

TOWN BOARD
JANUARY 13, 1999

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

PRESENT: Sheila Fuller, Supervisor
George Lenhardt, Councilman
Doris M. Davis, Councilman
Robert C. Johnson, Councilman
Susan Burns, Councilman
Kathleen A. Newkirk, Town Clerk
Bernard Kaplowitz, Esq., Town Attorney
- - -

SUPERVISOR FULLER: Welcome to the first meeting of 1999, this will be our organizational meeting, as well as, our Town Board meeting this evening. I ask you to join us in the pledge of allegiance.

First item on tonight's agenda is a public hearing to consider proposed Local Law to amend the Code of the Town of Bethlehem pertaining to building permit fees. I'll ask the Clerk to read the call of the meeting.

TOWN CLERK NEWKIRK:

NOTICE OF PUBLIC HEARING
TOWN OF BETHLEHEM

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Bethlehem, Albany County, New York will hold a public hearing on January 13, 1999 at 7:30 p.m. to consider a proposed Local Law, pertaining to Building Permit Fees.

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 David Austin at 439-4131. Advanced notice is requested.

Public Hearing
proposed Local
Law pertaining
to Building Permit
Fees

BY ORDER OF THE TOWN BOARD
TOWN OF BETHLEHEM
Kathleen A. Newkirk, CMC
TOWN CLERK
- - -

State of New York)
County of Albany)

JAIMIE WILLIAMS of the Town of Bethlehem, being duly sworn, says that she is the Office Assistant of THE SPOTLIGHT, a weekly newspaper published in the Town of Bethlehem, County of Albany, and that the notice of which the annexed is a true copy, has been regularly published in said THE SPOTLIGHT ONCE A WEEK FOR 1 WEEK consecutively, commencing on the 30 day of December 1998.

/s/ Jaimie Williams

Sworn to before me this 6th day of January 1999.

/s/ Kathryn Olsen
Notary Public, Albany County
- - -

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 that I posted on December 31, 1998, a Notice of Public Hearing, a copy of which is hereto attached, 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
31st day of December 1998.
/s/ Catherine T. Picarazzi
Notary Public

- - -

The motion was made by Mr. Johnson and seconded by Ms. Burns to indent the Notice of Public Hearing, Affidavit of Publication and Affidavit of Posting on the minutes of the meeting. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

- - -

SUPERVISOR FULLER: The reason for the public hearing on the building permit fees is back when the Board was developing their budget for 1999, we took a look at the fees that were presently being charged and felt it was time to have an increase in these fees. The Town Board has not had the authority to raise these fees. It has always been part of our Town Code, therefore, we are looking to change what's in the Town Code now to the wording where the Town Board is able to set the fees for the Building Department.

John, if you would like to...

MR. FLANIGAN: Yes. Like you stated, during the budget workshops we were asked... all the Department heads were asked to look at some permits... or some fees that we were charging over the years and just as a matter of passing, the fees in the Building Department haven't been changed since 1988 and they are set like in stone in Chapter 53, Building Construction and Fire Prevention Administration. And, I felt when I started to look at them, as you requested me to and went through it, I found that every time we wanted to change some fees we were going to have to go back and go through this public hearing process and do it the way it was set up. So, I figured, well let's just take that section out of there and make it... and delete that whole section on how fees were set and basically it was a \$10 fee for every permit which really doesn't pay its way in today's way of life. So, I made the proposal that we delete that section that is in there and put in its place 53-5, Building Permit Fees, that would state that the Town Board shall establish or set rates and fees for services rendered by the Building Department. That would give the Town Board at every annual meeting or however they felt to do it or we felt there was a need to change fees after discussion that it could be done by the Town Board without having to go through the public hearing process. So, that's why I have asked that that section of the Code be changed.

Are there any questions from the Board?

SUPERVISOR FULLER: Thank you, John. Are there any questions from the audience? Those wishing to speak in favor of changing the local law to building fees being set by the Town Board. Anyone wishing to speak in opposition? Lively group here this evening. Okay, may I have a motion to close the public hearing?

The motion was made by Mr. Lenhardt and seconded by Mr. Johnson to close the public hearing at 7:40 p.m. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Kathleen D. Newkirk
Town Clerk

Supervisor Fuller convened the Town Board meeting following the close of the public hearing.

The Supervisor asked for a motion to adopt Local Law No. 1 of 1999, amending the Code of the Town of Bethlehem pertaining to Building Permit Fees.

The motion was made by Mr. Johnson and seconded by Mrs. Davis to adopt Local Law No. 1 of 1999 amending the Code of the Town of Bethlehem pertaining to Building Permit Fees. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Town Board
adopted Local
Law No. 1 amend
Building Fees

Supervisor Fuller asked for a motion to set the building permit fees as recommended by Building Inspector, John Flanigan.

The motion was made by Mrs. Davis and seconded by Ms. Burns to approve the following fee schedule for building permits:

Upon filing of an application for a building permit the following fees shall be payable:

- A. The minimum permit fee shall be thirty five dollars (\$35) up to three thousand dollars (\$3,000) estimated cost of work to be done;
- B. When the estimated cost exceeds three thousand dollars (\$3,000) the fee shall be thirty five dollars (\$35) plus two dollars (\$2) for each one thousand dollars (\$1,000) or fraction thereof in excess of three thousand dollars (\$3,000) up to two hundred thousand dollars (\$200,000);
- C. Thereafter the fee shall be thirty-five dollars (\$35) plus two dollars (\$2) for each one thousand dollars (\$1,000) or fraction thereof for the first two hundred thousand dollars (\$200,000) and three dollars (\$3) for each additional one thousand dollars (\$1,000) in excess of two hundred thousand dollars (\$200,000).

Request for information and assessments of properties requiring detailed research and written response:

- A. A fee of \$25.00 per hour or fraction thereof.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Councilman Davis mentioned that she heard from residents that the permit fee was very low. She does not think this will be a problem. Mr. Flanigan said he does not think they will be a problem either. He made the point to the Board that taking this year's permits that were issued -- noting there were 792 issued -- this fee schedule which is a \$25 increase per permit, would have generated \$19,800 additional fees. He said that would have supported the office about a third of what the budget is. He said this is not a major point but it will get in line with the rest of it.

Councilman Johnson said before he was involved in Town government, he put an addition on his house and said the number of visits by the Building Inspectors, the support from the Zoning Board of Appeals and the contractor did business all around the area and the contractor made the comment that when you call and ask for inspections, they were there and never held the job up or anything. Mr. Johnson said he ran the numbers and it was more than well worth it. Mr. Flanigan said in passing, they do 12 inspections on every new house. He said the fees go up when you get into the big houses and things like that but it is not a major point. He said the total

fee increase on any one of the permits that would have been issued is only \$25.

Appoint George
Lenhardt Deputy
Supervisor for
term to expire
December 31, 1999

In accordance with Town Law Section 42, Supervisor Fuller appointed Councilman George H. Lenhardt, Deputy Supervisor for the term expiring December 31, 1999.

Adopt resolution
setting salaries
year 1999

The next item was to adopt a resolution setting salaries for the year 1999. Supervisor Fuller noted there was a list available of all the employees salaries and it will be available in the Town Clerk's office.

WHEREAS, the Town Board of the Town of Bethlehem held a meeting on January 13, 1999; and

WHEREAS, the Town Board is desirous of setting the salaries of the employees, including elected officials and Civil Service positions, of the Town of Bethlehem for the year 1999;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby adopt the salaries and titles of the employees as shown on the attached sheets. (On file in Town Clerk's office)

The foregoing resolution was presented for adoption by Mrs. Davis, was seconded by Ms. Burns and was duly adopted by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.
Abstain: None.
Absent: None.

Authorize Highway
Department salaries
according to
grade step
schedule 1999

The next item was to authorize Highway Department salaries according to the approved grade/step schedule for 1999.

The motion was made by Mr. Lenhardt and seconded by Mr. Johnson to approve the following salaries according to the approved grade/step schedule for 1999:

<u>TITLE</u>	<u>GRADE LEVEL</u>
Highway Foreman	16
Equipment/Automotive Mechanic	14
Equipment Operator II	14
- Maintenance Mechanic	
Equipment Operator II	12
Equipment Operator I	11
Laborer II	9
Laborer I	7
Part-time Laborer	\$6.75/hour \$6.25/hour

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Councilman Davis noted they certainly earn it. Supervisor Fuller agreed.

Authorize Public
Works Department
salaries according
to grade/step
schedule 1999

The next item was to authorize the Public Works Department salaries according to approved grade/step schedule for 1999.

The motion was made by Mr. Johnson and seconded by Mr. Lenhardt to approve the salaries for the Public Works Department according to the approved grade/step schedule for 1999 as follows:

<u>Job Title</u>	<u>Grade Level</u>
Director of Field Operations	23
Eng. Services Administrator	23
Chief Water Treatment Plant Operator	23
Deputy Chief Water Treatment Plant Operator	19
Chief Sewage Treatment Plant Operator	20
Foreman II	17
Foreman I	16
Instrumentation Mechanic	17
	(New - 14)
Senior Water Treatment Plant Operator	16
Administrative Asst. I	12
Senior Sewage Treatment Plant Operator	16
Water Treatment Plant Operator	13
Sewage Treatment Plant Operator	13
Water Treatment Plant Operator Trainee	9
Sewage Treatment Plant Operator Trainee	9
Senior Utility Technician	12
Utility Technician	10
Utility Service Helper	7
Equipment Operator II - Maintenance Mechanic	14
Equipment Operator II	12
Equipment Operator I	11
Utility Billing Clerk	8
Senior Utility Billing Clerk	11
Clerk-Typist II	8
Clerk-Typist I	6
Temporary Employee - Hourly Rate Range from Minimum wage to \$15.45/hour	
Meter Reader	
Temporary Clerk-Typist commensurate with duties performed.	
Senior Engineer	21
Principal Engineering Technician	17
Sr. Engineering Technician	14
Engineering Technician	11
Engineering Aide I	7
Draftsman	9
	(7 New)

(Longevity pay to be added to above salary rates in accordance with Town Board policy.)

The next item was to approve the part time personnel in accordance with the policy on appointments of part time personnel, as adopted by the Board in October 1993.

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to approve the following list of part time employees as presented for approval:

Approve part time personnel in accordance with policy adopted by board in October 1993.

<u>FULL TIME TITLE</u>	<u>NAME</u>	<u>F-T GRADE</u>	<u>100/70%</u>	<u>99 RATE</u>
Clerk Typist I	Roberts, Tracie	6	70	11.81
Enforcement Off.	Sleurs, Joseph	3 yr.off.	100	18.76
Clerk Typist I	Hulme, Ann	6	70	8.00
Clerk Typist I	Vadney, Lois	6	70	8.00
Clerk Typist I	Cooke, Noreen	6	70	8.00
Clerk Typist I	Merritt, Ahlfied	6	70	8.00

FULL TIME					
TITLE	NAME	F-T GRADE	100/70%	99 RATE	
Clerk Typist I	McCarroll, Bella	6	70	8.00	
Clerk Typist I	Boughton, Karen	6	70	8.00	
Clerk Typist I	Kitchen, Deborah	6	100	11.42	
Maint. Helper	Hough, Jonathan	6	100	10.66	
Recycl. Coord.	Fisher, Sharon	11	100	14.52	
Youth Employ.	Felson, Sharon	14	70	12.30	
Outreach Wkr.	Sinuc, Linda	14	100	16.96	
Asst. Bldg. Insp.	Dominelli, Edward	15	70	16.48	
Public Info. Sp.	Lewis, Richard	15	70	13.00	
Util. Blg. Clk.	Buno, John	8	100	12.57	

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.

Noes: None.

Town Board
approve
Town Historian
Joe Allgaier

The next item was to authorize the appointment of Town Historian, Joseph A. Allgaier.

The motion was made by Mr. Johnson and seconded by Mrs. Davis to approve the appointment of Joseph Allgaier, Delmar, New York as Town Historian at a salary of \$2,600. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.

Noes: None.

The next item was to appoint the following positions for the Board of Appeals for 1999:

Appoint
positions
for Board
of Appeals

Member (Term expiring 12/31/03)	Richard Lewis	\$3,804
Chairman Board of Appeals	Michael Hodom	\$4,874

The motion was made by Mr. Lenhardt and seconded by Mr. Johnson to approve the appointment of Richard Lewis to the position of Member of Board of Appeals, term expiring 12/31/03 and set the salary of Members at \$3,804 for 1999 and appoint Michael Hodom to the position of Chairman of Board of Appeals at a salary of \$4,874. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.

