

TOWN BOARD  
JANUARY 24, 2007

A regular meeting of the Town Board of the Town of Bethlehem was held on the above date at the Town Hall, 445 Delaware Avenue, Delmar, NY. The meeting was called to order by the Supervisor at 5:30 p.m.

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

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Supervisor Egan welcomed everyone and invited them to join in the pledge of allegiance. She officially welcomed Joann Dawson and thanked the Town Clerk for getting her name plaque.

The Supervisor asked if there were any comments on agenda items. Mrs. Capone, resident, asked if people have to vote for the school budget so they know where the money is going, don't you have to do the same thing with your budget. Supervisor Egan noted the item regarding the VISTA referral to the Planning Board has nothing to do with a budget matter. She said it has to do with taking a project and referring it to the Planning Board for review. Mrs. Capone asked if eventually the people are going to vote for that project. The Supervisor said not the voters themselves. Mrs. Capone said the Board is going to spend the money and that is it. The Supervisor said that is not the case.

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Ms. Linda Jasinski asked about the RCS Budget Advisory person. She said she did not know if they actually asked for a Town Board member or representative. Supervisor Egan said they asked for a Town Board Member if possible. Ms. Jasinski commented that it would be nice if there were someone from the RCS School District that was on that Advisory Board. Supervisor Egan said it is made up of RCS school people. Ms. Jasinski said yes, they met last night for the first time. The Supervisor said they asked for a representative from each municipal governing body – the Ravena Village Board, Coeymans Town Board, New Scotland Town Board, New Baltimore Town Board and Bethlehem Town Board. Ms. Jasinski said that was okay noting it was a Town Board Member and noted none of the Board Members live in the RCS School District. Supervisor Egan said correct but because of the fact that we do have a taxing jurisdiction, they do... Ms. Jasinski said she thought it would be nice if there were somebody that lived there as well. Supervisor Egan thanked Ms. Jasinski.

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Mr. William Kelleher said the official seal of the Town of Bethlehem depicts the Treaty of Tawasentha, which leads to war, genocide and the killing of women and children and the killing of American troops in the Revolutionary War. The Seal should be changed to represent peace and the natural environment of our Town similar to the seal used by the City of Kingston, New York. To understand why let's start with the question that former Town Board member Timothy Gordon asked – what happened to the Native American depicted on the Town's seal?

The Indian on the Town's seal is a Mohawk Chief representing the Five Nations of the Iroquois Confederacy. He, a Mohican Chief and Dutch fur traders agreed to trade for beaver pelts in a peaceful fashion. An official ceremony dedicated to the beaver trade was held at the mouth of the Tawasenta, now known as the Normanskill in 1617.

On May 2, 1975 when the Town Board passed a resolution adopting the seal, it was stated that the Treaty of Tawasentha was a "historic peace treaty". This is a

gross distortion of history. All three major parties to the Treaty had political motives that were far from peaceful. In fact the Treaty of Tawasentha was broken within 6 years and became a Military Alliance between the Dutch-English and the Iroquois Confederacy that was unbroken for 150 years.

Historians agree that the first Beaver War started when the Mohawks attacked the Mohicans in 1623. Mr. Kelleher said that was only 6 years after they agreed to this treaty. The Mohawks finally subdued the Mohicans by 1628 and for all practical purposes the Mohawk-Iroquois-Dutch-English Military Alliance lasted until the Revolutionary War. The numerous Beaver Wars, which followed the Treaty of Tawasentha, led to war, carnage, execution of civilians both Indians and whites, execution of prisoners of war and charges of genocide of whites against Indians and charges of genocide of Iroquois Indians against other Indian tribes. He just advised the Board to look up what the State of Illinois and the State of Ohio think about the Iroquois Confederacy. It will be an eye opener he said. In the 17<sup>th</sup> century the Iroquois, heavily armed with muskets and gunpowder by the Dutch, dominated or exterminated all other Indian tribes from the Hudson River to the Mississippi River and from the St. Lawrence River and Great Lakes to the Atlantic Ocean. They exterminated at least 2 tribes in New York State that are known of, Mr. Kelleher commented.

In 1975 Town Board Resolution stated that the seal was adopted “in observance of the bicentennial of the American Revolution.” This is an insult to the memory of the Veterans of the Revolutionary War. When the English defeated the Dutch, the Military Alliance forged by the Treaty of Tawasentha was upheld and in fact was reinforced. The Iroquois Nations, with the exception of the Oneidas, were deadly enemies of American troops during the Revolutionary War.

In the battle of Oriskany on August 6, 1777 American suffered 450 casualties after being ambushed by the British and their Iroquois Allies. The British forces had 150 casualties. At the Battle of Wyoming Valley, Pennsylvania, which started July 3, 1778, British Colonel John Butler reported 227 scalps were taken. An escaped prisoner of war described how 30 militiamen who surrendered were tortured and had their heads bashed in. Closer to home the British-Iroquois killed 30 militiamen and civilians at Cherry Valley, New York.

The new Nation became outraged, General George Washington ordered that all food crops in Iroquois villages be destroyed. In 1779 Generals Sullivan and Clinton, using 6000 American soldiers, carried out the orders and burned all food crops in fields used by 40 Indian Villages. Mr. Kelleher said they wiped out basically all the Indian villages and the 5 Iroquois nations. Innocent Indian civilians died from starvation or moved outside New York State. It's a legacy of war that Americans should not be proud of.

The Town of Bethlehem should have a seal that depicts peace not war. Mr. Kelleher said he had one other comment. He said he heard this fairy tale about the Halfmoon sailing up to the City of Albany right through the Town of Bethlehem. He said it is impossible and said further more Henry Hudson's logs clearly prove that the Halfmoon didn't even get up into the Town of Bethlehem. He said 8 miles south of the Town of Bethlehem. He said they know this for a fact. He said they took a long boat and they went 24 miles north. He said they couldn't have gone any further than Green Island dam. He said that's where the rapids are and that is where the tidal water stops. So, he said if you measure 24 miles down, that's at Schodack Landing or Baltimore and that's where the historians said that was the farthest point that the Halfmoon could have gotten up the river.

Mr. Kelleher said he had another point to make. He said you know one of the very first battles when Henry Hudson, an Englishman who worked for a Dutch company, and before he came up the Hudson River, he explored the coast of Canada and Maine and he anchored off the coast of Canada in the harbor where the Indians came out in row boats and they spoke French. He said Henry Hudson followed them back to where the village was and loaded their long boat with cannons and muskets and they went in and they blasted, scared all the Indians out of their homes and stole their beaver pelts and brought them back to Holland. He

said they did not get too many beaver pelts in the Hudson River because he could not afford to scare those Indians out of their beaver pelts. He said when he had a chance to, it was Indians friendly with the French and the Dutch and the English were all in trade wars, actually the Swedes too. He asked if there were any questions. Supervisor Egan said no and thanked Mr. Kelleher.

Supervisor Egan asked if there were any other comments on agenda items. The motion was made by Mr. Messina and seconded by Mr. Kotary to close the public comment period at 5:44 p.m. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

Noes: None.

Absent: None.

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The Supervisor said one thing added to the agenda was that there were 3 gentlemen from the Justice Court who were to appear before the Board in regard to a graffiti case. She said this is the last stop for the boys since they have finished up all the other items on their plea. She asked if the Board had any questions. There were none. Supervisor Egan asked the boys if they were ever going to do this again. The boys answered no. She thanked them for coming back and noted there was a lot of damage and it cost a lot. She said it cost the Town and a lot of store owners a lot of time, energy and money to clean up. She said sometimes the pranks get a little out of control. She thanked the boys and said she hoped they do not see them again. The boys agreed.

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The first item was to approve the Town Board minutes of December 13 and December 27, 2006.

The motion was made by Mr. Messina and seconded by Mr. Plummer to approve the Town Board minutes of December 13, 2006 as submitted. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

Noes: None.

Absent: None.

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The motion was made by Mr. Plummer and seconded by Mr. Kotary to approve the Town Board minutes of December 27, 2006 as submitted. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Messina, Mr. Kotary, Mrs. Dawson.

Noes: None.

Absent: None.

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The next item was a request from Commissioner of Public Works, Oliver Holmes, for approval to go to bid for Materials for 2007.

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

WHEREAS, the Town desires to advertise for bids for the purchase Materials for 2007, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 31st day of January 2007 and that bids be received up to 3:15 p.m. on the 14th day of February, 2007 at which time the bids will be publicly opened and read.

The resolution was adopted by the following vote:

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

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Supervisor Egan next acknowledged Receipt of the 2006 Annual Report of the Town Historian. Raymond Houghton. She thanked Mr. Houghton for the report noting he has been working to get things organized and moving forward with some new things. She said the newest item would be the historic trolleys that will be talked about at the end of the meeting.

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The next item was a request from Supervisor Egan to consider the request from RCS for appointee to RCS budget advisory panel. She said the Board had agreed to wait until the new Town Board Member was on board. Mrs. Dawson said she would be honored to serve as the representative. Supervisor Egan said she would let RCS know that she will be the representative.

Councilman Messina said he thought Mrs. Dawson was also the closest one to the RCS School District area.

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The next item was to remove from table and consider a change to the Town flag/seal.

The motion was made by Mr. Messina and seconded by Mr. Kotary to remove from the table and consider a change to the Town seal/flag. The motion was passed by the following vote:

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

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The Supervisor stated the Bethlehem Historical Association has met and had a discussion about the seal/flag. President of the Historical Association, Anne VanDervort, stated they have met and they took a vote and they are not in favor of changing the seal. She noted they did not have anyone oppose the vote.

