

TOWN BOARD
JULY 13, 1994

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

PRESENT: Sheila Fuller, Supervisor
Frederick C. Webster, Councilman
George Lenhardt, Councilman
Freeman T. Putney, Councilman
Doris M. Davis, Councilman
Bernard Kaplowitz, Esq., Town Attorney
Kathleen A. Newkirk, Town Clerk

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SUPERVISOR FULLER: Good evening and welcome to a meeting of the Bethlehem Town Board this evening. We have a public hearing scheduled at 7:30 p.m. which is reducing the speed limits in a particular area of Town. Once that is completed, we will begin the Town Board agenda and promptly at 8:00 o'clock we will begin the public hearing on the water. I would ask the Clerk to read the call of the meeting, please.

TOWN CLERK NEWKIRK:

NOTICE OF PUBLIC HEARING
TOWN OF BETHLEHEM

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Bethlehem, on the 13th day of July, 1994 at 7:30 p.m. to consider Local Law No. 4 of 1994, Amending the Code of the Town of Bethlehem as follows:

Public
Hearing
Local Law
No. 4, 1994
Speed Limits

AMEND ARTICLE VI, SECTION 119-28, Schedule II, Speed Limits, as follows:

ADD: From the intersection of Schoolhouse Road to the intersection of Russell Road.

All interested persons and citizens will have an opportunity to be heard at the said hearing.

The Town of Bethlehem provides reasonable accommodations for the disabled. Disabled individuals who need assistance in order to participate should contact David Austin at 439-4131. Advanced notice is requested.

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

This pertains to Krumkill Road.

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State of New York)
County of Albany)

CAROL STUART of the Town of Bethlehem, being duly sworn, says that she is the Advertising Coordinator of THE SPOTLIGHT, a weekly newspaper published in the Town of Bethlehem, County of Albany, and that the notice of which the annexed is a true copy, has been regularly published in said THE SPOTLIGHT ONCE A WEEK FOR 1 WEEK consecutively, commencing on the 29th day of June 1994.

/s/ Carol Stuart

Sworn to before me this 29th
day of June 1994.
/s/ Kathryn Olsen
Notary Public, Albany County

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

CATHERINE T. PICARAZZI, being duly sworn, deposes and says that she is the Deputy Town Clerk of the Town of Bethlehem, Albany County, New York and that I posted on June 29, 1994, 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
 12th day of July 1994.
 /s/ Kathleen A. Newkirk
 Notary Public

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SUPERVISOR FULLER: May I have a motion to indent the Notice of Public Hearing, etc.

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

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,
 Mrs. Davis.
 Noes: None.

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SUPERVISOR FULLER: We have a recommendation from Lt. Vanderbilt, Chairman of the Traffic Safety Committee, for a request to lower speed limit on a portion of Krumkill Road.

MEMORANDUM

TO: Members of the Town Board
 FROM: Lt. Richard L. Vanderbilt
 SUBJECT: Request for lower speed limit on a portion of Krumkill Road
 DATE: June 1, 1994

For several months, the Traffic Safety Committee has been studying ways to increase traffic safety in the areas of Schoolhouse, Krumkill, Russell and Blessing Roads. Several different approaches are presently being studied. One that we would like to request is that the Town Board reduce the speed limit on the Albany County portion of Krumkill Road to 30 miles per hour. This portion is presently a 40 mile per hour area between 30 mile per hour areas on each side. This would provide a uniform speed limit of 30 miles per hour from Schoolhouse to Krumkill and to Blessing Road. Presently this short section of Krumkill Road with a 40 mile per hour limit causes motorists to enter the adjoining the 30 mile per hour intersections at greater speeds.

We feel this will serve to reduce accidents at 3 intersections of concern.

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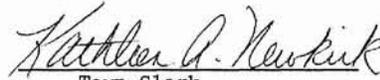
Is there anyone here who would like to speak in favor? There were none. Is there anyone here who would like to speak in opposition? There were none.

May I have a motion to close the public hearing?

The motion was made by Mr. Putney and seconded by Mr. Lenhardt to close the public hearing at 7:35 p.m. The motion was carried by the following vote:

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,
Mrs. Davis.

Noes: None.


Town Clerk

The Supervisor convened the regular Town Board meeting following the close of the public hearing. She asked if the Town Board wished to take action on the previous public hearing.

Adopt Local
Law No. 4,
1994

The motion was made by Mr. Putney and seconded by Mrs. Davis to approve the adoption of Local Law No. 4 of 1994 amending the Code of the Town of Bethlehem, Article VI, Section 119-28, Schedule II, Speed Limits, regarding Krumkill Road from the intersection of Schoolhouse Road to the intersection of Russell Road. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,
Mrs. Davis.
Noes: None.