Noes: None.

Councilman Burns
inquired if
there was policy
for part time
employees being
able to serve
on a board
No policy for
this issue

Councilman Burns asked if there was any policy for part time employees in regard to being able to serve on a Board and being paid on that Board. She noted Mr. Lewis is a part time employee and being appointed to the Board of Appeals. Supervisor Fuller said there is no policy on this particular issue. She said Mr. Lewis works for the Town Supervisor at the discretion of the Supervisor. She said it is not the Town Board, it is the Supervisor. She noted Public Relations and her secretary are under her office. Supervisor Fuller said Mr. Lewis has been on the Board of Appeals for quite some time and is willing to serve. She said she does not have a problem with it. Councilman Burns again asked if there was a policy. Supervisor Fuller noted Mr. Lewis works 12 hours a week, not working every day. Further information was provided regarding the Town Board Members making policy, where there is no policy involved with Mr. Lewis. Councilman Davis said she does not see any conflict in the 2 positions. Comment was made regarding the writing of the Bethlehem Report. Supervisor Fuller noted the Department heads write the

articles and Mr. Lewis does the layout of the Report. She further noted he does the technical work. She noted the articles are written and she reviews them. Councilman Burns said she is raising the issue of the appearance of it.

The next item was to appoint the following positions for the Planning Board for 1999:

Chairman	Douglas Hasbrouck	\$10,074	Appoint positions for Planning Board
Member Planning Board (Term expires 12/31/2005)	Joseph Rooks	\$3,804	

The motion was made by Ms. Burns and seconded by Mr. Johnson to approve the appointment of Douglas Hasbrouck as Chairman of the Planning Board at a salary of \$10,074 and Joseph Rooks to the position of Member, Planning Board, term expiring 12/31/05 and set the salaries of Members of the Planning Board at \$3,804 for 1999. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Councilman Davis said the Planning Board and the Zoning Board Members and Chairmen certainly earn this money. She noted Mr. Hasbrouck does a remarkable job, as well as, the Zoning Board and she keeps hearing so many positive things about the things done on the Planning Board. She thanked Mr. Hasbrouck. Councilman Johnson said he agreed totally.

The following item was the appointment of Comptroller, Judith Kehoe, for the term expiring December 31, 2000.

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to approve the appointment of Comptroller Judith Kehoe for the term expiring December 31, 2000. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Appoint
Comptroller,
Judith Kehoe
term expiring
December 31,2000

The next item was to approve the appointment of the following Counsel to serve at the pleasure of the Board in the following capacities and subject to the direction of the Town Attorney to be assigned as and where needed:

Board of Assessors	Daniel Santola	Claim Basis	Appointment of Counsel to serve at the pleasure of the Board in the following capacity and subject to directic of the Town Attorney as and where needed
Water District	Edward J. Gorman	\$5,105	
Sewer District	Charles J. Tobin,III	Claim Basis	
Highway Department	Michael Smith	Claim Basis	
Police Department	Joshua Effron	\$12,605	
Planning Board	Ruth Leistensnider	\$15,758	
Board of Appeals	Peter Bishko	\$15,758	

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to approve the appointment of the following Counsel to serve at the pleasure of the Board in the following capacities and subject to the direction of the Town Attorney to be assigned as and where needed:

Board of Assessors	Daniel Santola	Claim Basis
Water District	Edward J. Gorman	\$5,105
Sewer District	Charles J. Tobin,III	Claim Basis
Highway Department	Michael Smith	Claim Basis
Police Department	Joshua Effron	\$12,605
Planning Board	Ruth Leistensnider	\$15,758

Board of Appeals

Peter Bishko

\$15,758

Supervisor Fuller asked if there was any discussion. Councilman Burns said she had a point regarding her understanding. She said this group of 7 attorneys, and only these 7 attorneys will be able to be used, as far as, in court. She said that accordingly it is to protect the Board from any liability. She asked if this was the correct. Town Attorney Kaplowitz was not sure what Councilman Burns was asking but noted that the Town Board can hire other attorneys at any time. Councilman Burns agreed. Supervisor Fuller noted the Board could hire someone in 2 weeks, it did not have to be done at this meeting. Attorney Kaplowitz said if no one else is hired, these are the only people who can serve. Supervisor Fuller noted Judge Munnelly and Judge Egan have asked about this also. She said they can fill in and the Board can appoint someone any time.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.

Noes: None.

The following item was to approve the appointment of the following School Crossing Guards:

Appointment
of School
Crossing Guards

Patricia Erno	\$9.86/hour
Isabel D. Glastetter	9.86/hour
William Gathen	9.86/hour
Lawrence Becker	9.86/hour

The motion was made by Ms. Burns and seconded by Mr. Lenhardt to approve the appointment of the following School Crossing Guards at the salaries indicated:

Patricia Erno	\$9.86/hour
Isabel D. Glastetter	9.86/hour
William Gathen	9.86/hour
Lawrence Becker	9.86/hour

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.

Noes: None.

The next item was to approve the appointment of Voting Machine Custodians for the conduct of elections in 1999.

Approve
appointment
of Voting
Machine
Custodians
for elections
1999

The motion was made by Mrs. Davis and seconded by Mr. Johnson to approve the appointment of Glenn Hammond, Glenmont, New York and William McGarry, Slingerlands, New York to the position of Voting Machine Custodian for the conduct of elections in the year 1999. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.

Noes: None.

Public Works
recommend
appointment
of Consultant
Chemist Kenneth
Drantz

The next item was recommendations from Commissioner of Public Works, Bruce Secor, regarding the appointment of Kenneth E. Drautz as a Consultant Chemist for Water Division of the Department of Public Works, and Special Consultant:

Consultant Chemist Water District #1	Kenneth E. Drautz	\$8,037
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The motion was made by Mr. Lenhardt and seconded by Mr. Johnson to approve the appointment of Kenneth E. Drautz as a Consultant Chemist for the Water Division of the Department of Public Works and Special Consultant.

Councilman Burns asked why the Board is appointing a Consultant Chemist, asking if we have chemists on payroll. Mr. Secor indicated we do not have chemists on payroll. He said we do not maintain a certified lab, the plant operators are individually certified for the tests they perform for process control. He noted Mr. Drautz is hired and has between 25 and 30 years of experience in the water field and is a licensed operator. He said he also runs an approved lab for bacteriological work and is also a link to the American Public Works Association and knows a number of the other systems around here. He said he is a very valuable person for a very small amount of money. He said he also collects the system samples and the sampling is done by an independent person in addition to the samples done by the individual water plant operators. He said this is like a second check on the water quality throughout the system. He said he performs a number of services for the Town and noted it is a very valuable service.

Councilman Burns said she wondered why we do not consult with him on an as-needed basis. Mr. Secor said he does that also. He said the \$8,000 a year results in him being at the plant at least twice a week and whenever he needs, he picks up the phone to contact him. He said he does other work for the Department, however, does not bill for this unless it is something out of the ordinary. He said he is always available for consultations. He said he looks at the bacteriological work and the reservoir. He said if there is a treatment needed for the reservoir, indicating there is a time to update the chemical feed, Mr. Drautz so advises him.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

The next item was to approve the appointment of Supervisors for the Fire Training Ground for 1999:

Charles Wickham
Richard Webster
Kevin Shea
Gregory Gould

Appoint
Supervisors
for Fire
Training
Ground 1999

The motion was made by Mr. Johnson and seconded by Mrs. Davis to approve the appointment of Charles Wickham, Richard Webster, Kevin Shea and Gregory Gould as Supervisors for the Fire Training Ground for 1999. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

The following item was to adopt a resolution authorizing membership dues for Town of Bethlehem employees as per the lists attached to the resolution.

WHEREAS, the Town Board has held an organizational meeting for the year 1999, according to law,
NOW, THEREFORE, BE IT RESOLVED, that the attached list (on file in the Town Clerks office) of membership dues for various Town departments are hereby authorized to be paid.

The foregoing resolution was presented for adoption by Ms. Burns, was seconded by Mr. Johnson and was duly adopted by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.
Abstain: None.
Absent: None.

Resolution
authorizing
membership dues
Town of
Bethlehem
Employees

Authorize Town Superintendent of Highways, Gregg Sagendorph, to make highway purchases in an amount not to exceed \$10,000 without prior approval of the Town Board.

The motion was made by Mrs. Davis and seconded by Mr. Johnson to authorize Gregg Sagendorph, Town Superintendent of Highways, to make highway purchases in an amount not to exceed \$10,000 without prior approval of the Town Board. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Accordance with provision of Section 303 Multiple Residence Law to authorize the following appointments:

Local Enforcement Officer John H. Flanigan
Bethlehem Emergency Management Office Director John E. Brennan
Fire Marshall John H. Flanigan

Fire Inspectors Thomas Howard David Scoons
Edward Costigan Harlen Metz
David Kellerman

The motion was made by Mr. Johnson and seconded by Mrs. Davis to approve the following appointments in accordance with provision of Section 303 Multiple Residence Law:

Local Enforcement Officer John H. Flanigan
Bethlehem Emergency Management Office Director John E. Brennan
Fire Marshall John H. Flanigan

Fire Inspectors Thomas Howard David Scoons
Edward Costigan Harlen Metz
David Kellerman

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

The next item was to approve the appointment of the following to the Board of Review:

Approve appointment of the following to the board of Review

Richard Lewis
Robert J. Wiggand
Gilbert Brookins
Marjory O'Brien
Michael Hodom

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to approve the appointment of the Board of Review as follows:

Richard Lewis
Robert J. Wiggand
Gilbert Brookins
Marjory O'Brien
Michael Hodom.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

The following item was to approve the appointment of the Board of Assessment Review.

The motion was made by Mr. Johnson and seconded by Mr. Lenhardt to approve the following appointments to the Board of Assessment Review:

Richard Haverly - \$120 per diem
 Raymond Russum - \$120 per diem
 Herbert G. Steele - \$120 per diem.

Approve
 appointments to
 Board of
 Assessment

Councilman Burns asked about the fact that the Board is being approved, however, Mr. Haverly's reappointment appears later in the agenda. Supervisor Fuller noted his term expired in October and the Board did not reappoint him at that time for his 3 year term. She further said the reappointment is a part of the regular agenda and noted this is the organizational meeting. Councilman Burns asked if this could be done. Supervisor Fuller said it could be due to the fact he is currently on the Board. Attorney Kaplowitz said this would be a hold over.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
 Ms. Burns.
 Noes: None.

The following item was to set the mileage rate of \$.30 per mile for personnel who use their automobiles in the performance of the duties of their offices to be paid on presentation of duly itemized claims for audit by the Comptroller in accordance with Town Law, Section 102, Subdivision 1.

Set Mileage
 rate of \$.30
 per mile

The motion was made by Ms. Burns and seconded by Mr. Lenhardt to approve the setting of the mileage rate of \$.30 per mile for personnel who use their automobiles in the performance of the duties of their offices to be paid on presentation of duly itemized claims for audit by the Comptroller in accordance with Town Law, Section 102, Subdivision 1. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
 Ms. Burns.
 Noes: None.

The following item was to approve the establishment of Petty Cash Funds for various Departments within Town government.

Approve Petty
 Cash Funds for
 various
 Departments

The motion was made by Mr. Johnson and seconded by Mrs. Davis to approve the following Petty Cash Funds:

PETTY CASH FUNDS - Established in accordance with Town Law,
 Section 64, Subdivision 1 (a)

Receiver of Taxes and Assessments	\$300.00
Town Clerk	200.00
Comptroller	100.00
Water District No. 1	200.00
Town Justice Department	200.00
Police Department	200.00
Recreation Department Office	150.00
Parks Pool	200.00
Highway Department	100.00
Sanitation Department	200.00
DARE Program	200.00.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
 Ms. Burns.
 Noes: None.

The following item was to designate holidays for Town of Bethlehem employees.

Designate
 Holidays for
 Town of Bethlehem
 Employees

The motion was made by Ms. Burns and seconded by Mr. Johnson to approve the following holidays for Town of Bethlehem employees:

<u>1999</u>	
January 1	New Years
January 18	King's Birthday
February 15	President's Day
May 31	Memorial Day
July 5	Independence Day
September 6	Labor Day
October 11	Columbus Day
November 2	Election Day
November 11	Veterans' Day
November 25,26	Thanksgiving Day
December 24	Christmas Day.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

The next item was to designate banks as depositories in which all Town officers shall deposit all money coming into their hands by virtue of their offices.