Supervisor Egan noted at a prior Board meeting Mr. Houghton, Town Historian, reported on it and noted some of the items are artistic policy. She asked if anyone had any other questions. Councilman Messina said he appreciated the information that Mr. Kelleher provided and in addition to that work, Mr. Houghton's work and the Bethlehem Historical Association work to dig into this. He said he thinks no matter where these things are looked at, you will find some things that are pleasing and some things not from a historical perspective. He said looking at a seal that has served the Town well, that in some respects our Town's people recognize and have pride in and acknowledge it historically. He said a lot of difficulties have occurred in the past, a good and reasonable action by the Board is to put that aside and past them to accept the seal as it is and have pride here forward.

The motion was made by Mr. Messina and seconded by Mr. Kotary to accept the seal as it exists without change. The motion was passed by the following vote:

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

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

The motion was made by Mr. Plummer and seconded by Mr. Kotary to approve the seasonal personnel listed in the Memorandum dated January 24, 2007 from Nan Lanahan, Administrator, Parks and Recreation Department at the title and salary listed. The motion was passed by the following vote:

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

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The next item was a request from Highway Superintendent, Gregg Sagendorph, to set a public hearing amending the Code of the Town of Bethlehem, Vehicle and Traffic, for Stop Intersections on Salisbury Road, Euclid Avenue and Burhans Place, Delmar. Could hold public hearing February 14, 2007 at 6:00 p.m. Supervisor Egan noted there was a traffic study done and there is a need to set the public hearing date.

The motion was made by Mr. Plummer and seconded by Mrs. Dawson to set the public hearing for February 14, 2007 at 6:00 p.m. to consider amending the Code of the Town of Bethlehem, Vehicle and Traffic, Stop Intersections on Salisbury Road, Euclid Avenue and Burhans Place, Delmar as requested by Gregg Sagendorph, Highway Superintendent. The motion was passed by the following vote:

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

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The next item was a request from Assistant Director, Economic Development and Planning, Michael Morelli, for adoption of resolution referring the Development Master Plan for Vista Technology Campus to the Planning Board for review and recommendation. Supervisor Egan noted this was one of the technical pieces that need to be done according to the Code. She said there will be a public hearing on the DEIS later this evening.

The motion was made by Mr. Messina and seconded by Mr. Kotary to adopt the resolution referring the Development Master Plan for Vista Technology Campus to the Planning Board. The motion was passed by the following vote:

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

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The following item was a request from Comptroller, Judith Kehoe, to appoint the auditor for Town and IDA fiscal year ending December 31, 2006. Supervisor Egan noted the Board was provided with an outline together with an RFP. She thanked Frank Venezia and Pam Robbins, as well as, Comptroller Kehoe and co-councilman Dan Plummer that worked through the process. She said an RFP was done and they had 4 firms respond. She said this is a recommendation on behalf of both the IDA and the Town the appointment of Teal Becker & Chiamonte be approved.

The motion was made by Mr. Plummer and seconded by Mrs. Dawson to approve the appointment of Teal Becker & Chiamonte, Albany, New York to perform the annual audit for fiscal year ending December 31, 2006 for the Town of Bethlehem and the Bethlehem Industrial Development Agency. The motion was passed by the following vote:

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

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Request from Supervisor Egan for appointment of intern to assist with IMAC and other services as may be needed. She said the list is growing already. The Supervisor noted Dan French last year from the Rockefeller College was phenomenal and received a lot of value from him. She said they went back to the well and Mr. Bradley D. Friedman, Albany, NY has been recommended. The Supervisor noted Comptroller Kehoe has outlined where the payment will come for his salary. She said Mr. Friedman wishes to work less hours and therefore we will get him for less money than was paid last year.

The motion was made by Mrs. Dawson and seconded by Mr. Kotary to approve the appointment of Bradley D. Friedman to the position of intern to assist with IMAC and other services as may be needed as requested by Supervisor Egan. The motion was passed by the following vote:

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

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Supervisor Egan noted Mr. Friedman is expected a week from Monday.

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Supervisor Egan said that was all of the agenda items. She noted the public hearing is scheduled for 6:15 p.m.

The Supervisor noted the 30 day annual review period for the Albany County Agricultural District begins on February 1, 2007. She said there is an application process and it is open for 30 days. She noted the information is on the website and she has it as well.

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The Supervisor reported that she was part of a press conference last week with County Executive Breslin, Supervisor Brissell, Mayor McDonald and various other people that launched and requested from the Governor's office funding for affordable housing. She said the County has launched and County Executive Breslin has proposed a \$300,000 housing trust fund. She said the Town was a part of that and thought it was very well attended and seems to be going in a really positive direction.

Councilman Messina asked if Supervisor Egan wanted official Town Board endorsement as membership on that. The Supervisor said it was more just joining together and working with that. She said there was no official need for anything, she just wanted to let everyone know that is out there happening and consistent with the comp plan and some of the goals. Councilman Messina thanked the Supervisor.

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Supervisor Egan next gave information regarding the Trolley Tours for the Town of Bethlehem. She said the Albany AquaDucks, resident John Giordano, together with Town Historian Houghton and Parker Mathusa, Marty Delaney of the Bethlehem Chamber of Commerce and a group of people who have come together to have a historic trolley tour of Bethlehem. She said there will be a narrated tour and the tour dates are starting on February 20. She noted they are on the website. She said the trolleys are heated and refreshments with the Perfect Blend and a little souvenir that will be handed out showing some of the historic sites in Town. The tour will begin and end at the public parking lot at the Four Corners and goes all through Town. She said if anyone would like any other information, contact Town Historian Houghton or Mr. Mathusa.

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Supervisor Egan noted other things left for the Board Members was continuity of government from Jack Brennan, Emergency Management Officer. She said Mr. Brennan wanted to remind everyone that now there is a new Town

Board Member exactly what the Continuity of Government is in the case of disaster.

The Supervisor said there are a number of meetings coming up. She noted there are a number in February. She said the VISTA public hearing and coming up is a CACC meeting on February 12, 7:30 p.m.; Feb. 14, 4:30 p.m. is a Route 9W Corridor Study -- to start talking about the Selkirk Bypass among other things; Feb. 14 Town Board meeting, the New Scotland Hamlet presentation and the Slingerlands Pedestrian proposal will be given and the facility needs assessment that night; Feb. 22, 6:30 there will be a presentation from DOT on roundabouts, as well as, relevant to the Route 9W corridor in particular; the LWRP met last night indicating there were 90 or so attendees with 4 working groups with diversity of opinion up and down the riverfront and even defining what the riverfront is; January 31, 2007 State of Town will be done for the Chamber of Commerce at the Historical Association on River Road, Cedar Hill; and the last thing is the fact that the CACC has completed its tasks as set out last year and there needs to be a discussion about where does it go from here indicating there are some things to get done now.

Supervisor Egan said one of the things that came up last night and came up through the comp plan process is having a good listing of what are the parks and green spaces, passive publicly owned or privately owned that are in Town. She said they hear there is already a lot of space, why would you want to do open space and the other side is we do not have enough. She said if it is okay with the Board, one of the things she was going to ask Mr. Leveille to pass on to the CACC until it can be formally tasked is to ask them to work on that listing of properties. She said she has talked with Parks Administrator Lanahan and she is willing to work with the CACC. She said she also talked to Jeff Dammeyer to see if Mr. Baum, GIS Specialist, to create a map once they are listed. She said the only other piece would be Mr. Lipnicky from Economic and Development in regard to the subdivisions where there are properties in lieu of payment need to be identified.

Councilman Messina said he thought it was a good idea and a good next step, interim step, to get some data. Councilman Kotary agreed as well, indicating this logically follows in the progression of what the tasks have been and what is needed moving forward to determine what the next steps would be.

Supervisor Egan noted for Mr. Leveille that when she spoke with Jeff he suggested that they talk to Mr. Baum first because there is an inventory and clearing house of stuff that he has. She said in this way he can give everybody what they have and define from there.

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The Supervisor asked if there were any public comments on non-agenda items. Mrs. Marie Capone said a year ago Supervisor Egan insisted that there would always be agendas on the wall in the hall. Since the first of the year, she said there has never been an agenda. Town Clerk Newkirk explained that the Organizational Agenda is never put on the bulletin board, however tonight's agenda was out there. She noted she could not guarantee it is still there because sometimes it is taken. Mrs. Capone said it was not there yesterday. Town Clerk Newkirk said it was there last Friday when it was put there.

Mrs. Capone said she is talking about the Planning Board and the Board of Appeals and all these agendas. Supervisor Egan said those are different issues and she will ask the other secretaries.

Mrs. Capone said the Town has always charged a senior \$3 to use the Town car to go in the Town of Bethlehem, \$5 to go in Albany. She said now it is changed to \$5 in the Town of Bethlehem and \$10 to go to Albany. She said every night they say how the price of gas has come down, in 2 weeks \$.14 and the seniors have a raise. Supervisor Egan noted the Town does not charge anything, it is a suggested gratuity. She said if someone does not have money, the transportation is provided. She said that is one of the keynote pieces of the Senior Department. She said second, even though it is suggested, it had not been in almost 8 years. She again

reiterated it is not a fee, it is a suggested donation or gratuity for the service that is being provided. Mrs. Capone said it is always on the back of the seniors. Supervisor Egan thanked Mrs. Capone.

Councilman Messina commented that doing some volunteer work in the senior office you have a chance to talk to the seniors. He said he knows Karen Pelletier does that all the time. He said he personally checked with them and Karen has talked with at least 75 of them and they appreciate the service and are willing to pay. He said it is a good deal compared to trying to drive or getting a cab. Supervisor Egan said she would support that other than it is not a fee. Mrs. Capone said again, this is not what they are telling them.

