qualified to serve in the capacity of a Town Board Member. The one thing that she has consistently advised anyone is, whoever the appointment is by the Town Board will have to run in a general election in the fall. They need to explore those processes to the extent they feel necessary. The process there seems to be a consensus is that anyone with a letter of interest or resumes should send it in. Each of the Board Members, to the extent they feel is necessary, will conduct any interviews or discussions they feel necessary with the prospective Board Members and at some point at the next Board Meeting have a discussion.

Councilman Plummer said that he feels the date for discussion should be January 10, 2007. Supervisor Egan stated that she is not sure she will be ready and this is the first public discussion with regard to the process. She still has certain people that she would like to speak to. The Supervisor stated a date needs to be established by which we will not accept any further letter of interests or resumes. The date that was established was January 3, 2007 for the last date to accept any letters of interest or resumes and then a discussion will take place of whether or not everyone is ready to put this on the January 10, 2007 agenda.

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Supervisor Egan said the next item was for public comment on non-agenda items. Mrs. Capone questioned if the Town Calendar would be available like it was last year. The Supervisor stated, yes, the Town Calendar will be available. Mrs. Capone asked if there was a plan for the Seniors if they lose power for a period of time. The Supervisor responded, yes. Mrs. Capone said she would like to hear about it. Supervisor Egan said she could talk to Karen Pelletier or Jack Brennan, who is the Emergency Management Officer with regard to the plan established. There is a plan that was established between he, the Senior Department in conjunction with the Police Department and the Dispatchers. Mrs. Capone questioned if Karen was not there what happens. The Supervisor stated that her staff will know what to do. The same as if there was a heat issue, there are processes in place to deal with that. Mrs. Capone questioned if Mr. Vail was aware of that. The Supervisor stated, yes, he is aware. Councilman Kotary questioned if the basic information was on the web site and the Supervisor replied, it was.

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John Smolinski, Chairman of the Citizen Advisory Committee on Conservation stated he wanted to highlight the next meeting on January 8, 2007. In October the funding report was submitted and one of the instruction was to hold a public meeting. The meeting will be an open forum to answer questions and discuss the report. The format of the meeting will be a presentation and open the floor for discussion to get feedback on the information. The announcement was also sent out directly to several hundred large landowners. The announcement is on the website and will be in the Spotlight.

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William Kelleher spoke regarding changing the Town seal. He said he did some research and wrote to the Spotlight that we should not change our seal. This does represent the proper history of the Town of Bethlehem and how this Town was discovered.

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Cindy Hill would like the Town Board to reconsider the zoning for property across the street from the library. She stated that it was her understanding that Bob Verstandig wanted it to be mixed-use development and it was zoned residential only. Mr. Morelli stated it was zoned multifamily residential and the Supervisor stated that it deals directly with the request for diversity of housing issues. This was done in sensitivity to that particular issue. Ms. Hill questioned if mixed-use development would be fiscally better for the Town. The Supervisor stated that they worked very closely with Bob Verstandig when the zoning was done and he did not object to it nor has he objected to what that zoning is. It is the understanding that Bob Verstandig has entered into a contract for sale. The concern would be spot

zoning an area, which is clearly not permissible. Town Attorney Potter stated that if the Town was to alter the zoning in the face of an existing contract you would also have a potential claim that would have to be considered. There would be a number of issues that the Town would have to be concerned about in changing the zoning.

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Mr. Morelli said Mr. Leveille had to leave early for another engagement but wanted to offer his congratulations. He asked that it be mentioned that there is an LWRP meeting scheduled for January 23rd at 7 P.M. He said there will be more information available at the January 10th Town Board Meeting.

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The Supervisor asked for a motion to adjourn to Executive Session to discuss a personnel issue.

The motion was made by Mr. Gordon and seconded by Mr. Kotary to approve adjourning to Executive Session to discuss a personnel matter. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.

Noes: None.

Absent: None.

The motion was made by Mr. Gordon and seconded by Mr. Kotary to adjourn the regular Town Board meeting at 7:20 p.m. The motion was carried by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.

Noes: None.

Absent: None.

Town Clerk

EXECUTIVE SESSION

There was no formal action taken at the Executive Session.