Designate
Banks as
depositories

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to designate the following banks as depositories in which all Town officers shall deposit all money coming into their hands by virtue of their offices:

Key Bank, N.A. Albany, New York	M and T Bank Albany, New York
Chase Manhattan Bank Albany, New York	ALBANK Commercial Albany, New York.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Supervisor Fuller next acknowledged receipt of a Notice from the Association of Towns regarding the 1999 Annual Meeting in New York City to be held February 14, 15, 16 and 17, 1999.

Notice of
Associations
of Town regarding
1999 Annual
Meeting Feb.
14-17, 1999

Supervisor Fuller asked for a motion to designate a delegate and alternate to the Annual Meeting. The motion was made by Mr. Johnson and seconded by Ms. Burns to designate the following Delegate and Alternate to the Annual Meeting of the Association of Towns:

Delegate - John H. Flanigan
Alternate - George Lenhardt.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Lenhardt,
Ms. Burns.
Noes: None.

The next item was to set the regular Town Board meetings and set the hours at Town Hall.

Set regular
Town Board
Meetings and
set hours
at Town Hall

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to approve the setting of the regular Town Board meetings on the 2nd and 4th Wednesdays of each month and to set the official hours for business at Town Hall at 8:30 a.m. to 4:30 p.m. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson, Ms. Burns.
Noes: None.

The next item was to designate an Official Newspaper of the Town - THE SPOTLIGHT and also designate the Times Union and Ravena News Herald as additional newspapers for the publication of notices, resolutions and ordinances.

Designate Official Newspaper for Town Spotlight, Times Union and Ravena additiona

The motion was made by Mr. Lenhardt and seconded by Ms. Burns to designate an Official Newspaper of the Town - THE SPOTLIGHT and also designate the Times Union and Ravena News Herald as additional newspapers for the publication of notices, resolutions and ordinances. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson, Ms. Burns.
Noes: None.

The next item was to authorize the Supervisor to execute the Leases for 1999 for the Department of Public Works.

The motion was made by Mr. Johnson and seconded by Mrs. Davis to authorize the Supervisor to execute the following Leases for 1999:

Authorize the Supervisor to execute Leases for 1999 Department of Public Works

- Water District No. 1 - Town Hall \$9,800.
- Sewer District - Town Hall \$9,800.
- Sewer District - Town Garage, Adams St. \$19,500.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson, Ms. Burns.
Noes: None.

The following item was to authorize the Supervisor to execute a contract Agreement with Project Hope for the year 1999 at a cost of \$10,000. Supervisor Fuller noted this was approved in the Town budget for 1999.

Supervisor to execute contract Agreement with Project Hope for year 1999

The motion was made by Mr. Lenhardt and seconded by Ms. Burns to authorize the Supervisor to execute a contract Agreement with Project Hope for the year 1999 at a cost of \$10,000. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson, Ms. Burns.
Noes: None.

The following item was to authorize the Supervisor to execute an Agreement with Callanan Industries for the Firearms Training Site - Quarry - for 1999 at a fee of \$1.00.

Supervisor to execute agreement with Callanan Industries for training sight

The motion was made by Mr. Johnson and seconded by Mrs. Davis to authorize the Supervisor to execute an Agreement with Callanan Industries, Selkirk, NY for the Firearms Training Site, the Quarry, for 1999 at a fee of \$1.00. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson, Ms. Burns.
Noes: None.

The next item was to approve the fee schedule for field inspections and engineering review.

Approve Fee schedule for field inspection and engineering review

The motion was made by Mr. Johnson and seconded by Ms. Burns to approve the following fee schedule for field inspections and engineering review as of January 1, 1999:

Senior Engineer: \$73.00 per hour straight time and \$110.00 per hour for overtime, weekends and holidays.

Senior Inspector: \$60.00 per hour straight time and \$90.00 per hour for overtime, weekends and holidays.

Inspector: \$45.00 per hour straight time and \$68.00 per hour for overtime, weekends and holidays. Survey Field Crew: \$90.00 per hour straight time and \$135.00 per hour for overtime, weekends and holidays.

Subdivision Review fees revised as follows:

1 & 2 lots - Final Plat \$87. per lot.
3 or more lots - Final Plat \$87. per lot.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson, Ms. Burns.

Noes: None.

Adopt resolution
establishing
planning fee
schedule

The next item was to adopt a resolution establishing the planning fee schedule including the amendment of Planning Board fees as previously set by the Town Board. Supervisor Fuller mentioned that when the budget was being developed for 1999 and increased revenue sources were explored, planning fees were also reviewed. She said these fees have not been increased since 1986 and the resolution is to amend the schedule. She said this does not require a public hearing because it is not a change in the Code of the Town of Bethlehem.

**TOWN BOARD
TOWN OF BETHLEHEM
RESOLUTION**

ESTABLISHING AN AMENDED PLANNING REVIEW FEE SCHEDULE

WHEREAS, the Town Board last revised the current schedule of Planning Board fees in November 1986, to help defray the cost of Planning Board services rendered in the review of site plan, subdivision, building project and planned development district applications; and,

WHEREAS, the expenses incurred in operating the Town Planning Board have increased since 1986 with no corresponding increase in Planning Board fees which are charged for the review of development applications; and,

WHEREAS, the Town Board in November 1988, established a Town Planning Department with the hiring of a Town Planner to assist both the Planning Board and the Town Board in their review of development applications; and,

WHEREAS, the expenses incurred by establishment of the Town Planning Department have, to date, been borne solely by the taxpayers of the Town; and,

WHEREAS, the Town Board believes it is fair and equitable to shift some of the burden of both Planning Board and Planning Department review costs from taxpayers to those who file development applications, and thereby, create the need for such services,

NOW, THEREFORE, BE IT RESOLVED,

that the Town Board does hereby adopt the annexed schedule of fees for Planning Board and Planning Department review services, titled "Town of Bethlehem Planning Fee Schedule", dated 1/99, and prepared by the Town Planning Department; and,

BE IT FURTHER RESOLVED,

that the above referenced fee schedule shall take effect immediately and shall apply to: (1) all new development applications which have not yet appeared on a Planning Board or Town Board agenda, (2) all development applications for which two or more years have elapsed since last appearance on a Planning Board or Town Board agenda, and (3) all development applications for which substantial changes have been made in the project since its last appearance on a Planning Board or Town Board agenda; and,

BE IT FURTHER RESOLVED,

that all remaining development applications which are currently in process shall continue to be assessed Planning Board fees in accordance with the Planning Board fee schedule established in November 1986.

On a motion by Mr. Johnson, seconded by Mrs. Davis, and a vote of 5 for and 0 against, and 0 absent, this RESOLUTION was adopted on January 13, 1999.

Councilman Davis noted it was a lot of work and thanked Mr. Lipnicky. She said she knows it has been there for a long time and remembered being on the Planning Board when this was discussed, as well as, Councilman Lenhardt, and remembered there were a lot of snags but it is nice to have something on paper to approve and it is an improvement. Supervisor Fuller said over the past couple weeks, she was surprised Mr. Lipnicky didn't use the elevator with the running up and down to her office. Mr. Lipnicky said lots of consultation with the Supervisor was done on this.

Councilman Burns said she would also like to add that she appreciated all the measurements and all the numbers and the comparisons. She said it was a lot of work and she thanked Mr. Lipnicky for all the information. Mr. Lipnicky said she was welcomed. Councilman Johnson thanked Mr. Lipnicky.

The following item was to authorize the Supervisor to execute an agreement with Albany Honor Court Program, Inc. for 1999 at a fee of \$3,000.00.

Execute agreement with Albany Honor Court Program for 1999

The motion was made by Mr.s. Davis and seconded by Ms. Burns to authorize the Supervisor to execute an agreement with Albany Honor Court Program, Inc. for 1999 at a fee of \$3,000.00. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson, Ms. Burns.
Noes: None.

The next item was to authorize the Supervisor to execute an agreement with Volunteer Center of Albany, Inc. for a Community Services Sentencing Program for 1999 in the amount of \$3,000.00.

Supervisor authorized to execute Volunteer Center of Albany agreement 1999

The motion was made by Mr. Lenhardt and seconded by Mr. Johnson to authorize the Supervisor to execute an agreement with Volunteer Center of Albany, Inc. for a Community Services Sentencing Program for 1999 in the amount of \$3,000.00. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson, Ms. Burns.
Noes: None.

The following item was to adopt a Resolution for facsimile signature for checks drawn on accounts at Key Bank, N.A.

Resolution for facsimile signature for checks drawn of Key Bank

RESOLUTION NECESSARY FOR FACSIMILE SIGNATURES

RESOLVED: That checks of this corporation, drawn on Key Bank, N.A., may be signed by the printed facsimile signature of the Supervisor, Sheila Fuller, of this corporation, with like force and effect as if said facsimile signature had been affixed by such officer or either of them, manually, and that said Bank is hereby authorized, empowered and directed to pay said checks so drawn and to charge the same to the account of this corporation, with like force and effect as if said signature had been affixed by such officer or either of them, manually, and be it

FURTHER RESOLVED: That all of the terms and conditions embodied in the agreement between said Bank and this corporation, as

the same appears upon the original signature card of this corporation now in the files of said Bank, shall apply to all checks of this corporation so signed, and be it

FURTHER RESOLVED: That said Bank shall not be liable for and that this corporation does hereby waive any claim which it may have against said Bank, and does hereby agree to defend, indemnify and save harmless said Bank from any liability, loss or damage incurred by it for paying or charging to the account of this corporation any checks to which such facsimile signature may have been affixed without authority, by the unauthorized use of the machinery and equipment by which such facsimile signatures to such checks other than such die, device, machinery or equipment used by this corporation for that purpose.

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

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.
Absent: None.

Approval for \$.25 per page Freedom Information request

The next item was to approval 25 cents (\$.25) per page to be charged for all Freedom of Information requests and any other materials that are requested by the general public for copying.

The motion was made by Ms. Burns and seconded by Mrs. Johnson to approve 25 cents (\$.25) per page to be charged for all Freedom of Information requests and any other materials that are requested by the general public for copying. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Authorize Supervisor to enter into agreement to retain Casey & Lubbe P.C. Town's Auditor for 1999

The following item was to authorize the Supervisor to enter into an Agreement to retain Casey & Lubbe, P.C., as the Town's Auditors for the year 1999.

The motion was made by Mr. Lenhardt and seconded by Mr. Johnson to authorize the Supervisor to enter into an Agreement to retain Casey & Lubbe, P.C., as the Town's Auditors for the year 1999. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Authorize Supervisor to execute an agreement with the Town's insurance carrier Official Liability Policy for the year 1999

The following item was to authorize the Supervisor to execute an Agreement with the Town's insurance carrier to have a Public Officials Liability Policy, as well as, a Fidelity Bond in effect for the year 1999.

The motion was made by Ms. Burns and seconded by Mr. Lenhardt to authorize the Supervisor to execute an Agreement with the Town's insurance carrier to have a Public Officials Liability Policy, as well as, a Fidelity Bond in effect for the year 1999. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Supervisor Fuller said an independent consultant reviewed the various insurance quotes that came in and he recommended that Hartford Insurance remain our carrier. She said they are still working with the consultant on the finite details of the various insurance policies that are in place.

The next item was a request from Building Inspector, John Flanigan, for approval of renewal of Trailer Park Permits for 1999.

The motion was made by Mr. Johnson and seconded by Ms. Burns to approve the renewal of Trailer Camp Permits for 1999 as requested by Building Inspector, John Flanigan, for Shady Grove East, Selkirk, NY and Breckenridge Village, Selkirk, NY. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Request from
Building
Inspector
approval or
renewal
Trailer
Park Permit
1999

The next item was a request from Assessor, M. David Leafer, for reappointment of Member, Board of Assessment Review. Supervisor Fuller noted this was a 5 year term and it was inadvertently missed in September of 1998.

The motion was made by Mr. Johnson and seconded by Mr. Lenhardt to approve the reappointment of Richard Haverly, Delmar, New York to the position of Member, Board of Assessment Review, term expiring September 30, 2003. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Request from
Assessor
reappoint
member
Board of
Assessment
review
term expiring
September 30,
2003

The next item was a recommendation from the Traffic Safety Committee regarding a proposed local law amending the Code of the Town of Bethlehem, stop signs on streets intersecting Wemple Road, Glenmont. Supervisor Fuller said thanks to the Highway Department for the new Wemple Road. She noted a public hearing must be set for February 10, 1999 at 7:30 p.m.