Mrs. Capone said there is a woman who was raised in this Town and she had a business and lived in this Town. She noted the woman told her if the taxes raise 1 more time she is going to have to move to Albany. Well, Mrs. Capone said these are the people that built this Town. Supervisor Egan asked that Mrs. Capone have the lady come and see her.

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Supervisor Egan asked if there were any other comments on a non-agenda item. Hearing none the following motion was made.

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

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

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

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

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

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**PUBLIC HEARING: 6:20 P.M. – Regarding VISTA DEIS, Slingerlands**

**SUPERVISOR EGAN:** Okay if we can take our seats. We want to welcome everybody this evening. I know everybody is here waiting with baited breath for the VISTA SEQR public hearing. First, do I have a motion to waive the call of the meeting, motion to indent the Notice of Public Hearing, as well as, the Affidavit of Publication and Affidavit of Posting.

The reading of the call of the hearing was waived with direction for them to be indented on the minutes of the meeting on motion made by Mr. Plummer and seconded by Mr. Kotary and passed by the following vote:

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

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**TOWN CLERK NEWKIRK:**

**State Environmental Quality Review Act  
Notice of Completion of Draft EIS  
and  
Notice of SEQR Public Hearing**

**Lead Agency:** Town Board

**Date:** December 27, 2006

Town of Bethlehem

**Address:** 445 Delaware Avenue  
Delmar, NY 12054

This notice is issued pursuant to 6 NYCRR Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

A Draft Environmental Impact Statement (Draft "EIS") has been completed and accepted for the proposed action described below. Comments on the Draft EIS are requested and will be accepted by the contact person until February 5, 2007. A public hearing on the Draft EIS will be held on January 24, 2007 at 6:15 p.m. at the Bethlehem Town Hall, 445 Delaware Avenue, Delmar, New York.

**Name of Action:** Vista Technology Campus  
Route 140 (Captain Timothy J. Moshier Memorial Highway)  
and Route 85

MEDD Application – MEDD No.1

**SEQRA Status:** Type I

**Description of Action:**

The proposed action involves an application for Mixed Economic Development District Approval in the development parcel consisting of approximately 330 acres of land within the Town of Bethlehem currently zoned MEDD, and approximately 128 acres of land within the Town of New Scotland currently zoned Residential-2 (R-2), for a total project acreage of roughly 458 acres. Development will occur on approximately 150 acres of the site. The Project proposes to the development of approximately 1.4 million square feet of building space. The bulk of the building space will consist of research and technology office/development space. Secondary uses will include a hotel, medical office building, general office buildings, a bank and a mix of retail uses and restaurants.

**Location:** LaGrange Road, at the intersection of NY Route 140 and NY Route 85, in the Town of Bethlehem, Albany County, New York.

**Potential Environmental Impacts:** Traffic, slope stability, groundwater, grading, drainage, utilities, erosion and sedimentation, archaeological and historic resources, wildlife, wetlands, aesthetic and visual resources, community services, community and neighborhood character.

**A Copy of the Draft EIS may be obtained from:**

**Contact Person:** Jeffrey Lipnicky, AICP  
Town Planner

**Address:** Department of Economic Development and Planning  
Bethlehem Town Hall  
445 Delaware Avenue, Room 203  
Delmar, NY 12054

**Telephone Number:** (518) 439-4955, ext. 156

**A Copy of the Draft EIS is on File for Public Inspection During Normal Business Hours at the Following Locations:**

Bethlehem Public Library Development & Planning 451 Delaware Avenue Delmar, NY 12054	Dept. of Economic Bethlehem Town Hall 445 Delaware Avenue Delmar, NY 12054
Town Clerk's Office Bethlehem Town Hall 445 Delaware Avenue Delmar, NY 12054	Electronic Version on the Town of Bethlehem Web Page

The Town of Bethlehem provides reasonable accommodations for the disabled. Disabled individuals who need assistance in order to participate should contact the Town Clerk's office at 439-4955, ext. 183. Advanced notice is requested.

BY ORDER OF THE TOWN BOARD

TOWN OF BETHLEHEM

Kathleen A. Newkirk, MMC, RMC

TOWN CLERK

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For an official copy of the minutes, please visit the Town Hall, 445 Delaware Avenue, Delmar, NY or call 439-4955.

State of New York)  
County of Albany )

The undersigned is the Printer(or publisher) of Spotlight a weekly newspaper published in Delmar, New York. A notice regarding Notice of Completion was published in the said newspaper once in each week for 1 week, commencing on 1/17/2007 and ending on 1/17/07. The text of this notice as published in said newspaper is as set forth below, or in annexed exhibit. This newspaper has been designated by the Clerk of Albany County for this purpose.

/s/ Maureen Basalla

Sworn to before me this 17th day of January, 2007.

/s/ Sharon A. Doldo

Notary Public, Albany County

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

KATHLEEN A. NEWKIRK, being duly sworn, deposes and says that she is the Town Clerk of the Town of Bethlehem, Albany County, New York and that I posted on January 27, 2007, 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  
24<sup>th</sup> day of January 2007.

/s/ Julie S. McNeil

Notary Public

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SUPERVISOR EGAN: Great. We're going to start this evening and just so everyone understands what the purpose of this evening is. Actually our Town Attorney has our 2 big binders, this is the draft environmental... the DEIS forms that were provided to the Town and then distributed once we deemed it complete. It has all the environmental information for the VISTA Technology campus proposed project. This evening's purpose is to hear, hear a presentation from the developer attorneys, consultants, traffic designers, they are all here. They will be doing a presentation. At any time, for the Town Board's purposes if there is any questions, please feel free to do that.

In regard to the public though, you'll see we have this nice young lady taking stenographer type notes, it is a public hearing. We are here to take testimony, it is not a question and answer period. Last week the IDA actually sponsored an informational session where there were several people, 30-40 people that were here and participated in that and that was the question and answer time. Tonight is really for the Board to hear the presentation, for the Board to ask questions and then at... we will give you the public an opportunity to provide comments. If you have questions, you can ask them but they will not be answered this evening. That will be up to the developer and his team to get back and respond to those.

Once the responses are put together than a proposed final EIS will be provided back to the Town Board at which time we will make a determination whether or not we think it is complete, whether it appropriately responds to the questions or concerns that are raised this evening.

I would also note if you are not a great public speaker or you are a little nervous about that and you don't want to come to the microphone, that is fine, we are accepting public comment in written form through the end of business on February 5<sup>th</sup>. Okay, at that time all comment period will close. But, any comments that are received will be responded to by the developer and the team.

Okay, everybody understand kind of the ground rules? Great. I'm going to turn it

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For an official copy of the minutes, please visit the Town Hall, 445 Delaware Avenue, Delmar, NY or call 439-4955.

over now to Bill Hebert and he's going to start the presentation.

MR. HERBERT: Thank you. My name is Bill Herbert and I'm with BBL Development Group, the developer of the VISTA Technology Campus. We're here tonight to make another presentation of the project as it stands today and I want to make some brief introductions and I will then turn it over to my team to give you where we stand on the SEQR process, as well as, a good description of all elements of the VISTA Technology Campus project.

Theresa Backner is with Whiteman, Oster and Hanna; Matt Rogers and Greg Ersbun are with Saratoga Associates, engineers on the project; Jeff Anger is with Creighton Manning Engineering and will be here to discuss traffic for the group and Michael Endelo is with Commoniel Associates to discuss the economic impact analysis that we've done for the VISTA project. So, moving along quickly I'd like to introduce and hand the mike over to Theresa to discuss the SEQR process for you.

MS. BACKNER: Really, Terri, has pretty much covered...

SUPERVISOR EGAN: Sorry.

MS. BACKNER: ...everything for us. So, it was just great. A number of months ago the Town started out this process of declaring itself lead agency. They coordinated with all the other involved agencies that have an approval for the project and as a result of that as lead agency, they issued what is known as the positive declaration. After they issued the positive declaration requiring us to prepare an environmental impact statement, they also went through the scoping process to get further public comment. After that the scoping outline was put together and as a result of that outline today the Draft Environmental Impact Statement has been out there for public review and comment. And, we're very excited and interested to get public review and comment so we can continue throughout this process and make sure that we've addressed anyone's concerns, questions or other issues with respect to the proposed project. What we will do with the transcript that the stenographer is preparing as well as any written comments that you provide to us, is respond to them in the final environmental impact statement. We will not be responding to questions or comments tonight to give everybody a complete and full opportunity to comment and see our responses in writing so that it will be clear what we are saying and what we are doing. Another important aspect of this is by seeking your input we're also seeking whatever suggestions you may have for mitigating measures or any other issues you would like us to address.

Lastly, at the end of the process when the FEIS is accepted by the Town with whatever changes the Town Board or Town staff request, the Town will issue a SEQR finding statement and thereby ends the SEQR process. So, we're sort of in the middle of the SEQR process at the moment. Looking forward to getting your comments and we'll try to keep our presentation as brief as possible so that you have an opportunity to speak. I'm going to turn this over to Gregg Irsbraum from Saratoga Associates.

MR. IRSBRAUM: Thank you, Theresa. I would like to give you all just a brief overview of the project. It is a technology based economic development project that really provide the Town of Bethlehem and the Town of New Scotland with significant economic benefits. Mike Dinolo from M Associates will go over that in more detail a little bit later on. But, in terms of tax revenues and job growth, we're looking at significant benefits for both New Scotland and Bethlehem.

Just to get you familiar with where the project is located, it is along the new proposed Slingerlands Bypass. New Scotland Avenue is located here, Cherry Avenue is extending off here, Price Chopper is located here with the bypass coming around through this area here. We're proposing a total of 1.4 million square feet of building space comprised of retail and commercial office, research and development and light manufacturing. The application for the project will need to be submitted to both Bethlehem and New Scotland. The town line for the

project is located there, this portion being in New Scotland and this portion being in the Town of Bethlehem.