Conference
Bldg. Dept.

The following item was a request from John Flanigan, Building Inspector, for approve to attend the Eastern States Building Officials meeting at Danbury, Ct.

The motion was made by Mr. Webster and seconded by Mr. Lenhardt to approve the attendance of Building Inspector Flanigan at the meeting of the Eastern States Building Officials on July 15, 1994 in Danbury, Ct. with use of a Town vehicle only. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,
Mrs. Davis.
Noes: None.

Approve
Minutes
5/25/94 and
6/8/94

The following item was to approve the Town Board minutes of May 25 and June 8, 1994.

The motion was made by Mr. Webster and seconded by Mr. Lenhardt to approve the Town Board minutes of May 25, 1994 and June 8, 1994 as submitted. The motion was carried by the following vote:

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,
Mrs. Davis.
Noes: None.

Accept
Donation
DAR

The next item was to accept donations from the Tawasentha Chapter of DAR as recommended by David Austin, Administrator of Parks & Recreation Dept.

The motion was made by Mr. Webster and seconded by Mr. Lenhardt to accept, as recommended, donations from the Tawasentha Chapter, DAR, in the amount of \$160.00 to provide 2 family passes for underprivileged families within the Town of Bethlehem. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,
Mrs. Davis.
Noes: None.

Acknowledge
Certification
NYS Incident
Based
Reporting
System -
Police Dept.

The following item was to acknowledge the Certificate of Certification for participation in New York State Incident Based Reporting System, presented to the Town of Bethlehem Police Department. The Bethlehem Police Department is the 3rd in the State to achieve the recognition and the first to succeed using commercially available software. Supervisor Fuller noted real recognition is owed to Jeffrey Dammeyer, Director of MIS and John Esposito, Computer Programmer.

The next item was a request from Chief LaChappelle for attendance at the DARE Middle School component.

The motion was made by Mr. Webster and seconded by Mr. Lenhardt to approve the attendance of Officer Linstruth at the DARE Middle School component to be held August 15-18, 1994 at Saratoga Springs, NY with registration fee paid from DARE funds and transportation by Police vehicle. The motion was passed by the following vote:

DARE
Seminar
Police Dept.

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,
Mrs. Davis.
Noes: None.

The next item was a recommendation from Michael Cirillo, Engineering Services Administrator, to authorize reduction in bonding for the Woodhill subdivision, Sections 2 and 3.

Reduction
in bonding
Woodhill
Subdiv.

The motion was made by Mr. Lenhardt and seconded by Mr. Putney to approve the reduction in bonding from \$35,000 to \$12,000 for Sections 2 and 3 in the Woodhill subdivision. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,
Mrs. Davis.
Noes: None.

The next item was a recommendation from Michael Cirillo, Engineering Services Administrator to authorize reduction in bonding for the Indian Hills subdivision.

Reduction in
bonding
Indian Hills
Subdiv.

The motion was made by Mr. Webster and seconded by Mr. Lenhardt to approve the reduction in bonding from \$50,000 to \$24,000 for the Indian Hills - Section 3 subdivision. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,
Mrs. Davis.
Noes: None.

The following item was a request from David Austin, Administrator of Parks & Recreation Department, for approval to go to bid for pool covers.

Go To Bid
Pool Covers
Resolution

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

WHEREAS, the Town desires to advertise for bids for pool covers for the 50 meter and intermediate pools located at the Elm Avenue Park, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 20th day of July, 1994 and that bids be received up to 2:00 p.m. on the 4th day of August, 1994 at which time the bids will be publicly opened and read.

The resolution was adopted by the following vote:

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,
Mrs. Davis.
Noes: None.

The next item was a request from David Austin, Administrator of Parks & Recreation Dept. to approve the appointment of seasonal personnel.

Appoint
Seasonal
Personnel
Parks & Rec.
Dept.

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to approve the appointment of seasonal personnel as listed on the Memorandum dated July 13, 1994 from David Austin, Administrator of Parks & Recreation Dept., at the titles and rates indicated. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,
Mrs. Davis.

Noes: None.

Accept Deed
Colonial
Woodlands
Subdiv.

The next item was a recommendation from Michael Cirillo, Engineering Services Administrator, for acceptance of deed for the Colonial Woodlands subdivision.

The motion was made by Mr. Putney and seconded by Mr. Webster to approve the acceptance of drainage easements and highway deeds for the Colonial Woodlands subdivision. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney.

ABSTAIN: Mrs. Davis.

Noes: None.

HEARING BEGAN: 8:00 p.m.

SUPERVISOR FULLER: It is now 8 o'clock, we are able to start our public hearing. I would ask the Clerk to read the call of the meeting.