The motion was made by Mr. Lenhardt and seconded by Mr. Johnson to set a public hearing for February 10, 1999 at 7:30 p.m. to consider a proposed Local Law amending the Code of the Town of Bethlehem, Section 119-32, Schedule VI, Through Streets to erect stop signs at intersections of Eileen Drive, Somerset Drive, Windham Hill Road and Harwick Road at Wemple Road, Glenmont. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Public Hearing
February 10,
1999 Traffic
and Safety
stop signs
on streets in-
tersecting
Wemple Road

The following item was a request from Town Clerk, Kathleen A. Newkirk, for approval of appointment of part-time Records Clerk.

The motion was made by Mr. Johnson and seconded by Mr. Lenhardt to approve the appointment of a part-time Records Clerk, Meredith McNeil, Selkirk, NY, at an hourly salary of \$7.27 retroactive to January 1, 1999. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Approval
Town Clerk
appointment
part-time
Records Clerk

The next item was a request from Bruce Secor, Commissioner of Public Works, for approval to go to bid for Materials and Chemicals for 1999.

The following resolution was offered by Mrs. Davis and seconded by Mr. Johnson:

WHEREAS, the Town desires to advertise for bids for the purchase of Materials and Chemicals for 1999, pursuant to law,

Commissioner
of Public
Works approve
to go to bid
Materials and
Chemicals
1999 and
resolution

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 20th day of January, 1999 and that bids be received up to 2:00 and 2:30 p.m. respectively on the 9th day of February, 1999 at which time the bids will be publicly opened and read.

The resolution was adopted by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.

Noes: None.

The following item was a request from Highway Superintendent, Gregg Sagendorph, for approval of Transfer of Funds.

Highway
Superintendent
approval of
transfer of
funds

The motion was made by Mr. Johnson and seconded by Mrs. Davis to approve the following transfers as requested by Gregg Sagendorph, Highway Superintendent:

FROM: A.8160.1 Sanitation (Personal Services) \$3,500
TO: A.8160.2 Sanitation (Equipment Purchase) \$3,500
to cover cost of materials handling bucket for the loader at the compost facility.

FROM: D.5120.4 Bridges (Contractual) \$2,000
D.5142.1 Snow Removal (Personal Services) \$71,000
D.5142.4 Snow Removal (Contractual) \$2,000
TO: D.5110.4 General Road Repair (Contractual) \$75,000
to cover costs of engineering fees, road materials and fuel.

Councilman Burns asked about the move of \$71,000 from Personal to General Road Repair and whether there will be enough money. Highway Superintendent Sagendorph said this was the 1998 budget. He further noted December was ideal weather.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.

Noes: None.

The next item was a recommendation from David Austin, Administrator, Parks & Recreation Department, for acceptance of donations.

Parks and
Recreation
acceptance
of donations

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to accept the following donations as recommended by David Austin, Administrator, Parks & Recreation Department:

Stewart's Shops	\$160
for Selkirk Park	
Mr. John Flanigan	\$400 value
furniture for the PIT	
Mr. Lou Dushek	\$360 value
12 Japanese Cherry Trees, Elm Avenue Park	
Mr. William Youngs	\$89
Tree for Elm Avenue Park	
Mr. Joe Tiszler & Ms. Ann Brakman	\$100. value
Tree for Elm Avenue Park	

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.

Noes: None.

Supervisor Fuller indicated she will send thank you letters for each of the donations.

The following item was a request from Administrator, Parks & Recreation Department, David Austin, for approval of seasonal personnel.

Parks and
Recreation
approval of
seasonal person

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to approve the appointment of seasonal personnel as recommended by David Austin, Administrator, Parks & Recreation Department, in his Memorandum dated January 13, 1999 at the titles and salaries listed. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Noes: None.
Abstain: Ms. Burns.

The next item was a request from Nancy Mendick, Receiver of Taxes and Assessments, for approval of hiring of temporary personnel to assist with preparation of 1999 property tax bills.

Receiver of
taxes and
assessments
approval for
temporary
personnel to
assist prepa-
tation of 1999
property tax
bills

The motion was made by Mrs. Davis and seconded by Mr. Johnson to approve the appointment of temporary personnel to assist with preparation of the 1999 property tax bills as requested by Receiver of Taxes and Assessments, Nancy Mendick as per the list dated January 7, 1999. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

The following item was a recommendation from Engineering Services Administrator, Michael Cirillo, for approval of release of bonding for Juniper Fields, Section 2.

Recommendation
from engineering
and Services
Administrator
approval release
of bonding for
Juniper Fields
Section 2

The motion was made by Mr. Johnson and seconded by Ms. Burns to approve the release of bonding for Juniper Fields, Section 2 as recommended by Michael Cirillo, Engineering Services Administrator. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

The following item was are recommendation from Michael Cirillo, Engineering Services Administrator, for approval of reduction of bonding for Dowerskill Village, Section 2B.

Engineering
Service approval
of reduction of
bonding Dowerski
Village, Section
2B

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to approve the reduction in bonding for Dowerskill Village, Section 2B to a new amount of \$1,000. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

The next item was a recommendation from Engineering Services Administrator, Michael Cirillo, for approval of reduction of bonding for Haswell Farms Subdivision, Phase 1.

Engineering
Service approval
reduction bondin
for Haswell Farm
Subdivision Phas
I

The motion was made by Ms. Burns and seconded by Mr. Johnson to approve the reduction of bonding for Haswell Farms Subdivision, Phase 1 to a new amount of \$34,800. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Engineering
Service
for acceptance
of deeds for
Haswell Farms
Subdivision
Phase 2

The following item was a recommendation from Engineering Services Administrator, Michael Cirillo, for acceptance of deeds for Haswell Farms Subdivision, Phase 2.

The motion was made by Mr. Johnson and seconded by Mr. Lenhardt to approve the acceptance of deeds for Haswell Farms Subdivision, Phase 2 from RSR Associates, Delmar, NY as recommended by Michael Cirillo, Engineering Services Administrator. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Highway
Superintendent
approval to
reject bids
and re-advertise
for bids for
gasoline, diesel
fuel and heating
oil and Resolution

The following item was a request from Highway Superintendent, Gregg Sagendorph, for approval to reject bids and re-advertise to receive bids for gasoline, diesel fuel, and heating oil. Could advertise January 20, 1999 and open bids February 1, 1999. Supervisor Fuller noted Mr. Sagendorph asked for rejection of the bids due to a tie on the low bids.

The motion was made by Mr. Johnson and seconded by Mrs. Davis to reject bids received for gasoline, diesel fuel and heating oil as recommended by Highway Superintendent, Gregg Sagendorph.

Councilman Burns asked what the alleged confusion was with the bid specifications. Mr. Sagendorph said it had to do with the base price and what that was based on. The wording had to do with the wording with the Journal of Commerce. He explained the prices on January 12 were used for one bid and another bidder used the Journal of Commerce paper of December 23rd which had the posted price of December 22nd. He further noted he discussed this with the Town Attorney. Mr. Sagendorph said he changed the wording. This has been done the same way for approximately 8 years, according to Mr. Sagendorph, and this was the first time the confusion had happened.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

The following resolution was offered by Mrs. Davis and seconded by Mr. Lenhardt:

WHEREAS, the Town desires to advertise for bids for the purchase of Gasoline, Diesel Fuel and Heating Oil for 1999, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 20th day of January, 1999 and that bids be received up to 3:00 and 3:10 p.m. respectively on the 1st day of February, 1999 at which time the bids will be publicly opened and read.

The resolution was adopted by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Highway
Superintendent
approval to go
to bid Crushed stone,
Gravel, Topsoil,
Milling, Rental
of Track Excavator,
Rental of Construction
Equipment and Guide
Rails and Resolution

The following item was a request from Gregg Sagendorph, Highway Superintendent, for approval to go to bid for Crushed Stone, Gravel, Topsoil, Milling, Rental of Track Excavator, Rental of Construction Equipment and Guide Rails. Could advertise January 20, 1999 and open bids February 2 and 3, 1999.

The following resolution was offered by Mr. Johnson and seconded by Ms. Burns:

WHEREAS, the Town desires to advertise for bids for the purchase of Crushed Stone, Gravel, Topsoil, Milling, Rental of Track

Excavator, Rental of Construction Equipment and Guide Rails for 1999, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 20th day of January, 1999 and that bids be received up to 3:00 p.m. for Crushed Stone; 3:10 p.m. for Gravel; 3:20 p.m. for Topsoil; and 3:30 p.m. for Milling on the 2nd day of February, 1999 and 3:00 p.m. for Rental of Track Excavator; 3:10 p.m. for Rental of Construction Equipment; and 3:30 p.m. for Guide Rails on the 3rd day of February, 1999 at which time the bids will be publicly opened and read.
The resolution was adopted by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

The next item was a recommendation from Gregg Sagendorph, Highway Superintendent, for approval of award of bid for boom mower attachment to the low bidder, ARTCO Equipment Sales, Cohoes, NY.

The motion was made by Mr. Lenhardt, and seconded by Ms. Burns to approve the award of bid for one (1) boom mower attachment to the low bidder, ARTCO Equipment Sales, Cohoes, NY at a price of \$23,458. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Highway Super-
intendent approval
award of bid
Boom Mower
attachment to
the low bidder
ARTCO Equipment
Sales

The next item was a recommendation from Highway Superintendent, Highway Superintendent Gregg Sagendorph, for approval of award of bid for hook-lift roll-off frame to the low bidder, Tarrant Manufacturing, Saratoga Springs, NY.

The motion was made by Mr. Johnson and seconded by Mr. Lenhardt to approve the award of bid for one (1) hook-lift roll-off frame to the low bidder, Tarrant Manufacturing, Saratoga Springs, NY at a bid price of \$13,945. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

roll-off fram
to low bidder
Tarrant
Manufacturing

The following item was a recommendation from Gregg Sagendorph, Highway Superintendent, for approval of award of bid for two ton vibratory roller to the low bidder, Robert H. Finke & Sons, Inc., Selkirk, NY.

The motion was made by Ms. Burns and seconded by Mr. Lenhardt to approve the award of bid for one (1) two ton vibratory roller to the low bidder, Robert H. Finke & Sons, Inc., Selkirk, NY at a price of \$11,993.21 as recommended by Gregg Sagendorph, Highway Superintendent. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Highway Super
intendent
approval to
award two ton
vibratory
roller to low
bidder Robert
Finke & Sons

Councilman Lenhardt mentioned there was quite a spread on the bids for this item and it is amazing.

The following item was a request from Judith Kehoe, Comptroller, for approval of transfer of funds. Supervisor Fuller explained this is the final transfer for the year 1998 and noted this is done usually the last meeting in December or the first meeting in January.

Request from
Comptroller
approval for
transfer of
funds

The motion was made by Mrs. Davis and seconded by Mr. Johnson to approve the transfer of funds as listed on the Memorandum from Judith Kehoe, Comptroller, dated January 7, 1999.

Ms. Burns
had some
questions
Shared
Services
under General
fund

Councilman Burns asked under the General Fund under Shared Services, Public Works, an amount of \$10,000 and the fund that it is decreasing and increasing is Contractual expenses for Public Works and putting it into Contractual expenses for Shared Services, asking what this was for. Deputy Comptroller Webster explained Shared Services is the Town Hall building. He said the \$10,000 was work that was required for the tower when it was struck by lightning. Councilman Burns further asked where out of the Public Works, was the \$10,000 taken from. Mr. Webster said it came out of Engineering Division.

Ms. Burns
Highway
Department
Retirement
benefit fund
transfer some
monies to
post retirement

Councilman Burns then asked about the Highway Fund, the post retirement benefits, as far as, the \$4,000 which was taken from the benefits of the Highway Department and then put into the post retirement, and why was this necessary. Deputy Comptroller Webster said they were estimates. He said the figures are all projections.