The total property is about 450 acres and that is around the perimeter here, you can see the property line. We are looking to develop only 150 acres of that 450 acres which is located around in here. There is 82 acres which will be retained by Dr. Jones, his residence is located in here and the property that he will retain is along this southern section around in that area and that is about 82 acres. The balance of the property will really be left as open space so there is about 219 acres of open space that would essentially remain a forever wild.

We're looking at the build out to occur over a period of about 12 years. The first phase will be roughly 240,000 square feet which will be primarily the commercial and retail area which is located around in that area. The balance of the site will be built out over time based on economic conditions. In addition to that initial front section, all of the infrastructure for the park -- all the roads, water and sewer -- will be built in phase 1 as well.

What we'd like to do is to go over some of the impacts associated with the project that are presented in the DEIS. We obviously can't get into that level of detail to cover everything this evening but we wanted to provide a basic overview this evening. These are the topics we're looking at -- topography, geology, water resources, water and sewer, cultural resources, visual impacts, traffic and economic impacts.

To start off with topography and geology, we've done geotechnical investigations across the property. We had subsurface soil conditions, groundwater, things of that nature and really won't be any significant impacts in that regard. One other thing we did look at was around the perimeter of the site there are numerous ravines around the property that get quite deep, over 50 feet in depth. So, we performed a geotechnical analysis and established what is called a safe building set back line which is this red line around the perimeter of the property. So, that provides a set back from edge of slope to ensure that there won't be any problems with slope stability.

Water resources on site. There are wetlands across the site and as part of the project we will be impacting some of them, about 2.3 acres of wetlands will be impacted to allow construction of the roads and buildings. In order to mitigate that we will need to create wetlands. The wetlands that are going to be impacted are shown in this aqua color at various locations throughout the site. The mitigation area will be provided in a central location in that area of the site. So, we are mitigating by providing more wetlands than we're disturbing. We will also require an individual permit from the Army Corps of Engineers. We're currently coordinating with that at this point in time.

Other water resources, the streams on the site are class c streams. The stream down through this section, as well as, the Normanskill Creek which runs up at the northern section of the property.

Also associated with the Normanskill is the 100 year flood plain. The proposed ... in the 100 year plan at all so we do not anticipate any impacts in that regard.

As part of the project we will have to prepare a storm water pollution prevention plan and with that we will have to provide facilities that will provide the water quality treatment to improve the quality of water runoff, as well as, retention of storm water so that we do not increase the peak rate of runoff from the project site. In other words, we don't provide any... there won't be any impacts to the Normanskill as a result of the project.

Water supply and consumer. We were looking to extend the water and sewer systems into the park from the existing Town system for the water supply. It's an existing 12 inch main located along New Scotland Avenue. We'd be bringing water in from that point into the site and distributing the system throughout the development.

Sanitary sewer – there is an existing 8 inch sewer along New Scotland Avenue that goes down to the New Scotland Avenue pump station. For Phase 1 we'll be looking to tie into that sewer line and there is sufficient capacity to allow that to happen. For Phase 2, there is a force main that runs from the New Scotland Avenue pump station out across the Terramere development and out to Cherry Avenue. We will be looking to run a force main from the project out to that force main along Cherry Avenue.

The project will also require extension of water and sewer districts. So we'll have to go through that process as well.

Cultural resources – we performed a phase 1A and 1B cultural resource investigation and some historical resources have been identified through the site. One is the Peter McCuchen house which is located up in this area of the property. That house was built back in the 1700... late 1700s. We are going through and documenting that building. Unfortunately it is currently in an unsafe condition so it will be removed as part of the project but we are coordinating all the documentation of that building with the Office of Parks and Recreation and Historic Preservation. The other building on the site is the Christian Grange... excuse me Christian Grange farm site which is located around in here. That includes a house that was built in the late 1800s, as well as, a small cemetery which is located back in this area. What the plan is there is to preserve the entire area. Incorporate that into the park design and interpretive signage will be provided for that and really kind of a historic park will be available.

Lastly, there are a number of other loci... located throughout the site where various types of artifacts have been found. We are investigating those sites further and then coordinating with OPRHP to clear those areas, document those findings and allow the development to move forward in those areas.

We looked at visual impacts. Prepared a view shed analysis which looked at where this project could be seen within the 5 mile radius of the site. Project area being in here, 5 mile radius around the site. What's depicted in this graphic is where the project can be seen from and there's a range of colors over in the legend here -- blue being that it's very low visibility and red being where there is very high visibility. And, if there is no color, the project cannot be seen. So, as you can see it is very sporadic – some blue areas here where the project can potentially be seen and then the red, as you can see, it's very limited.

We looked at the request of the Town of New Scotland. We looked at the visibility from Thatcher State Park. This graphic shows the photos that were taken from the point lookout up in the park. This first graphic here was taken from the central portion of the lookout. There is a panoramic view – the State campus would be over in this area here and the Vista campus is actually ... in behind that knoll so you can ... really see it from that perspective. We went further up and took a photo from the northern portion of the point lookout which is where this photo was taken from and let's see... the Voorheesville School is located around in here, then the NY State Campus is here and then the Vista campus would be located in this vicinity. That is really over 6 miles away. So, this project will really not have a significant impact on the landscape. What is going to be proposed there is really not out of character with the rest of what can be seen from that viewpoint.

Lastly, we developed a renderings of what the project might look like from a couple of perspectives. This first perspective would be coming along the new bypass from Cherry Avenue, heading out away from Town. This would be the Price Chopper Plaza over on the right and just the edge of where the video store is located, if you are familiar with that. And, this would be a proposed hotel over on this side. The other graphic would be coming into Town approaching the roundabout with the retail section over in this area and in the distance there will be a bank. Just an idea of what the project might look like.

With that, I will turn it over to Jeff Pangburn and he can talk about traffic.

MR. PANGBURN: Thank you, Gregg. Good evening and as Gregg mentioned work with Creighton Manning Engineering and we're charged with doing the traffic impact study for the proposed development. We see here on this slide, essentially it is just a listing of the intersections that were studied based on some feed back from the scoping session with the Town and also feed back from the New York State Department of Transportation where access for the park will be provided. As you can see, the proposed roundabouts up here at Blessing Road, Maher Road, the proposed site access and then again down here at Cherry Avenue Extension and also a secondary means of access where LaGrange Road is will be provided onto the bypass.

Couple other local intersections provided, Maher Road and New Scotland Road, next to the former Blue Cross/Blue Shield building – signalized intersection that is there – Cherry Avenue and McCormack Avenue north – the unsignalized intersection that provides access to Cherryvale, the subdivision and another access into Terramere – Cherry Avenue and Kenwood at the end of Cherry Avenue Extension and where Cherry Avenue comes in at Kenwood and then the Toll Gate intersection, as we refer to it, which is located over here in the vicinity of New Scotland Road and Kenwood Avenue.

But, before we get into the impacts from the project itself, what we have done is give you a summary of all the service impacts and get into some of what the bypass will do to help alleviate a lot of the existing congestion that is out there. And, as you can see from this slide here, what we do with level of service is base it on a letter grade very similar to elementary school grading – A is really good and excellent, F not good, a lot of delay. Here's the ranges that you see and the delay is seconds per vehicle and a level of service as per the definition and indication of the general acceptability of that delay to drivers. Different drivers accept delay differently so it is subjective and delay during certain times of the day are viewed differently. Level service of D is considered on a Department of Transportation project with being acceptable and minimum standard acceptable when they design a new project which we'll get into in a second with the bypass, C being what they strive for. So, anything A and B is excellent, really not an issue, E and F something they try to address.

As I mentioned, the project level of service about this is shown here is a no build case if the Department wasn't coming forward with the bypass project. It has been problems for a long time for the Town of Bethlehem. The Department is right now in final contract negotiations with the contractor. They hope to issue an award by the end of the month and see construction start, hopefully, sometime next month on the bypass itself. When that project moves forward, the level of service anticipated right now that the roundabouts have been incorporated are in that A to B range, again, pretty much for all the intersections. The B-C here at New Scotland and Maher because that intersection is projected to remain a traffic signal, just the 3 roundabouts provided by the bypass project.

What's interesting to note is the original approval on the bypass project when it went through the ... and SEQR process, State Environmental Quality Review Act, was traffic signals. They proposed traffic signals at fairly large intersections at the 3 main intersections Blessing, Maher and Cherry Avenue where they bypass comes in and as you can see overall levels of service in the am/pm were in that C to D range. When the Department came back and reanalyzed those intersections with roundabouts after the environmental process, those intersections dropped down to the A to B. So, as you can see, the Department did approve the bypass project and was moving it forward with an anticipated C and D levels of service with the signalized intersection. And, one of the key points to that bypass project when it comes in is the reduction of traffic off of New Scotland Road between Cherry and Maher. And, we can see down here, without the bypass about 25,000 vehicles a day travel that 2 lane stretch of New Scotland Road. That's a lot of the Town's problems and been known for a long time, for decades now and with the bypass that volume is projected to drop to more than half all the way down to about 10,800, much more in character with the 2 lane road that it is built as.

So, as we get into the bypass, we've looked at a staged scenario a little differently

than what we thought about before with project construction phasing. There will be an initial construction phase up front of the project in this area here that will move forward. We analyzed a little bit more office space that could also be built on top of that to see what would happen from the level of service standpoint. Approximately 520,000 square feet of development was analyzed with the traffic study, it's detailed in some trip generation tables. They're available for reference in the DEIS.