TOWN CLERK NEWKIRK:

RESOLUTION PURSUANT TO SECTION 202-B OF THE TOWN Law
OF THE STATE OF NEW YORK ADOPTED AT A REGULAR MEETING
OF THE TOWN BOARD OF THE TOWN OF BETHLEHEM,
HELD AT THE TOWN HALL, 445 DELAWARE AVENUE, DELMAR,
NEW YORK, ON THE 22ND DAY OF JUNE, 1994

Public
Hearing
Amendment
to Engineer's
Map, Plan
re: Increase
in Project
Costs
Water Supply
Facility

The Town Board of the Town of Bethlehem has heretofore established Water District No. 1, which includes the Vly Creek Reservoir, Water Purification Plant and storage tanks in New Salem along with an extensive system of water transmission mains and distribution facilities.

An amendment to the Engineer's map, plan and report dated November 1991 has been prepared by J. Kenneth Fraser and Associates, P.C. regarding the proposed expansion of water supply facilities and transmission mains including: new infiltration wells, raw water pumping station and transmission main; a new Water Purification Plant, and finished water transmission main.

The amendment to the map, plan and report titled "Proposed Expansion of Water Supply Facilities; November 1991" (amendment dated June 20, 1994 have been filed in the Town Clerk's office in the Town of Bethlehem.

The map, plan and report and amendment were prepared by J. Kenneth Fraser and Associates, P.C., competent Engineers, Licensed by the State of New York, describing the proposed new facilities, a general plan of construction, estimated cost of the project, and method of financing. The amendment described the portions of the project for which costs are greater than the original project estimate and the reasons for the increased costs.

The proposed method of financing the cost of the improvements consists of the issuance of general obligation serial bonds of the Town with amortization of principal over a period not to exceed thirty (30) years.

The maximum amount proposed to be expended by the proposed expanded Water Supply Facilities was originally estimated at the sum of Ten Million, Seven Hundred Thousand Dollars (\$10,700,000.00). The amendment to the Engineer's Report dated June 20, 1994 increases the maximum amount to be expended for this project to the sum of Thirteen Million, Nine Hundred Thousand Dollars (\$13,900,000.00).

The map, plan and report and the amendment dated June 20, 1994 describing the proposed facilities are on file in the Town Clerk's office for public inspection.

The Town Board is desirous of conducting a public hearing regarding the proposed amendment to the Engineer's Report for expansion of water supply facilities and transmission mains and wishes to give notice thereof by publication and posting as prescribed.

On motion of Mr. Putney and seconded by Mr. Lenhardt, it is hereby:

RESOLVED AND ORDERED that the Town Board of the Town of Bethlehem shall meet and hold a public hearing at the Town Hall, 445 Delaware Avenue, Delmar, New York at 8:00 p.m. on the 13th day of July, 1994, to consider the aforesaid amendment, plan, report and increase in project costs and take such action thereon as is required or authorized by law.

The adoption of the foregoing Resolution and Order was put to a vote, the result of which is set forth opposite the name of each Board Member voting thereon.

Dated: June 22, 1994

Aye: Mrs. Fuller
Aye: Mr. Webster
Aye: Mr. Lenhardt
Aye: Mr. Putney
Aye: Mrs. Davis
Members of the Town Board

State of New York)
County of Albany)

CAROL STUART of the Town of Bethlehem, being duly sworn, says that she is the Advertising Coordinator of THE SPOTLIGHT, a weekly newspaper published in the Town of Bethlehem, County of Albany, and that the notice of which the annexed is a true copy, has been regularly published in said THE SPOTLIGHT ONCE A WEEK FOR 1 WEEK consecutively, commencing on the 29th day of June 1994.

/s/ Carol Stuart

Sworn to before me this 29th
day of June 1994.
/s/ Kathryn Olsen
Notary Public, Albany County

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

CATHERINE T. PICARAZZI, being duly sworn, deposes and says that she is the Deputy Town Clerk of the Town of Bethlehem, Albany County, New York and that I posted on June 29, 1994, 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
12th day of July 1994.
/s/ Kathleen A. Newkirk
Notary Public

SUPERVISOR FULLER: May I have a motion to indent.

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

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,
Mrs. Davis.
Noes: None.

To begin our public hearing this evening, Mr. Fraser will present the plan to the community at large -- and I am very glad to see such a very good turnout for something that we in the Town feel is very important. The Town Board is here to hear each and every one of you. We hope that you will speak. We are willing to stay here til whatever time we are through. The only thing that I had to put into effect, is a 5 minute ruling. Anyone may speak up to 5 minutes just until everyone has had their opportunity to speak. Once everyone who wishes to speak has been heard, you are more than welcome to come back and say whatever you felt you had been cut off by. I know there has been a concern by a few people today that had called me, they wanted 10 minutes, 20 minutes -- I felt with a group this size in fairness to all of you, and in fairness to the Board that we hear from all of you, the 5 minute rule will be enforced. Mr. Fraser will begin to present his presentation on the water treatment plant and we will follow it by questions from the audience to Mr. Fraser and Mr. Secor. Thank you. Mr. Fraser.