Ms. Burns
questions
Water Fund
under legal
related
services

Councilman Burns asked under the Water Fund under legal related services, there was obviously an amount of \$40,000 into the other account and said in the meeting in December the estimated legal costs for Water District was \$98,000 which was voted on. She said that was the estimated cost. She said it is now \$40,000 more and asked if it was really \$120,000. Deputy Comptroller Webster said he could not answer that question. Mr. Secor, Commissioner of Public Works, said the legal account has to take care of all the legal expenses for the entire Water District. He said Mr. Efron was working on the reevaluation, the litigation with the Town of New Scotland over assessed values and some other pieces. He said there was no additional expense for LeBoeuf, Lamb, Greene and McCray, beyond what the Board had approved. He said these were other expenses that came in beyond what was budgeted for that year. Councilman Burns said the 1998 legal budget for auditing was \$1,000 and at the end of the year you found you were in need of \$40,000. Mr. Secor said everything, as far as, Mr. Efron's work and the work done to press the claim against the Town of New Scotland for the assessments went from \$170,000 to \$400,000. He said he came to the Board and asked for special counsel to fight those assessments and fight that change. He said this is the second, almost third year now fighting for this. He said they are hoping that will settle in March. He said there are substantial monies involved here including appraisals of properties and hire outside experts to do engineering review. He said that all ends up under this code for the legal costs and subcontractor costs for the defense of this. He noted Comptroller Kehoe has the total breakdown.

Councilman Burns said Mr. Secor is asking for a supplemental appropriation in the amount of \$21,000. Councilman Davis and Councilman Lenhardt noted this is a transfer. Mr. Secor said this is a transfer and there is a supplemental appropriation. He said net for the whole year, the Water District fund, the total revenues exceeded the total expenditures even with the supplementary numbers by about \$50,000. He said the fund is not in the red, it is just a matter of moving the money from one area to another.

Ms. Burns
question
Water fund
overtime
costs

Councilman Burns said continuing in the Water fund, as far as under purification, she asked what the overtime amount of \$11,000 was for. Mr. Secor said basically because of storm damage and some people out on extended illnesses and they had to cover the shifts. He said one employee broke a leg and was off for an extended period. He said the man is still on the payroll but is not there to cover the shift so someone else had to do the work. He said it is this type of thing that adds up to it plus storm events.

Councilman Burns asked about the overtime in transmission. Mr. Secor said they had transferred money at the previous meeting because they have had a larger number of water breaks in 1998 than they had experienced in the past. He said it is great if it happens during the day but when it is on the weekend or holidays, it is all overtime. Councilman Burns said she understands that.

Councilman Burns said in purification there were unexpended contractual items, asking what these were. Mr. Secor said again, within the fund, the estimate is for some things that are regulatory fees that are set and a lot of things where it depends on the production and energy consumed or charges allowed. He said the estimates are made up 18 months in advance and then the Public Service Commission does their magic. He said the bills are running 30 and 40 percent of the total electric bill and what shows under that contractual account is the demand charges, it is not actually energy consumed. He said they are trying to fight these charges. He further explained if all the estimated amounts are not used, they are sometimes transferred into other categories.

Councilman Burns said she just has to bring up the point that there is over \$20,000 that was in the budget that was not expended under contractual items. Mr. Secor said this was correct. He said those depend on whether the chemicals are used. He said the amount of the dosages changes which changes the expenditures.

Councilman Burns thanked Mr. Secor.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.

Noes: None.

The following item was to approve the Town Board minutes of December 9, 1998 as submitted.

Approve
Town Board
Minutes
12/9/98

The motion was made by Mr. Johnson and seconded by Mrs. Davis to approve the Town Board minutes of December 9, 1998. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mrs. Davis, Mr. Johnson, Ms. Burns.

Noes: None.

Abstain: Mr. Lenhardt.

Supervisor Fuller asked if anyone wished to address the Board. Mrs. Capone said she thought someone should acknowledge the beautiful job Bruce did on the extension to the Town Hall. She said no one has said anything and they love it.

Mrs. Capone
addressed
the board

Next Mrs. Capone said the Town is presently involved in a multi-million dollar law suit. She said Mr. Davies and Mr. Kelleher will not be happy until they screw the law suit and there is nothing left to work with. Why are we paying for litigation? The more information the Town lets out, the more the law suit is in jeopardy. She asked the Board to think about it, where are we going?

Supervisor Fuller thanked Mrs. Capone. She said the Town Board has chosen to have most of the litigation in the public meetings. There are some comments that have been made, according to the Supervisor, that are of concern but Mr. Alessi will be cutting the comments off if they are getting in the way of the litigation. Mrs. Capone said there are periods when Mr. Davies questions Mr. Secor that she asked for the information and she is not being told. She said she thinks Mr. Secor cannot say it because of the litigation and Mr. Davies doesn't know it and he pounds and he pounds.

MR. DAVIES: Members of the Board, at the last meeting, December 9th, my name was brought up a number of times. I was not present. Mr. Secor handed out 3 letters that were sent to me from the State Health Department and made reached certain conclusions. He did not have available any of the letters that I had written to the State Health Department nor did you. You will have tonight I will give it to you.

Mr. Davies
addressed the
board Water
issue

I want to advise that I am speaking in no one's behalf nor do I expect that they speak in my behalf. So when my name is used with other groups and so forth, please if you would refrain.

I wrote Sheila Fuller on December 5th regarding test well results, THMs, and the quality of the water issue. I would like to make a few comments about that letter, read a statement and hand out some material on the water quantity. The reason I am resurrecting this letter is because Sheila Fuller asked Mr. Secor a question that was in this letter and he responded, in my view, incorrectly. I indicated that the Albany County Health Department had collected samples from the test well. I said Mr. Secor has had a copy of this report since October but has failed to make it available. Mr. Ferrando at the Albany County Health Department on 2 different occasions I asked him why was this not given to the Town of Bethlehem. The last time I spoke to him, he said I gave... I handed it to Bruce Secor on Friday, September 18th when he was in my office. He looked at his calendar and possibly Mr. Secor could check his calendar.

In regard to the THMs, I spoke again with Mr. Secor... or Mr. Ferrando and said well, why wasn't this given to the Town of Bethlehem because it is higher than the standard. He said well I called Bruce and told him the results over the phone and asked that he send me a map of the location of the sampling stations. The reason I bring this up is that Mrs. Fuller at the last Board meeting asked Bruce to comment on my letter and about these test results. Mr. Secor's response was something like this, we did not receive those results, it was not sent. He is correct, it was not sent, it was handed to him and he didn't say I didn't receive it, he said we didn't receive it. So, that covers the questions that I had with regards to comments from... about that letter.

Now, if I might hand to you a statement.

At the December 9th Board meeting, Mr. Secor handed Board Members a copy of his 12/7/98 memo to Supervisor Fuller including 3 letters sent to me from the State Health Department. He gave a verbal presentation accusing me of hysterical tactics and referred to his expert consultants and independent laboratories as confirming compliance with State regulations. He advised the Board that the Town faces a water shortage, quantity problem, and that water quality is not an issue. Mr. Secor handed the Board Members a copy of the 12/9/98 letter from Mr. Ferrando, Albany County Health Department regarding trihalomethane monitoring. Mr. Secor has incorrectly characterized my concerns. I have requested the Department of Health... the State Department of Health to inspect, evaluate and determine if the Clapper Road water system was operating in 1997 and 1998 in compliance with the State's drinking water regulations. I have attached with Mrs. Fuller's copy and Kathy Newkirk's copy letters of... that I have sent January 2, 1999, October 13, 1998 and July 25, 1998. I have also requested the New York State Department of Environmental Conservation to determine if the ground water standard of .09 micrograms per liter for pcb's is being met. I have attached a copy of my letter to the DEC.

The State should evaluate the following, 1. in the summer of 1997 Bruce Secor and unlicensed water plant operator and with the concurrence of Mr. Ferrando, Albany County Health Department, directed a licensed Bethlehem Water Treatment Plant Operator to reduce chlorine residuals below regulatory requirements. 2. in order to reduce the level of THMs the sampling stations were relocated so that representative and maximum THMs would not be reported. 3.

COUNCILMAN DAVIS: Mr. Davies, can I just inquire...

MR. DAVIES: Pardon?

COUNCILMAN DAVIS: Can I just inquire on those 2 points, how do you know that?

MR. DAVIES: How do I know it?

COUNCILMAN DAVIS: Yes.

MR. DAVIES: I have here a copy of the regulations if you would like to look at it. These are the State Health Department regulations.

COUNCILMAN DAVIS: No, how do you know that that Bruce directed a licensed Bethlehem Water Treatment Plant Operator to reduce the chlorine residuals below the regulatory requirements?

MR. DAVIES: I think if you check Mrs. Fuller has the copy and the attached reports, if not it is in a previous letter that I can make available to you.

COUNCILMAN DAVIS: Thank you, I would like that.

MR. DAVIES: But, I think it goes more than just to what that one point...

COUNCILMAN DAVIS: And, the second one as well.

MR. DAVIES: 3.

COUNCILMAN DAVIS: The second point as well.

MR. DAVIES: Yes.

COUNCILMAN DAVIS: Thank you.

MR. DAVIES: 3. in the last 3 years, J.H. Consulting Group, Inc. has been retained by the Town of Bethlehem at a cost of \$30,000 to collect and send samples to other laboratories for analysis. J.H.C. is a non-approved laboratory yet reports results to the Town and State. Drinking water regulations require reporting the results by the laboratory performing the analysis. 4. the \$650,000 ozone unit installed at the Clapper Road water plant as an alternative to chlorination has not been approved by the State yet the contractor and manufacturer have already been paid. 5. the water emergency response plan, some 8 years over due, has been drafted but to date no public notice has been issued soliciting comments from the public on the plan. 6. the chemical analysis sent to Water District taxpayers has reported data not in accord with State regulatory requirements. 7. the infiltration gallery, the well, located on Schermerhorn Island is located within 25 feet of the U.S. EPA Hudson River pcb superfund site. The well is within the zone of influence of a known source of pcbs. Results of the 3/11/96 well sample fails to confirm that the DEC ground water standard of 0.09 micrograms per liter for pcbs has been met.

Albany County Health Department records indicate that an inspection of the Clapper Road system was made in December of 1997 but no inspection report was sent to the Town. I was advised that results of a sample on the new Schermerhorn Island test well was given to Mr. Secor on 9/18/98 and that Albany County Health Department surveillance data on THMs was reported to Mr. Secor by phone. The failure to provide a written record suggests that someone doesn't want a paper trail. This is unconscionable when public health and safety may be impacted.

I would urge the Board to support my recommendation for a State evaluation of the Clapper Road water system and put to rest once and for all Mr. Secor's claim of total compliance with the State's drinking water regulations. Now, lastly, I would like to hand out some material on the water quality issue.

There are 2 pieces of paper here. One is... they're bar graphs for the years of 1996, 1997 and 1998. The white portion of the lower portion of the bars there indicate the source of supply for our community from the Vly Creek sources. Incidentally, I used the records from Mr. Secor's base but when there was a difference of values, I used Judi Kehoe's... the figures there, the money that she pays to the City of Albany for water purchased, if there is a difference. So, there may be a question about some of these water... Albany water purchases. The diagonal shading there is the amount of water Clapper Road plant provides to our system for the 3... 6 months from May through October, the summer demand. The peak use was in July of 1996 of 6 million gallons a day... you notice in August of

1998 an increase 23 percent up to 7.4 million gallons a day. Albany water purchases are increasing tremendously. The Vly Creek source is stretched to the maximum based upon Fraser's report that there is a limitation on the amount of water we can get from Vly Creek because the size of the transmission line indicating probably the maximum yield would about 4.5 million gallons a day.

If you will turn over to the next table, I've summarized there the 1998 water production in the Town of Bethlehem and then the projected water production and summer deficiency a millions a day. And, if you look there are the bottom, on a monthly basis, we will have a deficiency, using the assumptions I have given here, of about .8 million gallons a day for a month. On a weekly basis it will be 1.8 million gallons a day. I have assumed the yield from Vly Creek and the wells at 4.5 million gallons a day, Clapper Road of 1.5 and the amount of water that we are authorized to purchase from Albany at .6 million gallons a day which is the water agreement.

What this conveys in my view is that we have a situation facing the Town of Bethlehem and that I don't think we can wait for O'Brien and Gere's report and any other engineers comments. That we should be facing the issue of getting the needed water for the Town as quickly as possible. Thank you.

SUPERVISOR FULLER: You don't want to wait 2 weeks to respond?

Mr. Secor's
response

MR. SECOR: I can't. It's too bad that this has degenerated into personal attacks when the facts don't fit Mr. Davies he goes to personal attacks and I refuse to do that.