Two levels of service drops became apparent that could not be resolved with a signal timing change or light, mainly at the New Scotland Road and Kenwood, Tollgate intersection as we refer to it, the east bound direction that would approach any overall intersection drops from a level B in the pm peak hour during stage 1, 2 and C. Again, typically acceptable on the department project but we do have to note that's a level of service drop and hence an impact of the project. The other intersection we see in stage 1 is that Cherry Avenue and Kenwood where the westbound Cherry Avenue extension and the northbound Cherry approaches both drop in that level of C which we strive for from a design criteria for the level of service B which is typically middle and acceptable.

So, with the construction of the bypass as the key point to remember and also the commuter pattern that we see in Bethlehem where the am, a lot of traffic exits out and this being one of the 2 primary exists out of the Town in the morning for the traffic to leave in the commuter neighborhood and then in the pm, as traffic comes back into the Town currently. This park and the office component will be pushing traffic back out as that pm traffic is coming in so hence it compliments the existing traffic patterns that are out there. In the morning when Town traffic is leaving the project area, new trips are coming into the development in the opposite direction. In addition, obviously to drawing trips from the Town that were leaving the Town will then be able to stay in the Town for jobs.

Stage 2 is the full build out of the project as Gregg mentioned earlier 1.4 million square feet total and we have a couple other areas with minor level of service drop. Again, we have to note any time we have a level of service drop that isn't mitigated as an impact and here we have the northbound New Scotland Road at the Maher Road intersection going from an A to B. Still an excellent level of service and at eastbound Maher Road approach dropping that left turn move from an E to a C is actually an improvement there because of the way the traffic switches on the direction and let's the traffic get out a little easier and the shift in travel patterns there.

At Cherry and Kenwood, that intersection there would be having a handful level of service drop on the Kenwood approach at eastbound and westbound. As you can see the projection, depending on how the bypass is built, the amount of traffic that is pulled into that intersection even without the development we forecast that to start out as an E and then drop to an F on that approach. Again the other approach is still at an acceptable range. The count that has to be made here is the traffic projections we are basing this on assumes that the bypass helps allow more traffic into this intersection and then we'll be almost in the existing condition case once the stage 2 of the development project moves forward and that there may be level of service constraints here even before stage 2 is initiated. So, what has been proposed in the document, the EIS, is before the project moves beyond the stage 1 development of about 500,000 square feet, another traffic impact study be done here most likely about 5 years down the road to reanalyze what actually stands out with the commuter patterns here and see if any improvements are actually necessary. Mainly, because of the tight confines of that intersection and that this becomes a residential area down by New Scotland Road pretty quickly, that we are trying to avoid any widening which then has a negative effect on pedestrian accessibility through those intersections.

In the pm peak hours, we have 3 main intersections with some impacts. The Cherry Avenue roundabout with traffic coming down the roundabout and coming here next to Price Chopper Plaza we project going to a level service A on that approach to a C. The Department of Transportation we discussed this with, they are providing a 2 lane roundabout which is envisioned as the best intersection type

of intersection they provide capacity wise. There is a way to mitigate that level if service change there from an A to a C by adding a 3<sup>rd</sup> lane to essentially allow a slip right lane through around the roundabout off the bypass, slip down to the Slingerlands area. The issue we see there is pedestrian accessibility through that roundabout. A 2 lane roundabout pedestrians just have to cross 2 lanes, get to an island, cross another 2 lanes and move on. We'd like to reanalyze that intersection to verify that that is a better condition than having to actually go through and accept a level of C as acceptable just during the am/pm peak hour than 24/7 have to have pedestrians cross that 3 lane approach there. Again, overall level of service drops from A to B at that roundabout but just during the am/pm peak hours and is acceptable level of service.

Cherry and McCormack North just a left turn move off of Cherry Avenue Extension into McCormack North drop from an A to a B. Again, a good level of service though. And, Cherry and Kenwood again, that intersection popping up as possibly being a constraint with a lot of unknown... like I mentioned the trip generation and the traffic the bypass actually starts to allow come down Cherry and that intersection we'll have to take a look at again in the future.

So at that, I'd like to hand it over to Michael to discuss the economic analysis that was done for the project.

MR. ANDOLO: Again as you hear earlier, my name is Michael Andolo. I work for Cohn Associates. We're an economic development consulting firm based out of Saratoga Springs and we were asked to look at the economic and fiscal impacts of this project. So, 2 studies in fact were done and let me just go through what the difference is between the 2 of them.

Economic impacts – as you can see from the slide here, measure changes in the general economy to jobs, wages and output. A fiscal impact study looks at a jurisdiction by jurisdiction change in revenues and expenditures. So, we are looking at changes involving tax and sales tax, changes in how that municipality has to expend its resources and provide services to development. So, we're really looking at 2 separate studies and I'll go through a little bit later in more detail.

From a fiscal point of view, this is the little more complicated study and I'm going to go through this graph rather quickly. But, what we are looking at on the benefit side of view is there are certain revenues that the municipalities are going to receive during the build-out phase, primarily this is permitting and sales tax on the purchase of renovation and construction materials. Operations of the facilities, that is really the largest source of revenues – that's of course the property taxes that are being paid but, as you will see a little bit later on, employee facilities. Well, what happens there. Well, that facility is taking its resources and its output and it has to make purchases in the local economy. It's buying inputs – right, it's buying utilities, it's buying labor in the market and what happens there, well those people are then turning around as employees and spending their wages. And, those wages, themselves, creating sales tax revenue. Those employees are paying residential property taxes. So, you see, there are a number of ways of revenues.

On the expenses side subsidies for the facility, that's really not going to be applicable in this situation. The only possibility is if there is some cost incurred during the construction by the municipalities. Operating support, this would be the case of a pilot arrangement, a payment in lieu of taxes but we have the good fortune of knowing that this is located in the Empire Zone and because of that the businesses in question in most cases aren't going to have to ask.... Aren't going to be able to ask for a pilot, they simply don't need them because they will get a rebate at the Empire Zone's program. So, there'll be very little subsidy of the operations of the facility.

And, finally in terms of the dynamic impacts, your School District has to educate anybody that comes into your community as a result of this project. And, so we look at some of the... anyhow, what we're looking at really is a comprehensive as possible look at every single revenue and expense that you could potentially, the citizens, be incurring. And, what we find is not much of a surprise to anyone, I

mean, this is a high technology park. I happen to live in the Town of Malta where AMD is going to be building its facility and what we see is an extremely large economic impact.

The fiscal impacts are, likewise, very substantial and I'm just briefly go over them. What we did, again due diligence, as we looked at all the metrics that needed to be looked at – jobs, wages, property tax being paid, purchases being made by the facilities. We look at proprietary data sets, implanted loci image on the slide are economic and fiscal impact modeling software programs. Very, very well regarded in the field. This is really the standard of doing these kinds of studies. And, of course, we look at your community. One of the various aspects of your community that needed to be put in there, how do you distribute your sales tax formula from the County on down. How is your municipal finance system set-up. What are the services that you provide. And, what we simply do is compare the parameters of the project to the parameters of your community.

Now, this is the economic impact results and just so there is no confusion here, when I say direct jobs. Direct jobs are those jobs that will exist at the facility. Since you can see from year 1 to year 12 and beyond, we are looking at ramping up to about 4,000 jobs on the facility, however, these are high tech jobs primarily and they have a large economic multiplier effect which means to say that for every \$1 that's coming into your economy that dollar circulates several times before leaving. And, in fact, in this case as you'll note, for every job created, direct jobs, you'll see there's almost 1 additional job in your economy – this economy is called Albany County – so while the facility is employing 4,000, Albany County would expect to see a total job growth of approximately 7,500 new jobs. Pretty substantial impact.

Okay. Fiscal impact results, we looked at a number of jurisdictions and basically what we saw is as this gets ramped in, primarily because of the Empire Zone's program, you are seeing quite a bit of property tax revenue both at the facilities side, primarily facility side and you are also seeing some initial sales tax throughout the years. And of course, household creation, they are spending... their contributing residential property taxes. On the flip side of that, you have to service those facilities and those individuals in those households and in general, you are looking at approximately \$53 million over the course of 20 years.

Now, just to be entirely clear here, what does this mean? It doesn't mean that the facility and all the ancillary spending are contributing \$53 million, it means that once they have paid all their taxes and once you have provided them all of their services that they need, you're left with \$53 million. So, in effect, what this has is you are increasing your property tax base, increasing your other sources of revenue and all of your other citizens then pay \$53 million less in their property taxes. It's as simple as that. It's an additional money left over after all costs are accounted for which will either allow an increase in services or reduction in property taxes.

And, I think that's...

COUNCILMAN PLUMMER: Can I just ask before you leave that?

MR. AUDOLO: Sure.

COUNCILMAN PLUMMER: You mentioned earlier Phase 1 and Phase 2, what would you estimate Phase 1 to be on the build out – how many years? What was your projection – I think you said it was 258,000 square feet?

MR. AUDOLO: Yeah. I think that was about 2 or 3 years.

MR. HEBERT: Approximately 2 years.

COUNCILMAN PLUMMER: 2 years, okay so that would be the cutoff right there. Thanks.

MR. AUDOLO: That was the slide I was looking for. I'm sorry, there is one more slide. The economic impacts – this is just looking at it from a regional perspective.

We assume that this is going to be built out but occupied only up to 90 percent. We are accounting for a pretty healthy vacancy rate. You can see the total jobs as they are ramping up. Total wages and you can see over the course of 20 years this supporting literally \$3.7 billion in wages. And, \$10 billion dollars worth of output. Output is sales, revenues is activity... business activity on the site. And with that, I promise, I'm finished.