GENTLEMAN: Do they get 5 minutes?

SUPERVISOR FULLER: No, they do not.

MR. FRASER: Thank you. Can everyone hear me? I have been told that I should not stay here any longer than necessary. I have a lot of ground to cover but I will try and do it as briefly and comprehensively as I can. I will get started.

With me this evening I have several people I would like to introduce. I am going to call on a couple of them during my presentation to add some information to this event. First, we have Dr. Jonathan Howland, sitting down here in the front row. He is a professional engineer, Ph.D., a geotechnical engineer, Dunn Geoscience Corporation and was involved during the formulation of this project doing the geophysical investigations and various other things and development of the detailed design of the ground water infiltration system which is the source of supply for this project.

Also here is Jack Halstitch, sitting next to John Howland. Jack is the owner/operator of J.H. Consulting Group, Inc., which group carried out most of the testing that was done, chemical testing, of the water for this project and he services over 50 public water supplies throughout this area of New York State.

Also with us is Mr. Kenneth Drautz, of Kenneth E. Drautz and Associates, water quality consultants. Ken is the consulting chemist for the Town of Bethlehem and has been for a number of years and he represents in that capacity a number of other municipalities around this area of New York State.

Okay. Because of the passage of a significant amount of time, since the original presentation of this project and because we have so many people here tonight, who apparently have not had an opportunity to hear the presentation, I feel it is appropriate to review some of the history of what has transpired in the past and how we have arrived at this point.

Back in August of 1990, the City of Albany sent a cancellation notice to the Town of Bethlehem giving a 5 year notice for the cancellation of the water purchase contract between the 2 municipalities. Therefore, as of August of 1995, the Town of Bethlehem will not longer be able to buy water from the City of Albany and would have to either renegotiate a contract with them or find another supplemental source of water to replace that supplemental source. In the following month, in September of 1990 the Town Board authorized engineering studies to study alternates for water supply for the Town including continuing to buy water from the City of Albany, as well as, another number of alternatives. Over the next 14 months through November of 1991, my firm studied and reported on what turned out to be 6 various alternatives looking at them over a 50 year planning period. Briefly they were (1) continued purchase of water from the City of Albany; (2) the use of Hudson River water either through a surface taking, using a conventional treatment plant or a package treatment plant and what ultimately turned out to be the best proposition, taking water using an infiltration system using the ground water aquifer adjacent to the river; the third alternative was the development of additional ground water supplies through drilling of additional wells; the fourth a new surface water impoundment on Onesquethaw Creek; the fifth, purchase of water from other neighboring municipalities; and sixth the diversion of water from the Normanskill. All of those options were studied and were reported in a report that was rendered in November 1991. That is this report here. That was the subject of a Town Board meeting in December of 1991.

Only 2 potential sources came out of the study as seriously being considered to be able to meet the long term needs of the Town over the next 50 years. And, these included 2 -- continued purchase of water from the City of Albany or the use of water obtained from an infiltration system constructed in the ground water aquifer adjacent to the Hudson River on what is known as Schermerhorn Island. Bruce, could you put up that overhead now, please. We are going to put up an overhead which is a map of Albany County just for logistics purposes -- the City of Albany reservoir, Alcove Reservoir, is down south of the Town. Water from the Alcove Reservoir goes to a treatment facility in the southern part of the Town and then

traverses the Town through a 48 inch conduit all the way into the City of Albany, into a holding reservoir having a capacity of 200 million gallons in the Loudonville area of the City of Albany. Also on this same map, the present supply of the Town of Bethlehem, the Vly Reservoir is located in the Town of New Scotland, where there is also located the Town's water treatment plant. Water produced at that location comes into the Town through transmission mains on New Scotland Road and is distributed throughout the Town through a very extensive water supply and distribution and storage system which is shown on this map here.