What the Board has in front of it and what was handed out in December are letters from the New York State Health Department and the Albany County Health Department. The Clapper Road plant was fully reviewed. Inspectors were there from the New York State Health Department. The New York State Health Department has already issued their reports and we are in compliance. It is unfortunate that we have somebody who's trying to prove that down is up or trying to infer that there is no compliance when there is an absolute record. Each letter he has written has been received... he has received an answer to. He never seems to have time to give the Board copies of his correspondence back from the State saying we are in compliance so that is why I handed them out.

Try... I'm not going to go through all these charges but as far as the regulation and not being in compliance with the regulations, we are in compliance with the regulations. I've spoken again to both the Health Department at the County and State levels, what we are doing is appropriate. Mr. Davies is trying to reinterpret the regulations which no one else agrees with in a way to try to show we are out of compliance, that's not true. I welcome the State and County to go down and look at it. All of the monthly operating reports that are turned in go directly to the State and to the County and the County is acting as the State's regulatory wing in that case and there's no problem with that.

The chemical data, I really don't know what to do. The THMs are well within the standard. We got the letter from Mr. Ferrando and Mr. Davies is now attacking Mr. Ferrando personally and there's letters gone out to the Health Department attacking him personally. It is unfortunate.

I don't really know what else to say except that we're in compliance. You have the documentation. The laboratory work is all done by independent labs. We are looking at this. The correspondence I see coming out from Mr. Davies says there is high TOCs. The fact is that we have moderate to low values. You have... those laboratory tests are on file. You can't invent facts. What are the facts? The facts are the water meets the standards. We are in compliance and the chemical analysis is there to prove it. So, I don't want to get into a debate.

COUNCILMAN DAVIS: Bruce, just a question?

MR. SECOR: Yes.

COUNCILMAN DAVIS: The JHC laboratory...

MR. SECOR: J.H. Consultants is a consulting service.

COUNCILMAN DAVIS: Mr. Davies alleges that it is a non-approved laboratory. I am not sure I know what that means.

MR. SECOR: They are not even a laboratory. JH Consulting is a consulting service. The regulatory process... the amount of samples that we have to take and everything are very complex and changing. Some sampling is done every 18 months, some done every month, somebody has to set up a program, make sure that the standards are being met and that the proper samples are being taken at the proper time. JH does that for us. They coordinate it. They also go out and get competitive prices from various laboratories to get the best price for the Town of Bethlehem and a number of other clients they do. They have been given a reporting number by the Health Department themselves for electronically sending in to meet compliance with the standard. A number of the reporting labs have refused to try to electronically report and sort these things together. Somebody has to compile a report. Not every lab can do every test, so we use this service in order to put that together so our reports are complete and in compliance.

COUNCILMAN DAVIS: Where are they located?

MR. SECOR: He's up in Latham. And, you know, the State Health Department and whether they are going to change that with the year 2000 problems or not I don't know. The State Health Department was taking all of the paperwork from every plant... every water plant in the State of New York on paper and they were being inundated on paper. So, they wrote a regulation some years ago, saying you must report this electronically, we will no longer accept paper stuff. It has to come electronically. And, then the local Health Departments or whoever they had designated as... sometimes it's the local Department of Health field office, sometimes it's the County Health office... would act as their agent and actually receive the paper copies and keep them. And, that is what's being done here in Albany County. So, Albany County is the regulatory subcontractor to the State Health Department. So, that's being done. JH Consulting was given the number by the State Health Department. That's an issue between them that they have to resolve, maybe they have to do something with their own regulations, I don't know. But, it's a service that we act on and it's being accepted by the State and they... he is doing this for many different municipalities. We are not the only one of his clients.

COUNCILMAN DAVIS: I also... the water emergency response plan that's referred to in point 5.

MR. SECOR: That was distributed. It was put on file with the Town Clerk. Gave a copy of it to the Health Department.

COUNCILMAN DAVIS: Mr. Davies has a copy, doesn't he?

MR. SECOR: Well, it was made available to him, you know, I don't give him a personal copy. I haven't received any comments. There is a requirement for public notice and comment period but I thought we would at least get the Board information back first. Get the stuff back from the State Health and the County Health Department to see if they had anything to go on and then we can certainly put it on notice. But, it's been on file with the Town Clerk.

COUNCILMAN DAVIS: That's that big thick...

MR. SECOR: Yes. That was that 3 ring binder that had all the information in it. As far as the paper work from the County Health Department, I'm confused by Mr. Davies on his allegations that I am withholding information. He started off talking about the test wells and samples for THMs and this, I don't know exactly what's going on. The State Health... the County Health Department sends us formal notifications on compliance and we respond to them formally. And, anything that he needs in our file, we would be happy to give him. But, you know, the one test he's talking about which was a compliance

thing that they did for the State Health Department we had not been given a copy of that until very recently, actually it was after I got it from Mr. Davies. I did have a telephone conversation with him but I had no paper work on it. So, whatever.

SUPERVISOR FULLER: Bruce, what about the ozone unit?

MR. SECOR: The ozone system that was in, it was tested. I have given Mr. Davies copies of the information on that. We had a final certification from the design people and the contractor. We went through the operator training with the experts from the ozone manufacturer and we're very confident that both the ozone generating equipment and the induction equipment was working properly but there's no reason to use it. We are in compliance with all the standard. It is a very expensive piece of equipment to run. Our energy bills would be very, very high. It was put there... the State Health Department originally required it when we were looking at a direct intake from the river. We got away with that... got away from that and went to the ground water. We had no bacteriological problem. The bacteriological tests on the ground water has always come back with no bacteriological... even the new test well, the sample that was taken by the County Health Department themselves. There was no bacteria count in that. So, we don't have a bacteriological... there is no cryptosporidium giardia. We have tested a number of times for that. So, we really don't have a bacteria problem to deal with. We are using chlorine as a pre-chlorination. We are going through the treatment process. The removals are all excellent. We are meeting all of the standards. The THMs are in the range of 50 based on the sampling and the program that is required in the State regulations. We're in compliance with that and you have the letter from Mr. Ferrando that he doesn't see us having any problem in compliance with the next level of standard. Now, you can go out of your way to twist things which is what's going on here to try to make some... to try to prove that down is up but it simply is not true.

MR. DAVIES: I would just make the plea that you send... Sheila, you send my statement to Mr. Michael Burke and ask him to respond. That's all I could ask. I think it would cover the whole situation.

Now, let me just... with regards to JH Consulting Group. I have here a report, the heading is JH Consulting Group reporting a result on the well in 1996. First of all, they are reporting from an approved laboratory these results. They can't correctly spell some of these chemical terms. They give a maximum contamination limit where none exists. They fail to show total pcbs. I managed to get a copy of the actual result from the approve laboratory that sent the results to JH Consulting and compared what they reported to the Town. As I recall, 4 out of 12 of the results were numerically incorrect that were reported by JH Consulting and we're paying \$30,000 over the last 3 years for this service. I think it needs at least a look see as responsible Board Members.

MR. SECOR: Not to have a debate but just to put it in context. The \$30,000 includes the costs of the approved labs. JH Consultant does the work, gets the labs done and when they bill us, it includes the actual laboratory analysis costs. Their fees are just a small percentage of the total cost. That includes the actual laboratory expense so whether we did it ourselves or didn't use them, but... you asked earlier Sue about the chemist. In order to have a chemist on site, an approved lab, how far do you think \$30,000 would go towards somebody with a 5 year degree and staff and equipment and everything else would be? This is by far and away the most economic method to use is by using outside independent labs who do this in bulk and can afford the electro spectrometers or whatever they have to use. I mean there is some very, very expensive equipment involved. So, there's... we are getting good value for our dollar in terms of the testing that's being done.

SUPERVISOR FULLER: Sherwood, has the Board received the entire packet of information you have given me? Your letter of January 2nd to Michael Burke?

COUNCILMAN DAVIS: No.

MR. DAVIES: Pardon?

COUNCILMAN DAVIS: We just have 2 things, Sheila. We have the graphs.

SUPERVISOR FULLER: This letter the Board doesn't have, the January 2nd to Michael Burke that you are writing him asking?

MR. DAVIES: That's right and there's... now let me...

COUNCILMAN DAVIS: We don't have that.

MR. DAVIES: I can get copies for you if you would like it but it's rather detailed and...

COUNCILMAN DAVIS: No, I would like it.

MR. DAVIES: If you would like it, I will get it copied. Anybody else?

SUPERVISOR FULLER: Is there anyone else who would like to address the Board this evening?

MR. KELLEHER: I am not here tonight to discuss water quality at all. Okay.

SUPERVISOR FULLER: Good.

MR. KELLEHER: I don't want to get into the subject at all. I am here tonight to help the Town Board understand what's going on with the law suit and what they should be asking for when O'Brien and Gere's report comes in. I think it is very important for you to understand it. Mr. Kelleher
water issue

Now, in terms of water quality, it doesn't make a row of beans as far as I am concerned if the organic nitrogen that's in that water is coming from the sewage treatment plant or it's coming from the bottom of the river in terms of its effects on the water.

SUPERVISOR FULLER: Excuse me, Mr. Kelleher, one minute. High school students before you leave, I don't want to leave thinking that the water supply is coming from the sewage treatment plant. Your class was here before at this meeting when the statement was made and most of you walked out on... 2 young men came to me after the meeting very upset saying... Mrs. Fuller are we drinking water from our sewage treatment plant. I assured them that we were not.

MR. KELLEHER: No, that's because...

SUPERVISOR FULLER: Before you leave the building, I wanted to make sure that you knew that.

MR. KELLEHER: Please understand that we are only talking... we're talking about a water supply that 6 to 8 residents are using, not the entire Town. But, it is coming from the sewage treatment plant period. Now...

SUPERVISOR FULLER: Thank you students.

COUNCILMAN DAVIS: Mr. Kelleher said that.

MR. KELLEHER: Okay. How do I know it's coming from the sewage treatment plant? Because in January and February of 1997, there were over 1500 pounds of ammonia pumped from the well. It's impossible to be coming from the river bottom. It's impossible to be coming from natural ammonia in nature because all the fish in the Hudson River would be dead if that was the case. The only place it could be coming from is the sewage treatment plant and it indicates... it is a very significant source of ammonia. Now, what this had to do with well yield, it has a tremendous amount to do with the well yield because I estimate that probably 1 million gallons a day is coming from the sewage treatment plant. Which means that you can put all the additional length of that horizontal well you want in, you can put all the additional wells on the land side and you are not going to get that much more water period. Now, there is also an effect by

temperature, the temperature of the water. When you get freezing temperatures out there so you get an ice cover on the river, you get what is known as frazzle ice. Now, anybody who has worked with power plants like I have knows what frazzle ice can do. The frazzle ice will form when you reduce the pressure on the water and that's what you are doing when you pumping the well. You put a negative pressure on water that's already at 34 degrees. It has to be if you have an ice cover on the river and what happens then that frazzle ice clogs up your sands on the bottom of the river and during the cold period in '96 and '97... the winter of '96 and '97 you got a significant reduction of infiltration from the river due to frazzle ice. And, if it wasn't for the sewage treatment plant, I doubt you would have gotten very much water at all. Now, there is one way you can prove it is coming from the sewage treatment plant besides the ammonia, if... I will ask Mr. Secor or any of his consultants, I will ask the New York State Health Department, ask anybody in the country to give me the data on one single water supply in this country... one drinking water supply in this country that has anywhere from 1 to 4 parts per million of ammonia in it and has more organic nitrogen than a sewage treatment effluent. As.. you know, they can say Bill Kelleher doesn't know what he is talking about. They don't believe it's coming from the sewage treatment plant. Where else could it be coming from, Mr. Secor?

MR. SECOR: Everyone else... I can't find anyone who agrees with you. I can't find anyone who thinks you're even in the realm of reality of understanding what's going on. I am going to answer your question, Bill. Where it's coming from... where... what has been stated in all of the reports going all the way back to 1978 is that the source of some of the ammonia... some of it's coming from the river... source of some of the ammonia is from the organic materials in the soils that are decomposing that are always above 50 degrees because the ground water temperature is always above 50 degrees.

MR. KELLEHER: I agree.

MR. SECOR: And, that's where this ammonia is coming from. Now you stand up there time after time saying there can only be one... that's not true. It's simply not true.

MR. KELLEHER: Mr. Secor...