SUPERVISOR EGAN: Bill, did you have anything else? Theresa, can you just pop it back in up there. Thanks.

MS. BACKMAN: You bet.

SUPERVISOR EGAN: Don't worry about it. We'll figure that one out. Just a couple things too, I mean again just reminders to the Board and kind of fill in because we have a lot of people here and I'm not sure where in the process they are coming into this.

Jeff, when we were talking about the traffic project, I just want to remind everybody, Cherry Avenue extension is being extended from where it is now by Price Chopper. It will go out around Price Chopper and hook up to the turn by the old Blue Cross/Blue Shield building right on Route 85. So that in very general terms that's what the DOT, Route 85 extension project is and that project alone totally irrespective of the VISTA project is going to have a roundabout at Blessing Road, a roundabout at Maher Road and then a roundabout at the Cherry Avenue/New Scotland Road intersection. That's happening no matter what happens with VISTA. That's exclusive of this project. And, I know there has been some confusion about that.

I would just point out for anybody who is not aware what roundabouts are or how they work, there will be a presentation February 28, I believe, we decided it was, about roundabouts in general, more relevant to the 9W corridor but anybody that is looking for that information. They've been out here, they've done roundabout presentations in the past and there will be another one in February. So, I just wanted to point that out.

Also, just to avoid some confusion and again, guys jump in here, please, if I misspeak. We talked about a lot of things that were going to be needed to be done in regard to infrastructure and there was some confusion about this in the past. And, I just want to be clear, traditionally the infrastructure that is going to be part of the VISTA Technology Campus is an expense incurred by the developer. It is not a Town expense. So, for example, there's obviously highways that are going to be throughout this campus. The developer will pay for them, build them, construct them in accordance with Town specs and then at the end of the project, they will be dedicated back to the Town. Okay. So, that is a Town expense.

Similarly, the water and sewer, you know, getting it to the site, through the site, that is a developer expense. There's certain things we have to look at that, I think Gregg talked about, different sewer pump stations and water lines and that's all part of this project. There is 2 different studies that are occurring right now that the developer in conjunction with the Town are doing in regard to capacities and things like that and before the FEIS is done and the SEQR findings are actually completed, not only will they be defined and if there are any shortcomings, they will be defined, there will be a plan of action along with an allocation of expense for that. But, I know there was a lot of questions at the information session about, you know, how is the Town paying for all of this. The Town is not paying for all of this. I just want to be clear about that.

And, then the last thing I just want to clear up is again because I think we talk about it because we regularly appreciate it, this site has been designated by Albany County as an Empire Zone. And, as a result, there are certain benefits that come to companies that come to this location and qualify. And, most notably it has to do with reimbursement of their property taxes. So, when you heard the fiscal impact analysis, there's not going to be a whole lot of deviation because that is something I hear all the time. Are you giving the store away to get these businesses here.

We're very fortunate in this particular case for this location that it has the Empire Zone designation. So, again, I don't even think we are going to be asked to give the store away because that benefit is in place as long as the companies that come qualify for that. And, not all do so there is going to be some discussion about that. But, hopefully, the majority of the companies that will be attracted to this campus will be eligible for the Empire Zone benefit.

Sorry guys, there was just a couple pieces that I wanted to fill in on that. Town Board – do you guys have any questions of the team before we move to comment? No, no. Okay, we'll open it up then to public comment. Again, I just want to be clear, it is not a question/answer time. I mean, the questions that you put on the record will be responded to just not this evening. So, we want to try to get as many people in and heard as we can. It is also important that you state your name, do you need address too?

SOMEONE: Yes.

SUPERVISOR EGAN: Name and address. George?

MR. LEVEILLE: Do you want to mention the County contribution.

SUPERVISOR EGAN: Yes, oh, I'm sorry... again, kind of going backwards, some of us, unfortunately, have been living this for so long we forget about the... The VISTA Technology Campus came to be, if you will, back in 2003 in conjunction with the IDA and a big push. The County also was looking to site a technology campus, if you will. Our Bethlehem IDA got very active, they ran several seminars that year and public forums trying to get the community on board with finding some very sustainable economic development. They were very positive, the community moved forward in conjunction with BBL. The Town and BBL and the group came together and actually made application to the County and they were awarded a million dollar grant from the County which will be used for public improvements for this site. Thank you and County Executive Breslin thanks you because otherwise I would have gotten yelled at tomorrow morning.

So, but really, that is a huge piece to get this moving and again it will be used to help offset any other municipal expenses that will be incurred in conjunction with the project. They did help us name it too. Okay, with that being said, we're now open... we will open the floor to public comment. Again, if you could just give your name and address for the record. And, again, that's partially so that we can respond to you... or the team can respond to you as we move forward.

MR. FLANIGAN: Might just as well be first. Good evening, thank you for the opportunity to discuss this.

SUPERVISOR EGAN: John, can you just speak into that one so the guys... just so everybody in the back can hear you.

MR. FLANIGAN: My name is John Flanigan. I live at 39 Couse Lane in Slingerlands, New York. I'm a Commissioner in the Slingerlands Fire District. The Slingerlands Fire District has some concerns about this project. Not the project in itself but our ability to be able to take care of the project when it is fully built out and we're talking about the point there is some very... lot of buildings as you know on these... in this project as was talked about a few minutes ago.

And, the fiscal impact on the Slingerlands Fire District could be quite heavy in the future because some place down the line we may have to purchase a ladder truck to be able to supply the proper protection for this area. Now, that is something that our additional... or our existing people don't have to... shouldn't have to worry about this that this is their project. This is something that they should be paying for in a pilot program or something like that. I wasn't aware of the pilot program not being available in the Empire Zone but that is something to be discussed.

We, as the Slingerlands Fire District, really want to be to the point that we want them to know and we have talked to them about it -- about the points that are

bothering us and that would be the addition of another fire house, the addition of a big ladder truck which – and you are talking fiscally – a big amount of money.

There's other things that we see on there – the water system, the water system being looped back in there. There is also a requirement that you would have to have 3500 gallons per minute at the building for the water system. I see Mr. Messina shaking his head, he lives in our fire district. So, this would impact you, Sam, along the line. But, the water system would be one.

I would assume from looking at the square footages and being aware of the building codes that mostly all the buildings in there will have to be sprinklered. So, that would mean that we would need more water and I don't know whether that 12 inch that goes over that way would be able to take it all. But, that's something that I have discussed that with the Water Department and they would look into that and make sure it is right. And, I am sure they will.

We also are talking about this project but there is another project just down the street which really may have an impact on our Fire District very heavily in addition to this, if and when it ever gets built out. You know, you are talking 12 years. The projects change from the initial look in 12 years. This may not look like this when it is built, if it ever gets completely done and we've seen different projects around that have happened that way. But you have Mr. Kontogiannis's just down the street in between New Scotland Road and the new bypass extension which also would make an impact.

So, we are here not to be against the project, we're just here to make sure that fiscally we as a Fire District, the people in our District, do not get burdened. Over the years we've been able to do projects. We've put an addition on the house back in the late '90s. We just have a new rescue truck coming and those are all paid for when they come. We have always been that way with our taxes and keep them down. And, that's the way we've been but this could a major impact if we ever had to come up with a ladder truck. There is a requirement that we can use local ladder trucks and there is one in Delmar and one in Elsmere but they are beyond the 2 ½ mile limit which is required by the insurance service organization. So, that's why we are concerned that we may have to put one in there because it would up the taxes of all our people – well not the taxes so much but it would be the point that their insurance would go up because there is different ratings that the ISO people put together and that is a problem.

That's why we raise this point and we have raised it with the project people and that we just want you all to be cognizant that it could be a problem to us in the future. And, we want to look at that down.... I don't know if you received a letter or not from our attorney, Mr. Bill Young.

SUPERVISOR EGAN: I have not seen it.

MR. FLANIGAN: Okay but there is one coming about our concerns and we're going to follow this and we will follow it through the planning process because we know this is just part of where we are going. But, if you go through it, because we are trying to protect our own District and be able to cover. We can cover it with our mutual aid agreements which we have now which we run every day in the week with Delmar and Elsmere and it works out very well. But, you can't use that when you get into the size of this project on the 2 ½ mile limit which comes out just about the intersection from the Delmar Fire house to the intersection of New Scotland Road in front of Price Chopper. That is about the 2 ½ mile limit or it's right there in that area and when you put these new roads around back, you are going to be well beyond that which requires a ladder truck. But, we just want you to be aware of that and those type of things.

Also, this is going to put a... some sort of a burden – and I don't think it has even been raised – on the ambulance and EMS people of our Town because that is going to be more responses and things like that are going through there. And, this could have – as I stated earlier – could have a big physical impact.

And, I will go back to the point of change. That first section might be built just the way it is shown. We're also showing a 4 story motel/hotel up front. That may get built right away. I am sure once the new bypass gets in there that probably will come by. But from there on, you know, it is tough to say what's going to happen over the years. Economics dictate the way things are done. So, I thank you for the time.

SUPERVISOR EGAN: Thanks John.

COUNCILMAN KOTARY: We can't ask them any questions.

SUPERVISOR EGAN: No questions, not unless you want to get into a question and answer thing. That's the only problem. It's up to you.

COUNCILMAN KOTARY: No, I can ask him later.

MR. FLANIGAN: Okay, fine, thank you.

SUPERVISOR EGAN: Thanks. John, just make sure Bill sends that letter in and we'll get it into the written record.

MR. FLANIGAN: Yes, it should be... it will be here by the response time, yes it will.

SUPERVISOR EGAN: It just needs to be here by the 5<sup>th</sup>. Thanks. Anyone else this evening that wants to be heard?