Of the two alternatives, I will give you just a brief synopsis of what the bottom line analysis was. Although Albany water certainly is a good quality and has been acceptable on that basis, the report found that there was a question as to the ability of the City to supply the Town's long term needs given the 50 year time table. In other words, in the next 50 years, the Town of Bethlehem is going to require a supplemental supply in addition to the supply they already have of another 5 and 1/2 million gallons per day on the average day and in order to meet peak days, which last for long periods of time during the summer, in excess of 9 million gallons of additional water per day. The report also questioned the ability to supply the water on 100 percent reliability basis. In other words with absolutely no outages because if the Town were to depend solely on a supply for its additional water it either has to be available 100 percent of the time or there has to be a means of spanning those outage periods. And, there are outage periods for maintenance of single mains and that sort of thing. As a result of that, the Town would have to build a significant amount of storage and over time would probably have to spend on the order of 5 to 7 million dollars for additional facilities to be able to make that system reliable within the Town. Also, the report questioned the ability to furnish that water at a cost that is competitive with the other alternative. And, we will get into that a little later. As far as the groundwater infiltration system, that system can supply the long term needs of the Town. It is expandable, the system is designed for a 6 million gallon capacity, can be expanded well beyond that for the future needs of the Town. It is a completely reliable source. The quality will be comparable to or better than that of any other alternative study and the cost is significantly lower than any of the other alternatives. The conclusion that was reached in the report and the conclusion that was stated at the public hearing back in January 1992 is that the most cost effective alternative for meeting the long term needs of the Town for supplemental water, which will meet or exceed existing water quality standards, is the project which the Town has adopted -- a ground water infiltration system utilizing recharge from the Hudson River along with the transmission and treatment facilities outlined in the report.

A more detailed report was prepared in November of 1991, that is this one, that became the basis for the proceeding and for this project that we have now embarked upon. That report covered all of the details of this project and I won't go into a lot of detail but I will hit a couple of high points. The planning, as I said, was for a 50 year period and it revealed that the present use, water use of the Town is 3.8 million gallons per day and will increase by the year 2040 to in excess of 9 million gallons per day. Peak days currently are about 5.7 million gallons per day and those will increase during that next 50 year period to about 13.2 million gallons per day. In other words, on the average day 50 years from now, the Town will need an additional 5.4 million gallons per day and on peak days they will need as much as 7, 8 or even more million gallons per day. That is an increase beyond the present water supply capacity of the Town. The existing system has a combination of sources -- a surface supply which we pointed out on the south branch of the Vly Creek with a water treatment plant in New Salem, and a couple of wells near New Salem, the combined yield of which is 3.84 million gallons per day. That is a safe yield. And, there are times during the year, during plentiful rainfall which when those facilities can produce more water than that but the minimum yield is 3.84 million gallons per day. Currently, the Town is purchasing water from the City of Albany under a contract which allows the purchase of up to 2 million gallons per day although the actual purchase currently is on the order of 6 to 7 hundred thousand gallons per day. That water is taken at 2 points

along that transmission main -- 1 on Kenwood Avenue and the other down on Creble Road. There are pump stations in both locations which provide for the taking of that water. The Town also has an extensive distribution system as I said, and shown on the map that is on display here.

Let's get into what the proposed facilities are. The main feature of the system is the -- Bruce would you put up that next, is it up there, okay, thank you -- the main feature is the ground water infiltration system which is to be installed adjacent to the Hudson River on Schermerhorn Island in the natural sand and gravel aquifer which exists at that point. With the help of qualified professionals from Dunn Geoscience, we conducted an extensive search over time to find the best site and this site turned out to be the best one. There was extensive testing performed to determine design parameters for this facility as well. At this point, I would like to ask John Howland to come up and just describe the efforts that were made during the early stages of the project and the search for the site and for the preliminary design features of this facility.

MR. HOWLAND: Thank you, Jim. I will briefly summarize the geological investigations that led to the selection of this particular site and the hydraulic design of the infiltration system. Before starting on the details of the geological investigations, I would like to state that the infiltration system, as designed, draws ground water from a large sand...

GENTLEMAN: Will you speak up please.

MR. HOWLAND: I am sorry -- a large sand and gravel aquifer adjacent to and underneath the Hudson River. As such, the aquifer provides a significant natural barrier between the river and the infiltration system. Therefore, it is not unusual or surprising to find -- as you will hear later -- that the quality of the raw water collected by the infiltration system is different, more consistent and much better quality than the quality of the water found in the Hudson River. Three investigations were performed. Back in 1978 we were asked by the Town to look around and locate a supplemental water supply. We performed a literature search and identified 4 candidate sites -- Schermerhorn Island, the Town Park just north of there, Bear Island and some Niagara Mohawk property north of Bear Island. Bear Island was eliminated initially based on previous drawing that had been conducted and we went on to investigate the other 3 sites. We used seismic profiling to evaluate bed rock depths, we tried to find the thickest zone of the sand gravel aquifer. Based on the profiling, we drilled 25 test borings to verify the stratigraphy indicated by the seismic profiling. After looking at the borings, we installed a number of small test wells to evaluate the permeability of the aquifer and based on the best one of those, we installed a fairly large test pump well that was subsequently pump tested. This was located on the north end of Schermerhorn Island in order to evaluate large scale well production potential. Conclusions from this investigation were that Schermerhorn Island had an aquifer that provides sufficient quality of water, however, the iron concentration in the water would likely require treatment and removal. We recommended that areas closer to the river should be investigated further. That was back in 1978.