MR. SECOR: No one... I am not the expert in this but I have talked with 10 other experts, no one thinks you are in the realm of reality.

MR. KELLEHER: Well, I think you are going to find, again, I challenge all your experts including... go get a letter from Jack Dunham, the New York State Health Department like you did before. I challenge Mr. Fraser on this years ago. How did I find out about what was going on here...

MR. SECOR: Ken Drautz who is our consultant, used to run the water system in Florida. Their source of water in the wells adjacent to the Okefenokee swamp. They had so much ammonia in the water because of the decomposing organic nitrogen or organic materials in those swamps that filtered down into the sand and gravel that they practices disinfection and chlorine. They actually added more ammonia to the water and did it that way. He is very familiar with this. He has no problem with it. That is a supply of water...

MR. KELLEHER: Please, have him submit the data on any ground water supply in this country that has that kind of ammonia in it. There is none. EPA can't find any. I looked up the EPA reports. Mr. Fraser who designed the system referred to Lincoln, Nebraska. I went and check with them and they have zero ammonia in their ground water supply and they use ammonia. You know what the chemist at Lincoln, Nebraska told me? He said what are you asking about ammonia for. I said well we've got... we found 2.7 parts per million of ammonia in the water. He says... right away he says oh, we don't have any sludge deposits out in the river. He knew right away. There isn't one except here in New York State... it seems... you know... there isn't one public water supply in New York State or one ground water supply that has this kind of ammonia in it, it's impossible. All the fish in the Hudson River would be dead if all the organic material...

MR. SECOR: What's the ammonia level? There is 30 years of recorded data on river water characteristics. What's the ammonia level in the river, Bill?

MR. KELLEHER: It's about .2 parts per million.

MR. SECOR: And, what does it vary seasonally?

MR. KELLEHER: Well, it doesn't vary that much.

MR. SECOR: There is a monitoring station right in Glenmont.

MR. KELLEHER: Yes, look at the results. I have.

MR. SECOR: I have too.

MR. KELLEHER: Yea, it doesn't vary that much. It doesn't vary like 4 to 8 parts per million. You know why? Because if you had that kind of ammonia in the Hudson River you would be in violation of stream standards period. Now, in terms of the ground water standard, guess what? They... the Department of Environmental Conservation doesn't enforce it. They kick the problem to the New York State Health Department.

Now, my objective here is just inform the Town Board that if you make the proper temperature measurements you can tell where the water is coming from. If you add ammonia, temperature and hardness you can get rid of \$100,000 report that will be necessary in order to prove where this water is coming from. And, I am telling you something, my experience is that by using temperature and ammonia and hardness, you can do a much better job of telling where the water is coming from. That's all I am asking. I am asking O'Brien and Gere to look at the water chemistry, not water quality, just look at water chemistry and make a determination of where the water is coming from period. Any questions?

SUPERVISOR FULLER: No, thank you. Is there anyone else who would like to address the Board this evening?

Councilman Burns said she had something new and different for the new year. She submitted a performance plan for 1999. She said her plan outlines 3 major areas including activities and tasks with target dates. The plan focuses on 3 things -- leading change, managing performance and creating capacity.

Councilman Burns submitted a performance plan for 1999

Councilman Burns said one expectation under leading change is to submit an economic development initiative by the end of March. The initiative will include the creation of an office of economic development. Two additional elements under that would be to review the Town's by-laws and policies and review the Town zoning laws.

Councilman Burns said the second goal of managing performance means using resources efficiently and effectively. She said she has a couple objectives, including the monitoring of the Town budget and budget transfers and enlarge access to information. She said under the access to information she is going to manage and set-up an interactive web site and also produce a by-monthly interview program with Channel 31 where topics and issues can be talked about. She said a name has been suggested of Bethlehem News with Susan Burns.

Councilman Burns said finally to create capacity. She intends to participate in the tele-conferences which the State Comptroller offers and to go to the Association of Towns meeting/conference in February. She said she is doing this because she thinks it is important. She said presenting a plan is important and reviewing it through the months is important and to be accountable to the residents is important. She said she will submit the plan and give it to the Board Members. She thanked the Supervisor.

Supervisor Fuller thanked Councilman Burns indicating the plan is a plan that every Board Member has been involved in and does do. Each Member takes an oath of office, according to the Supervisor,

when the term of office is started and the objective is to do the best for the residents of the Town.

Supervisor
Fuller responded
that this plan
has been going
on at the town
for a long time

Supervisor Fuller said what is in the plan is something that has been going on at Town for a long time. She said perhaps Councilman Burns will be able to participate more in Town government with the Town Hall and Town Highway Department and Parks and Recreation Department, and IDA. She said perhaps a lot of this is going on that Councilman Burns had not been aware of. Supervisor Fuller said she is glad Councilman Burns mentioned her plan but it is a plan that should have been in place when she took office in January. She said this is something everyone is involved in.

Councilman Burns said she has not seen any written plan by anyone and this is a written plan which can be accountable to the residents of the Town. She said her expectations are in writing. Supervisor Fuller said the Board will have expectations for Councilman Burns as well and that is holding up the commitment to the community. Councilman Burns said she does. Supervisor Fuller said you must be prepared for Town Board meetings and discuss the items on the agenda. She said it is unfortunate but every now and then Councilman Burns arrives with a list of questions which most people have dealt with in advance. She said it is fine to ask the questions but at least in regard to the budget, some of the questions tonight have been done with the budget process, noting she was a part of the budget process and yet the questions were not raised at that time.

Supervisor Fuller further said when there were issues regarding budget, she was acting as if this were the first she had seen it. She said she, personally, has a problem with the publicity which she is afraid is what Councilman Burns is aiming for. The Supervisor said they have to deal with what is important for the community. Councilman Burns said she respectfully disagrees with what was said and said she thinks it is fortunate that she questions and brings things up at the Board meetings for the residents of the Town.

Supervisor Fuller asked if anyone else wished to address the Board. There were none. She asked if any other Board Member wanted to address the Board. There were none.

- - -

Meeting was
adjourned

The motion was made by Mr. Lenhardt and seconded by Mr. Johnson to adjourn the regular Town Board meeting at 9:12 p.m. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,
Ms. Burns.
Noes: None.

Kathleen A. Newkirk
Town Clerk

Last Name	First	Title	Salary	
SERES	NOEL	ADMIN. AIDE/ACCT CLERK	34,563.00	31 20
REXFORD	JAMES	POLICE OFFICER	32,483.00	
COCCHIARA	REGINA	POLICE OFFICER	31,670.00	
MARKEL	FRANCES	CLERK TYPIST I	25,896.00	
WATT	RICHARD	ANIMAL CONTROL OFFICER	29,175.00	35 10
GRANDY	GEORGE	ANIMAL CONTROL OFFICER	26,424.00	
FLANIGAN	JOHN	BUILDING INSPECTOR	60,357.00	36 20
GRIFFITHS	ROGER	ASSISTANT BLDG. INSPECTOR	42,575.00	
MORRELL	ANTHONY	ASSISTANT BLDG. INSPECTOR	40,609.00	
SHEA	KEVIN	ASSISTANT BLDG. INSPECTOR	40,109.00	
PLATEL	MARK	ASSISTANT BLDG. INSPECTOR	39,359.00	
RICE	DAVID	ASSISTANT BLDG. INSPECTOR	32,210.00	
DONOVAN	LOIS	CLERK TYPIST II	28,554.00	
DRAGON	JO MARY	CLERK TYPIST II	27,804.00	
DUNN	MARLYN	CLERK TYPIST II	27,804.00	
NEWKIRK	KATHLEEN	REGISTRAR OF VITAL STATISTICS	1,000.00	40 20
SAGENDORPH	GREGG	HIGHWAY SUPERINTENDENT	68,995.00	50 10
BARRETT	MARY	ADMINISTRATIVE ASST. I	33,813.00	
CHENEY	SANDRA	CLERK TYPIST I	25,146.00	
PELLETTIER	KAREN	DIRECTOR OF SENIOR SERVICES	46,642.00	67 72
BECKER	JOYCE	ASST DIR SR CITIZEN SERV	38,071.00	
WIRTH	CAROLINE	OUTREACH WORKER	37,321.00	
LAYMAN	JOYCE	PROGRAM ASSISTANT - SENIOR SRV	27,804.00	
MOSIER	ELIZABETH	CLERK TYPIST I	25,146.00	
SINUC	LINDA	OUTREACH WORKER - PART TIME	24,700.00	
AUSTIN	DAVID	ADMINISTRATOR PARK & REC	57,187.00	70 20
LANAHAN	NAN	ASST.ADM.OF PARKS AND REC.	44,331.00	
REAGAN	JAMES	PARKS&RECR MTGE SUPERINTENDENT	41,109.00	
ELLIS	LISA	ACCOUNT CLERK II	32,960.00	
DLUGOLECKI	NOREEN	CLERK TYPIST II	28,554.00	
GLASTETTER	DONALD	RECREATION MAINTENANCE MAN	31,621.00	71 10
ALLEN	WILLIAM	RECREATION MAINTENANCE MAN	30,871.00	
HUMMEL	STEVEN	RECREATION MAINTENANCE MAN	30,871.00	
TURNER	SCOTT	RECREATION MAINTENANCE MAN	30,871.00	
ALLGAIER	JOSEPH	HISTORIAN	2,600.00	75 10
KEHOE	JUDITH	CABLE ADMINISTRATOR	1,500.00	75 20
HODOM	MICHAEL	CHAIRMAN BOARD OF APPEALS	4,874.00	80 10
BROOKINS	GILBERT	BOARD OF APPEALS MEMBER	3,804.00	
LEWIS	RICHARD	BOARD OF APPEALS MEMBER	3,804.00	
O'BRIEN	MARJORY	BOARD OF APPEALS MEMBER	3,804.00	

01/11/99

Town of Bethlehem
1999 Annual Salaries

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Last Name	First	Title	Salary	
WIGGAND	ROBERT	BOARD OF APPEALS MEMBER	3,804.00	80 10
CIRILLO	ALICE	CLERK STENOGRAPHER II	39,071.00	80 20
HASBROUCK	DOUGLAS	CHAIRMAN PLANNING BOARD	10,073.00	
BLENDELL	JAMES	PLANNING BOARD MEMBER	3,804.00	
MATHUSA	PARKER	PLANNING BOARD MEMBER	3,804.00	
NELSON	MARCIA	PLANNING BOARD MEMBER	3,804.00	
ODELL	DANIEL	PLANNING BOARD MEMBER	3,804.00	
REED	PATRICK	PLANNING BOARD MEMBER	3,804.00	
ROOKS	JOSEPH	PLANNING BOARD MEMBER	3,804.00	
LIPNICKY	JEFFREY	TOWN PLANNER	58,857.00	80 21
SAATMAN	JANINE	DEPUTY TOWN PLANNER	48,086.00	
KITCHEN	DEBORAH	CLERK TYPIST I/PART TIME	11,882.00	
WINNE	BRUCE	EQUIPMENT OPERATOR II	33,813.00	81 60
VAN ALSTYNE	DONALD	LABORER I	26,424.00	
FISHER	SHARON	WASTE RECYCLING COORD - PT	15,101.00	