MRS. ANDRADE: Hi. My name is Heather Andrade. I live at 13 Elwood which is off of Orchard and that is my main concern is the traffic. That's why I'm going to mention a couple things today. I do have a lot of concerns because of the analysis which shows level of service... significant impact level of service at the Cherry Avenue/Kenwood intersection because when that intersection slows down, the traffic does really build up at that intersection, excuse me, currently which seriously impacts Orchard. A lot of time traffic backs up and blocks the Orchard intersection and because of the Slingerlands Elementary School there are many, many school buses going in and out and that intersection will be also significantly impacted. So going forward I would suggest that any of the traffic studies definitely include Orchard in the analysis and also suggest mitigation for the Orchard intersection.

I'm also concerned because it appears that there is going to be the first phase... well, there is going to be the first phase of the build out and then there is going to be consideration of what to do about this intersection. And, it almost seems that we are imposing... we are imposing impacts upon ourselves before we even look at the options for mitigating. And, I think it is really important to look at what might need to be done at that intersection with just the phase 1 even. I don't think it's wise to not anticipate what might have to happen at that intersection. It's at this point, kind of teetering on the edge of residential and we need to, I think, be aware of what might happen there. And, I would hope that our studies at this point would include that information even if they do say -- we'll get back to it and we'll do another study.

Finally, when it comes to that, the after study being done, one of my concerns is that Phase 1 will be built and there will be some delay in Phase 2. And, so that after study may not be done right away and we are stuck then with this intersection that is severely impacted. So, I would like to see something that would make... if the impacts are not considered before hand, I would like to see something that considers a mandatory examination of these intersections after Phase 1 is built even if Phase 2 is not. Thank you.

SUPERVISOR EGAN: Great, thank you so much. Mr. Hernandez, how you doing?

MR. HERNANDEZ: Good, thank you. My name is Donald Hernandez and I live

at 53 Maher Road. And, I have 2 questions which are... well, first I want to thank the Board and the Town for this very informative presentation and obviously a lot of thought has gone into this whole process.

My 2 questions have to do, basically, with the ground water... the sort of local ground water. I live about 600 yards, 2 football fields, from where the manufacturing plant would be and from the general area and there are about 9 houses in that general area. And, I'm concerned about the possibility of toxic runoff either from the parking lots – the gasoline and oil ... that we find in, we see running off of the parking lots – or in the longer term other sorts of toxic chemicals potentially as well.

And, so my questions are whether or not we will have or the Town will perform some sort of testing of our wells because all these houses are on well water before any implementation of the project goes forward. So, we know sort of the base line water quality, which I believe to be good, I guess the testing would show that. But then also, whether or not there would be regularly scheduled water testing of these wells after...during the process and continuing after implementation to continually monitor the process. So, that's my first question.

My second question is whether... if there is... if we do find that the wells are contaminated at some point whether the... who is responsibility or whether the Town would take on the responsibility of extending the Water District, at Town cost, to provide water... clean water and safe water to those houses.

Again, thank you very much.

SUPERVISOR EGAN: Thank you, Mr. Hernandez. Anyone else this evening?

MR. CUSHING: Good evening.

SUPERVISOR EGAN: That mike, thank you.

MR. CUSHING: My name is Bill Cushing. I live at 9 Catherine Street in Delmar and I am here to encourage you all to keep moving as quickly as you can on the VISTA project. I've been here for almost 25 years. During that time, I've had the pleasure of working with our School Board and our Board of Education, if you will, and helping to pass the school budget every year up until last year.

I think I am well aware of the impact that we as a community have had due to limited development such as this. I... after this last year, as many of us have, I've seen a significant increase in my property taxes, almost \$3,000. The complaints, if you will, over the years I've heard from senior citizens have struck me, if you will, a new. So, I see development like this as being truly a key factor in trying to maintain the quality of life we have in Bethlehem.

I also see this as one of the areas where we may attempt to keep more of our own children in our local area. I have 2 sons that are now in New Haven, Connecticut and something like this may allow them to come back.

The second point I would like to make is the privilege we have with dealing with BBL Development. I, in my 25 years up here, have been in a number of their buildings particularly the Columbia Circle project over in Albany. I'm in managed care so I get to travel around the country and I do get into a number of developments such as this. Currently, we lease about 55,000 square feet at the Capital Region Health Park up in Latham, New York. As such, we also have national clients come and visit us. BBL's reputation is stellar and it's really stellar not only here in this community but the whole east coast. The Capital Region Health Park building is the first medical mall that is in the northeast region of the country and it has been viewed as precedent setting, if you will. BBL I have found always to be very receptive. We've had the pleasure of starting with them from the ground up and after 7 years, if you will, as a direct tenant I can assure you they will be very responsive not only to the tenants but also to the community. Thank you.

SUPERVISOR EGAN: Thank you, Bill.

MR. LAZ: Got to walk over, just have to get my 2 cents in here.

SUPERVISOR EGAN: Name and address, please.

MR. LAZ: My name is TR Laz and I'm just on the other side over here on the New Scotland side representing New Scotland.

SUPERVISOR EGAN: Your address, Mr. Laz.

MR. LAZ: 611 Krumkill. Down here in the little corner... we already have a large area called Price Chopper thing, it's this little tiny area here and this is just this mammoth... if I don't say this now... it's just gonna... I'm just going to loose sleep over this... I just want to get this out... Did you have this already large area, this Price Chopper, and yet you have this proposed... I can't even think of the words... this is mammoth. I've never seen anything... I mean I worked in Disney World many years ago and this is kind of like a Disney World for development guys. I just think it is too much, too quick, too large. I know it's going to go I guess over a 12 year period. I would just ask that you be really careful and build responsibly and take your time on this, please. That's all I wanted to say.

SUPERVISOR EGAN: Thank you, Mr. Laz. Anyone else this evening?

MR. KONTOGIANNIS: Oh boy, this is going to be a long one. My name is Constantine Kontogiannis. The same Kontogiannis family that was eluded to by Mr. Flanigan. I live at 12 Shanks Place in Delmar with my wife LeeAnn. I pay \$10,300 in property and school taxes for my house.

I also own 25 acres of neighboring to the VISTA project. I fully support the VISTA project for a variety of reasons in relationship to that ownership. I'm not going to discuss that right now.

Rather I'd just like to talk about my day job. Like a lot of other residents of the Town, I have 2 jobs. One of the reasons why I have 2 jobs is to pay my taxes for public services from the Town of Bethlehem. What do I get for paying taxes? I get unbelievable schools. I think the best in the Capital Region, if not 2<sup>nd</sup> or 3<sup>rd</sup> best. I get excellent Town roads. They are paved every few years. They are the best... in the middle of the winter, they are always clean. Go to Albany, go somewhere else look at the Town roads, okay.

I pay for public safety and EMS services that are second to none. I mean, there's more cops out in the Town of Bethlehem, as you all know, and that protects us. We have a safe Town. Okay. Our EMS services, the County medics are there when you dial 911. There's no beef about that.

Scratch a little below the surface, we have water and sewer utilities. Some of those are new, some of them are a little older. When I built my house, I got to learn a little bit about the Town of Bethlehem water and sewer services. I realized that some of those are in need of work at this particular point.

So, all in all, I really love living in the Town. And, I don't mind paying the taxes even if I have to have 2 jobs to do that, okay. Would I like to pay less? Yes, I certainly would, who wouldn't, okay. What does this have to do with the VISTA project? Okay, I just spent 5 minutes talking about this.

Well, my day job puts me on Route 85 every morning in the midst of that mess that is on Route 85 now. And, every night coming home, I've got to sit through that too. I work in Colonie up on New Karner Road, so I generally have to also deal with traffic on Central Avenue, as well. I work for a tech firm. I'm a consulting engineer with them. Can't tell by the way I dress. Our office is 9 people, 3 of us live in Delmar, okay. Two of us live in Guilderland really close to the Delmar border. One of us lives on New Scotland Road and two others come in from Schoharie and East Greenbush, basically driving by Route 85 or closer to our office

in Colonie. The other 2 live in Colonie. Okay, so only 2 of our workers live in Colonie. At our firm there is no boss, so we all had a say in where we were going to locate just a few years ago. Why did we pick Colonie? Because there was nothing in Delmar that was comparable. We're a tech firm, we needed that environment. Okay, we had that choice. But, we couldn't... we didn't have the money to redevelop the Blue Cross building. There wasn't enough on the radar for us to locate here. Okay.

VISTA would have been ideal for us if it was 5 years ago. What does this all cost me? Well, to go from the VISTA site to my office in... excuse me... on New Karner Road I figured it was about \$1,000 a year in extra gas that I am spending going back and forth or... I've got to sit in all that extra traffic to go there as well. What am I loosing? Okay, in my office there is 5,000 square feet, 9 people, maybe I'm 600... 500 square foot is my space. At taxable rates that's \$1000 just for my little space in my office in the Town of Colonie that I would rather have been paying in the Town of Bethlehem because this is my Town, okay.

So, if I take all of these things into account, my own contribution... my own loss is \$2,000 a year by not having the VISTA tech park. That has nothing to do with me being a developer, it's just my job. Of the 4,000 or 5,000 people that are sitting on Route 85 every morning, most of us are going to tech parks or the Harriman Campus for a State job. We're not going downtown. The people going into downtown are going to the bypass. So, how many of us sitting in traffic every day are thinking, we would rather be up here putting our money into the Town.

Thank you very much. I fully support this.

SUPERVISOR EGAN: Thank you, Connie. Anyone else this evening?

MR. KLEINKE: Good evening. My name is Ed Kleinke. I live at 62 Maher Road in Slingerlands. I don't find myself very often on this side of the comment microphone, however, I'd like to offer a few thoughts and observations on this proposed project tonight and certainly will provide the Board with a follow-up of more detailed and written comments for your consideration.