We were asked again in 1991 -- I apologize -- to reevaluate the Schermerhorn Island and Town park sites closer to the river. We again performed transmissivity hydraulic conductivity surveys -- which are a method of measuring the conductivity or resistance of the soil posits. We were looking for either thicker parts of the aquifer or coarser sands that would provide more water. We drilled 8 test borings, installed monitoring wells, evaluated the permeability directly and we eventually installed a 5 well test system to simulate the proposed infiltration system. These wells were spaced about 15 feet apart in a line parallel in back of the river. Pump tests were conducted to simulate the operation of the proposed infiltration system and the conclusions from this investigation were that Schermerhorn Island aquifer near the river can supply the desired quality of water and we recommended that a full scale pilot system should be constructed to verify system yield and to identify long term water quality from this type of system. The third and final

investigation we performed was in 1992. This was done during the design phase of the system and was intended to help us refine the hydraulic design of the system. Thirteen test borings were drilled in the river to verify the extent of the aquifer under the river. We had previously determined that the water on land while plentiful enough had a high iron content and would need significant treatment so we were to evaluate the river to make sure that that aquifer did, in fact, extend out under the river. And, what we found is the aquifer extending out under the river is about the same as that on lands on the order of 20 feet thick -- it is a fairly thick aquifer and it is what we were looking for. We also dug test pits adjacent to the bulk heads along the river -- I believe the Corps of Engineers built that many, many years ago -- and we were concerned that... we wanted to make sure the water drawn into the infiltration system was drawn down through the aquifer rather than directly through the bulk head. The bulk head is backfilled with large rubble, say on the order of 2 foot and this would be insufficient for providing barrier between the Hudson River and the infiltration system.

We performed computer ground water flow simulations to evaluate various pumping rates for the proposed system, various trench configurations and the range of aquifer striptography observed in all the borings I have previously described and the conclusions from this final investigation were that an infiltration piping system set back 35 feet from the river, 30 feet below the ground surface would yield a sufficient quantity of high quality water. The water would be drawn from the same gravel aquifer which in turn would be recharged by the river and other sources. In conclusion to all this, the proposed infiltration system will act as a linear ground water well. It will draw ground water from the natural sand and gravel aquifer on land and below the river. And, when I say sand and gravel, this is a natural deposit if you think of gravity seen in road construction, it is crushed stone, and it is nice and uniform size, this is a natural deposit that is quite different than what you see in a manual material yet it is small particles fitting in with the larger particles providing what we consider a good barrier between the river and the infiltration system.

Also, we are talking about water being drawn a significant distance through this aquifer before it reaches the infiltration collection pipe and the velocities as it travels through the aquifer are quite low. Therefore, we have concluded that the proposed system should provide a reliable source of high quality water.

Jim will tell you about the actual results from the pump testing of this full scale pilot system.

MR. FRASER: Thank you, John. Subsequent to the test that John told you about, we constructed a full scale test section of the infiltration system about 300 feet in length and this was installed at the request of the New York State Department of Health during deliberations concerning the issuance of a water supply permit. After installation, this was pumped continuously for a long period of time -- at least a couple of months -- while 250 million gallons of water was pumped. Repetitive testing of water samples showed the water to be of excellent quality requiring only treatment for reduction of iron, manganese, turbidity and color which are normal constituents readily treated by the proposed treatment system.

The water was tested repetitively for all items for which there are established standards plus many, many others. I could stand here and list these but I won't but it is the complete list of items for which there are Federal or New York State standards, as well as, some additional ones for which there are no standards. All of these items were repeatedly found to meet Federal and New York State drinking water standards except those mentioned previously. The ground water is of excellent bacteriological quality. There is no coliform present, there is not giardia, or cryptosporidium, no herbicides, no pesticides, no PCB's, no lead. It was tested for glycol during 2 winter seasons and reports were submitted to the New York State Department of Health. The results were negative.

At the last Town Board meeting, I was asked a question that I didn't have an opportunity to answer. And, that question was, if I can

guarantee that there will be no... could I guarantee that there will be no residual bacteria in the drinking water of Bethlehem. My answer is yes, I can guarantee that. This source of water from this ground water infiltration system provides a sufficient screen from the recharged river to the water that it is practically fit to drink without disinfection and it is going to go through a complete modern water treatment plant subsequent to withdrawal from the ground at this point and receive further treatment, complete treatment and disinfection. We have to supply a supply of water which is absolutely safe to drink. That is what we are charged with so, yes, I can make that guarantee.