* * * E N D O F R E P O R T * * *

Last Name	First	Title	Salary	
BURNS	SUSAN	COUNCILMAN	9,975.00	10 10
DAVIS	DORIS	COUNCILMAN	9,975.00	
JOHNSON	ROBERT	COUNCILMAN	9,975.00	
LENHARDT	GEORGE	COUNCILMAN	9,975.00	
HODOM	BARBARA	COURT CLERK	49,836.00	11 10
WHITNEY	BARBARA	DEPUTY COURT CLERK	35,063.00	
EGAN	THERESA	TOWN JUSTICE	33,360.00	
MUNNELLY	KENNETH	TOWN JUSTICE	33,360.00	
BOPP	LISA	CLERK TYPIST II	27,804.00	
BLANCHARD	GERALDINE	CLERK I	27,396.00	
FULLER	SHEILA	TOWN SUPERVISOR	71,441.00	12 20
ASPRION	BARBARA	CONFIDENTIAL SECRETARY	34,563.00	
KEHOE	JUDITH	COMPTROLLER	60,859.00	13 15
WEBSTER	RICHARD	DEPUTY COMPTROLLER	49,336.00	
WEIGAND	PATRICIA	ACCOUNT CLERK II	33,960.00	
TREMBLAY	MARY	ACCOUNT CLERK I	25,146.00	
DELONG	SHEILA	ACCOUNT CLERK I	11,979.00	
MENDICK	NANCY	RECEIVER OF TAXES	42,075.00	13 30
DEGONZA	BETTY	DEPUTY RECEIVER OF TAXES	32,210.00	
LINGNER	NANCY	ACCOUNT CLERK/TYPIST	27,804.00	
DELONG	SHEILA	ACCOUNT CLERK I	11,979.00	
LEAFER	MELVIN	ASSESSOR	48,086.00	13 55
BUSICK	A. DIANE	ADMINISTRATIVE ASST. I	35,563.00	
DELACRUZ	NANCY	ASSESSMENT CLERK	23,959.00	
NEWKIRK	KATHLEEN	TOWN CLERK	49,336.00	14 10
PICARAZZI	CATHERINE	DEPUTY TOWN CLERK	33,813.00	
MCNEIL	JULIE	DEPUTY TOWN CLERK	32,210.00	
KAPLOWITZ	BERNARD	TOWN ATTORNEY	38,518.00	14 20
SECOR	BRUCE	COMMISSIONER OF PUBLIC WORKS	79,013.00	14 90
CIRILLO	MICHAEL	ENGINEERING SERVICES ADMIN.	60,358.00	
FENZL	JOHN	SENIOR CIVIL ENGINEER	52,760.00	
SAXE	DAVID	PRINCIPAL ENGINEER TECHNICIAN	44,331.00	
GORDON	MORRIS	DRAFTSMAN	29,175.00	
HUMMEL SR	RICHARD	BUILDING MAINTENANCE MECHANIC	32,210.00	16 20
ASPRION	CHARLES	BUILDING MAINT. HELPER	25,146.00	
FURST	JOANNA	BUILDING MAINT. HELPER	20,792.00	
HOUGH JR	JONATHAN	BUILDING MAINT.HELPER PT.TM.	11,516.00	
DAMMEYER	JEFFREY	DIR OF MANAGEMENT INFO SERV	61,609.00	16 80
ESPOSITO	JOHN	PROGRAMMER/ANALYST	42,075.00	

01/11/99

Town of Bethlehem
1999 Annual Salaries

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Last Name	First	Title	Salary	
BARTKUS	MAUREEN	COMMUNICATIONS SUPERVISOR	36,124.00	30 20
BECKER	MARK	TELECOMMUNICATOR	35,124.00	
COOKE	KATHY	TELECOMMUNICATOR	34,874.00	
DONOVAN JR	JAMES	TELECOMMUNICATOR	34,374.00	
GOULET	SANDRA	TELECOMMUNICATOR	34,374.00	
KEEZER	BENJAMIN	TELECOMMUNICATOR	33,774.00	
KELLY-KEEZER	DEBRA	TELECOMMUNICATOR	33,774.00	
SLEURS	BRIAN	TELECOMMUNICATOR	33,774.00	
KELLOGG	STEVEN	TELECOMMUNICATOR	29,028.00	
TOMPKINS	LEONARD	TELECOMMUNICATOR	29,028.00	
ANDERSON	GREGORY	TELECOMMUNICATOR	27,648.00	
HORNICK	ADAM	TELECOMMUNICATOR	27,648.00	
LA CHAPPELLE	RICHARD	CHIEF OF POLICE	65,749.00	31 20
HOLLIGAN	FREDERICK	POLICE LIEUTENANT	58,343.00	
BEEBE	TIMOTHY	POLICE LIEUTENANT	57,493.00	
CLARK	COLIN	POLICE LIEUTENANT	58,343.00	
SLEURS	JOSEPH	POLICE SERGEANT	53,860.00	
CORSI	LOUIS	POLICE SERGEANT	53,152.00	
CORBETT SR	JAMES	POLICE OFFICER	53,069.00	
ROBERTS	PAUL	POLICE SERGEANT	52,860.00	
COX SR	JOHN	POLICE OFFICER	52,569.00	
KERR	JAMES	POLICE SERGEANT	52,530.00	
MASTRIANO SR	JOSEPH	POLICE OFFICER	51,319.00	
BOWDISH	CHRISTOPHER	POLICE OFFICER	50,469.00	
BERBEN	ROBERT	POLICE SERGEANT	49,030.00	
MOSCA JR	JOSEPH	POLICE OFFICER	47,322.00	
HAKER	JAMES	POLICE OFFICER	47,280.00	
WILSON	THEODORE	POLICE OFFICER	49,319.00	
LA CHAPPELLE	WAYNE	POLICE OFFICER	46,853.00	
MCMILLEN	MICHAEL	POLICE OFFICER	46,503.00	
ARDUINI	ANTHONY	POLICE OFFICER	46,353.00	
OLIVER	BRUCE	POLICE OFFICER	46,103.00	
LINSTRUTH	RAYMOND	POLICE OFFICER	45,853.00	
RINALDI	VINCENT	POLICE OFFICER	45,603.00	
ANSON	SCOTT	POLICE OFFICER	45,488.00	
MARKEL	ROBERT	POLICE OFFICER	44,696.00	
PAULEY	CHRISTOPHER	POLICE OFFICER	44,696.00	
HARRINGTON	DAVID	POLICE OFFICER	44,603.00	
VUNCK	JEFFREY	POLICE OFFICER	44,603.00	
HELLIGRASS	ROBERT	POLICE OFFICER	44,430.00	
RUDOLPH JR	CHARLES	POLICE OFFICER	43,938.00	
DEMAREST SR	STEPHEN	POLICE OFFICER	45,853.00	
REED-KERR	CYNTHIA	POLICE OFFICER	46,353.00	
HEFFERNAN JR	THOMAS	POLICE OFFICER	41,719.00	
HUGHES	BRIAN	POLICE OFFICER	41,549.00	
HEMPEL JR	RUSSELL	POLICE OFFICER	40,368.00	
RADLIFF JR	CHARLES	POLICE OFFICER	39,649.00	
RESNICK	PETER	POLICE OFFICER	39,415.00	
HUGHES	CHRISTOPHER	POLICE OFFICER	38,984.00	

STATEMENT SUBMITTED TO THE TOWN BOARD ON JANUARY 13, 1999
TEMPERATURES CAN BE USED TO DETERMINE HOW MUCH OF THE WELL
YIELD COMES FROM THE TOWN'S SEWAGE TREATMENT PLANT

by

William J. Kelleher

It is estimated that the town's sewage treatment plant (STP) contributed approximately one million gallons of water per day to the yield of the Hudson river well in the year 1997. A careful study of temperatures throughout the year 1999 will give the necessary information to ascertain how much water comes from the STP, the river and the watershed on the land side of the well.

The sub-freezing weather that occurred in January and February of 1997 caused the formation of frazil ice which clogged the river bottom resulting in a significant reduction in the amount of water infiltrating from the river. At the same time the ammonia concentration in the well water doubled indicating that most of the well yield was due to recharge from the town's sewage treatment plant.

Ice forms as crystals around suspended material in the water when the temperature is near the freezing point of 32 degrees Fahrenheit. This is known as frazil ice. Frazil ice also can occur near the shoreline if surface ice is constantly being broken up by tidal fluctuations. Another form of frazil ice occurs when water, at a temperature of 34 degrees, has a reduction in pressure which causes an increase in the freezing point of water. The negative pressure produced by pumping the well, will result in frazil ice formation in the bottom sands, if the river water is at 34 degrees. When the pumping is stopped the frazil ice will melt.

When a long enough period of sub-freezing air temperatures produces an ice cover on the Hudson river, the water on the bottom of the river is usually at 34 degrees, the temperature at which water has the greatest density. The natural sand filter on the bottom of the river becomes clogged with frazil ice resulting in a significant reduction in well yield. The well yield will return when the water temperature in the river goes above 34 degrees or after pumping is stopped.

The amount of ammonia pumped from the well in January and February of 1997 amounted to over 1600 pounds. This is equivalent to the ammonia found in raw sewage from 1000 people. The production of ammonia ceases at temperatures below 50 degrees, hence the ammonia could not have come from the river bottom. Examination of records at DEC's Region 4 shows that the temperature of the sewage was high enough so that the 1600 pounds of ammonia could have come from the STP. Ammonia does not occur naturally in such large quantities. The only possible source is the STP.

Temperature and hardness measurements have been used at Schenectady and Green Island to determine where the water is coming from and how much ground water is stored in the aquifer. Using temperatures, hardness and ammonia I estimate that for the town's Hudson river well the STP contributes 75 percent of the well yield during sub-freezing weather and about 50 percent of the well yield during the rest of the year.

During the warm, wet winter of 1997-1998 there was no period of sub-freezing weather long enough to cause frazil ice to be a problem. There was no significant decrease in well yield and there was no significant increase in the concentration of ammonia. The river was dredged in December of 1998 when the weather was unusually warm for December. However starting December 23 there was a long enough period of sub-freezing weather to cause frazil ice and a reduction in well yield.

During 1999 temperature measurements should be routinely made in the river, the well, the STP and several observation wells. If properly done it will be possible to ascertain how much water comes from the river, the STP and from the watershed on the land side of the well. Except for the observation wells, the other temperature measurements are already being made.

*Submitted at Town Board
meeting January 13, 1999
January 13, 1999 by hand. KN*

STATEMENT
BY
SHERWOOD DAVIES
ON THE
CLAPPER ROAD WATER SYSTEM
BETHLEHEM TOWN BOARD MEETING

At the December 9, 1998 Board meeting, Mr. Secor handed Board members a copy of his 12/7/98 memo to Supervisor Fuller including three letters sent to me from the New York State Department of Health (DOH). He gave a verbal presentation accusing me of hysterical tactics and referred to his expert consultants and independent laboratories as confirming compliance with State regulations. He advised the Board that the town faces a water shortage (quantity problem) and that water quality is not an issue. Mr. Secor handed to Board members a copy of a 12/9/98 letter from Mr. Forando, Albany County Health Department (ACHD) regarding trihalomethane (THM's) monitoring.

Mr. Secor has incorrectly characterized my concerns.

I have requested the DOH to inspect, evaluate and determine if the Clapper Road water system was operated in 1997 and 1998 in compliance with the States' Drinking Water Regulations, (See attached letters dated 1/2/99, 10/13/98 and 7/25/98). I have also requested the New York State Department of Environmental Conservation (DEC) to determine if the ground water standard of 0.09 µg/l for PCB's is being met. (See attached letter dated 1/11/99).

The State should evaluate the following---

1. In the Summer of 1997, Mr. Bruce Secor, an unlicensed water plant operator and with the concurrence of Mr. Forando, ACHD, directed a licensed Bethlehem water treatment plant operator to reduce chlorine residuals below regulatory requirements.
2. In order to reduce the level of THM's, the sampling stations were relocated so that representative and maximum THM's would not be reported.

3. In the last 3 years, JH Consulting Group, Inc (JHC) has been retained by the Town of Bethlehem, at a cost of \$30,000, to collect and send samples to other labs for analysis. JHC is a non-approved laboratory, yet reports the results to the Town and State. Drinking water regulations require reporting the results by the laboratory performing the analysis.

4. The \$650,000 ozone unit installed at the CRWP as an alternative to chlorination has not been approved by the State, Yet the contractor and manufacturer has been paid.

5. The water emergency response plan, some 8 years overdue, has been drafted but to date no public notice has been issued soliciting comments from the public on the plan.

6. The 1997 chemical analysis sent to water district taxpayers has reported data not in accord with State regulatory requirements.

7. The infiltration gallery (well) located on Schemerhorn Island is located within 25' of the USEPA Hudson River PCB's Superfund Site. The well is within the zone of influence of a known source of PCB's. Results of a 3/11/96 well sample fails to confirm that the DEC ground water standard of 0.09 $\mu\text{g}/\text{l}$ for PCB's has been met.

ACHD records indicate that an inspection of the Clapper Road system was made in December 1997 but no inspection report was sent to the Town. I was advised that results of a sample on the new Schemerhorn Island test well was given to Mr. Secor on 9/18/98 and that ACHD surveillance data on THM's was reported to Mr. Secor by telephone. The failure to provide a written record suggests that someone doesn't want a "paper trail". This is unconscionable when public health and safety may be impacted.

I urge the Board to support my recommendation for a State evaluation of the Clapper Road water system and to put to rest once and for all Mr. Secor's claim of total compliance with the States' drinking water regulations.