When we were doing the comprehensive plan one of the things that were... not wrestled over but came out of it which I thought was very appropriate was the vision statement. It said in the year 2020 the Town of Bethlehem is a community of attractive residential neighborhoods, vibrant hamlets, successful mixed use commercial centers and modern industrial facilities and productive rural land.

I think the community has had that vision for quite a long time. I don't think we verbalized it, certainly didn't put it in writing as the comprehensive plan has done. But, my experience in the Town over the years, I think this vision has been in place. I'd like to think that this project as proposed would contribute to that vision. But, after reviewing the environmental materials -- the draft EIS, the maps, the exhibits, all the attachments and studies -- having attended several meetings where this project was discussed, I'm just not sure that this meets that vision and I say that for a couple of reasons.

Employment number 1 and our comp plan talks about employment in several different ways. One of which is -- opportunities for employment in the Town should be focused on retaining young residents, attracting technology jobs such as nano-technology operations. It's the regional trend in attempting to retain the younger demographic. In my thinking community should be a place where you can live and work -- not just live or not just work. Yet the last... last week's IDA meeting one of the panel that was giving the presentation said that 70 percent of the employees of this facility would travel from the north and to the north meaning essentially that they would live outside of the Town of Bethlehem. I kind of thought that might have been a mistake so I took a look further at some of the materials and in the traffic study it shows that the traffic flow in and out of the park will be just that -- 70 percent coming in from the north, 70 percent leaving to the north. In my view a community should be a place to not only work but also to live. I think that's something that should be addressed as part of this project.

In reviewing part of the project plans, I tried to get a sense of the scale of the project at the IDA meeting, in the DEIS and certainly here tonight with some of the slides. And I'm kind of scratching my head because that visual really doesn't show the extent of the entire project property. It shows the project site area, the development area -- the development area being 150 out of the 450 acres. So, there is a lot of property beyond what we see in nice green and colored tones on that photo. What it does, however, and was pointed out I think, it makes this project look like it's being proposed in isolation. It doesn't really show clearly the Price Chopper Plaza or any of the other adjoining development areas. It certainly doesn't show or reflect any of our thinking in terms of the New Scotland Road hamlet of which this would be directly adjacent to. Because of that I don't we are thinking in terms of this project having a relationship with this future New Scotland Avenue hamlet.

Since we are planning the VISTA and designing the VISTA project now. Since we are planning and designing the Slingerlands New Scotland Road hamlet now. It would make sense that we do both at the same time so that they have a good relationship to each other.

I think because of this there is incomplete information to evaluate storm water. If you look at the plans in the draft EIS. The topographic information for example is limited to the development area that you see on that graphic. Doesn't show what the topography does beyond that and that concerns me particularly in relation to storm water. My family's property extends across most of the northerly boundary of this site and we... much of the drainage areas of this site extend in that direction and actually are received by a stream that meanders through part of our property that discharges into the Normanskill Creek. So, I have real concerns about the detail of what is being proposed.

I also think because of this approach, there is incomplete information to evaluate any potential road connection to the southwest into the Town of New Scotland. I think we've got a great opportunity to be looking at those lands which are not highly developed. We've talked for years and years and years about a bypass around the Slingerlands hamlet. This Route 85 extension is not a bypass. This is simply an extension of the State highway. A true bypass would go around that. I think this project has an opportunity to do that and I heard at the IDA meeting last week that was not going to be considered. I think that's a mistake.

Another aspect of the incompleteness of this project information, as I view it, there is a lack of detail as to what's proposed as primary uses and what are proposed as secondary uses. As an example, in our code we talk about office park being a primary use in the mixed economic development district. We also talk about a business office being a secondary use. The listings in the draft EIS talk about office use. So, what is it -- a secondary use, principal use. That makes a difference because our Code has some thresholds of principal use and secondary use.

I also think there's presented not enough information to have good understanding of what those relationships are. In addition, the zoning that's discussed for the Town of New Scotland is just that, discussed. It's not shown on the graphic. It's not shown on the property map. It's not shown as to what it would be or the extent to which it would be proposed. Granted the Town of New Scotland has control over that but essentially this project as the Lead Agency, you in the Town of Bethlehem have the responsibility for that to be included in this document.

In addition, I think, because it does affect this total perspective of development and inter-municipal cooperation, there's a discrepancy as to where the Town line is on several of the different drawings and figures. I think before this is finalized the Town line should be finalized so that there is a clear direction as to what's in the Town of Bethlehem and what's in the Town of New Scotland.

And, I think the lack of information in the draft EIS indicates or is clear on its silence of a location and extent of an existing construction and demolition landfill on the site. So, I think there is information that needs to be provided. Also, our

Code and I'm familiar a little bit with it, the mixed economic development part of our regulations require that all of the contiguous property of the applicant be part of the master plan. We read the document that talks about some land being deed restricted. Talks about some land having trails. Talks about some lands having storm water management areas. And yet the entire contiguous ownership of this property really doesn't detail that stuff. I think that's important for a full understanding of the impact of this project.

The... within our Code as well the location of the different acreages are required as part of the master plan. The principals uses, the secondary uses, as well as, some of these other peripheral uses. I think it's important that they be included clearly as part of the draft EIS. And, one thing that really concerns me in our Code, there is an alternative calculation of the maximum secondary use allowable. And, if I read it right and try to follow the dates, it appears to me that this project would be exempted from our current regulation and would be allowed up to 50 percent of its total square footage of building area for secondary uses. Which essentially would mean potentially 700,000 square feet of the site could be developed in commercial retail use. I don't think that was the intent. I don't think that's anybody on this Board's intent but I think it's in our regulations it's possible. I think the idea that I expressed before saying I'm not sure that this really contributes to our vision of the Town is partly because of that.

In my professional life I've had the opportunity to be involved with a significant amount of the development in the RPI Technology Park in North Greenbush. It took 20 years to reach 1 million square feet of development in the RPI Tech Park. About 45 percent of that is technology related, the other 55 percent more or less is not technology related. It is New York State Government offices and there is a huge Met Life data facility there. I would normally hesitate I think to make a comparison between projects because I really believe that all projects should stand on their own but since the design feasibility study also known as the traffic study uses the RPI Tech Park for some of its basis of traffic assessment, I thought I would include that as well.

In the early days, the RPI Tech... RPI was a leader in the development of a tech park and a technology facility, multi use development, the idea of technology manufacturing, they were clearly on the forefront of that. More recent times, I'm sure you've all heard, there is the Albany Nano-Tech 450,000 square feet. There's the Saratoga Technology and Energy Park 1.25 million square feet. There's the Luther Forrest Technology Campus -- they are proposed for 4 microchip fabrication plants and 1 million square feet of facility. Then there's the University at Albany East Campus which is about 87 acres, 350,000 square feet of facility. There's the Arsenal Business and Technology Partnership Facility, also known as the Watervliet Arsenal, 2.2 million square feet. Then of course, there is the Harriman Campus proposed for 3.6 million square feet just 4 miles from this site. In addition, we have several other mixed economic development sites in the Town of Bethlehem equaling the size of the proposed VISTA site.

I tell you that because I think the notion that 12 years as a build out for this is, perhaps, unrealistic. I didn't see any kind of marketing analysis within the draft EIS documents and attachments that would lend itself to consideration of, what I think, is a significant amount of these kinds of facilities being developed around the Capital District. And, I just don't know if it all fits here and that's why I say I am not so sure that this contributes to our vision of our community. At least this point in time I'm not so sure that this project would contribute to that.

But, I am willing certainly to give it further consideration particularly as an adjoining property owner, particularly because I think we're impacted from the environmental aspects of the development of the project.

But I'm also concerned as a Town resident who shared that vision for a long time. Who has worked on projects in this Town both for private clients and for the Town that I think I've pursued that vision. And, so I would like to see those kinds of issues addressed further by the Board in this process before it's complete. And, as I said in the beginning, I will provide some additional detailed written comments for

you for your consideration. Thank you.

SUPERVISOR EGAN: Thanks, Ed. If you could just get those by February 5<sup>th</sup> okay. Thank you.

Okay, anyone else this evening? Great, do I have a motion to close the public hearing?

The motion was made by Mr. Plummer and seconded by Mr. Kotary to close the public hearing at 7:43 p.m. The motion was passed by the following vote:

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

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Town Clerk

The Supervisor noted the public hearing has been closed. She said they will be accepting written comment up until February 5<sup>th</sup>. Those will be assembled, according to the Supervisor, and the team, the developer, will be then putting together a draft FEIS. She said time frame, stay tuned to the website. She said they will keep it on the agenda, noting there is no specific time frame on that one, indicating they will work through the comments. She thanked everyone.

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The Supervisor noted they adjourned the Executive Session and they need to go back into Executive Session, however, since the business is done, she asked for a motion to adjourn the regular Town Board meeting.

The motion was made by Mr. Plummer and seconded by Mrs. Dawson to adjourn the regular Town Board meeting at 7:45 p.m. The motion was carried by the following vote:

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

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Town Clerk

### EXECUTIVE SESSION

The motion was made by Ms. Egan and seconded by Mr. Messina to increase the salary for the position of Comptroller to a grade 28, step 3, \$86,200, effective January 1, 2007, with modification to the summer schedule. During the summer academic schedule Comptroller shall be present at least 1 (one) business day a week and available by telephone, email, etc. as needed. The motion was passed by the following vote:

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

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The motion was made by Ms. Egan and seconded by Mr. Plummer to set the salary for the Bethlehem Emergency Management Office Director at \$3,000 per year, effective January 1, 2007. The motion was passed by the following vote:

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