At this point in time, I would like to call on Jack Halstuch who handled much of the laboratory testing during this period of testing of the ground water infiltration system.

MR. HALSTUCH: Thank you very much, Jim. Can everybody hear me out there? Our job at J.H. -- we were charged with conducting the drinking water analysis for the Town of Bethlehem. We had currently done Bethlehem's drinking water analysis for the past 10 or 15 years in my capacity and what we found and really before we get into a lot of technical data -- first out, I can simply state that this new water supply will be an excellent source of drinking water for the residents in the Town of Bethlehem. It would be just as safe as their current supply and I can guarantee that.

We have done many, many extensive tests. We have gone through the New York State Sanitary Code ... part time regulations and in reviewing that, we said if we can meet every item listed in the State Sanitary Code, we can guarantee a pure water supply and drinking water source for the residents. New York State has traditionally been a leader in water treatment and regulations far before the most recent regulations were passed by the Federal Government, and those are the phase 2 and phase 5 regulations.

This ground water supply has been classified by New York State Health Department as ground water under the influence of surface water and all that means is that a filtration plant must be built and that is what Jim Fraser had discussed and described was they were going to build on the Cedar Creek or the Cedar Hill supply system. They are going to build a filtration plant. It won't change the quality of the drinking water, it won't change... it is just going to be as safe again, as the present drinking water supply. With this extensive infiltration gallery, you are going to get that extra barrier of treatment. You are going to get that pre-filtration, all the bacterial and micro-biological contaminants will be filtered out, so all that is left really for the filtration plant is just take out the noxious iron manganese which generally causes the staining of your laundry and clothing.

The combination of this excellent ground water supply with an infiltration system is going to provide you with a very, very high quality water. We have seen the project go through a very demanding and vigorous testing program. We did test, we did pump over 250 million gallons of water. We did this full pilot testing, so the water quality as we saw would be the actual water quality that we would see coming in through a plant and what we could polish it up to to make it better, more palatable and again, give you the best quality out there. My experience has been, testing over 50 and 60 municipalities, in this 5 county region, I have got the background to compare what your new system is going to be to what some existing systems already are experiencing and that is where we bring the testing that we have done -- which I really can't get into every particular item -- but the most frequently asked items are things like lead -- there is no lead in the Hudson River source water, there is no lead in the aquifer. We have tested that. Our past data for the village of Green Island which using a similar type of source; the village of Rhinebeck which is on the Hudson River; the Town of Esopus or the Port Ewing water district as it is known, no lead found in the 1992 lead testing program under the auspices of the New York State Department of Health. As far as PCB's -- again, another frequently mentioned item -- there are no PCB's that we found. We did 3 or 4 sets of samples for Bethlehem's well in a short period of time. We did quarterly testing for these other Hudson River supplies. Green

Island, Port Ewing and Rhinebeck and again, for an entire year no PCB's were detected. PCB is very insoluble in water, it generally falls out, it is denser than water, it gets trapped in the sediment and that is where it remains. It does not go into the drinking water. But, again, you have that multiple barrier there, the infiltration gallery and that would either settle out any particular material that PCB were attached to or it would be taken out in the treatment process.

The chryptosporidium which are parasitic organisms and giardia which you probably heard quite a bit on the news in the last year or 2, Milwaukee incident and giardia associated with what is called beaver fever, they too are not problems because they are going to be filtered out even before that water gets through that aquifer. They are filterable materials that are 4 to 6 microns in size. They can easily be rerouted.

You have always heard talk about mercury over the years. Mercury hasn't been a problem. Again, less than detectable levels. And, I can go through that entire list of compounds and not one substance frequently associated with human health criteria had been detected. We did over 140 different analytes or compounds that are frequently associated with water and water treatment and you know, the only thing we could find is iron manganese and hardness and alkalinity in the ph. These are not public related analytes.

I guess I would really like to finish up by saying that we done the VOC analysis that covered some 53 different volatile organic substances and again, not one compound was above the detectable limits. We have done these compounds now on Hudson River supplies, the ones I have mentioned previously, since 1988. So, again, historically, we can use that historical data even though we haven't tested Bethlehem per se, can say that the water source is quite safe. There should be no problem with bowl organic pollution. These are the common additives that are found in industrial solvents, etc.

My recommendation would be that the Town Board approve the added funds, the additional funds to go ahead to complete this new water supply project to give the residents of the Town of Bethlehem one of the best water systems in the area. Thank you.

MR. FRASER: Thank you, Jack. Moving on as rapidly as I can, Bruce if you would help me point out some other things on that overhead. There would be 4 pump stations located in the infiltration system that would pump water via a 14,000 foot long raw water transmission main up to Clapper Road in the vicinity of the Thruway where there would be a treatment plant site. At the plant site on Clapper Road, which would be about 30 acres in size, would be located a 22 million gallon holding reservoir, a 6 million gallon per day water treatment plant including absorption clarifiers, mixed media filters with redundant units, chemical feed systems for feeding coagulants, ph adjusters, oxidizing agents, corrosion inhibitors and chlorine. There would also be an ozone system for auxiliary disinfection without the formation of THMs if needed. It would be an alternative oxidation system to the use of potassium permanganate for the reduction of iron and manganese and also for taste and odor control.

Also on the site would be a 2 million gallon storage clear well to provide storage and chlorine retention time prior to being pumped into the system by high lift pumps. There would be a backwash waste disposal system. There would be automated electronic plant control systems, stand-by power generation and a laboratory and office facilities for an operator.

From the plant into the distribution system along Clapper Road, there would be 9,000 feet of 24 inch ductile iron pipe to bring us to Route 9W and then from Route 9W along Creble Road another 10,000 feet of 20 inch diameter ductile iron pipe to a point of connection with the existing Bethlehem system at the... in the heart of the industrial area of the Town where the bulk of the additional water will be needed in the foreseeable future.

I hasten to point out that all of the industries have a need for high quality, potable water and must require a source with consistent

water quality just like the residents in the Town. Where items such as hardness and alkalinity are not highly variable creating problems with manufacturing processes.

At this point we will talk about project costs which really is the reason this hearing was called. Bruce, if you would put that next overhead up. At this point in time, bids have been received on most of the project contracts and we have arrived at a point where we are able to predict with pretty good certainty what the final costs of the project will be. And, what we have found is that the project will exceed the amounts that were budgeted back in 1991. We have issued an addendum to the 1991 engineer's report, submitted to the Town Board, it was presented at the last Town Board meeting and this hearing was scheduled to discuss it.

As I stated at the last Town Board meeting, this is an unusual situation for my firm and for myself. These costs increases are not normal and have been brought about by somewhat unusual circumstances. My firm has a very long records of bringing projects in under budget, not only for the Town of Bethlehem, but with all of our clients. I will be talking about those circumstances and they include the use of innovative and complex technologies particular with respect to the groundwater infiltration system design, rigorous and demanding regulatory review and the need for many permits requiring a lengthily process extending our schedule by an additional 1 year resulting in the suffering of some inflation costs. I would also like to stress from the beginning that the increase in costs will not change the overall project economics. The project is still very cost effective, it will not change residential water rents because of conservative assumptions in the original estimates, annual costs will remain at or below the predicted level. This increase in cost, if it had been known back in 1991, would not have changed any of the conclusions or the recommendations that we made or the decisions that this Board made.

Project status as of this point, at this point, all permits have been acquired. We have acquired Federal Wetlands permits, State wetlands permits, water supply permit from the New York State Department of Environmental Conservation, a dam safety permit, we have acquired lands and rights-of-way from New York State Office of General Services for the infiltration system, from private owners for the plant site. We have received final plan approvals from those agencies. We have received bids for most contracts which makes predictions of costs pretty accurate at this point. Our original schedule called for completing this project in late 1994, construction was to have begun in 1993. That schedule has now been revised and construction will be completed in 1995. This one year delay accounts for some of the additional costs that we have suffered. The reason for the delay basically was occasioned by the requirement of the New York State Health Department to design, construct and extensively test the ground water infiltration system to prove that the quantity of water that we said was available, actually is and that the quality of the water would be as it actually is. We have at this point, done that and proven to the satisfaction of the New York State and the Albany County Health Departments that those items are indeed accurately stated and true.

Our budget estimates in 1991 were formulated during preliminary project planning at a point in time when we knew the least amount about the final design of the project at any point in time. And, yet, we were expected to predict the final costs with accuracy for a very complex project. We didn't really just how rigorous and complex the establishing of final design for some of these facilities would be and how much influence would be exerted by the regulatory agencies. Three years later, we now have been through the process and have the benefit of hindsight. The final project particularly the ground water infiltration system and certain aspects of the water treatment plant have become much more complex and certainly improved over what we originally envisioned but at a significant increase in cost. Please also note that more routine facilities such as the transmission mains are pretty much on target in spite of the size adjustments which were made during final design. Looking at the chart, you will note that the raw water infiltration system has been bid in 2 contracts. The first one was for the test section and the

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second contract would be for the balance of the system. When completed the increase in cost for the infiltration system will be \$1,317,000. higher than the expected. The reason for this simply is that the size and the complexity and the depth and the difficulty of construction of this facility as it developed during final design was much more complex and rigorous than was anticipated originally. This is the one facility that the cost has increased the most for but it is one of the most important facilities in the project because it is the one facility that is going to provide us with a high quality ground water as a raw water source for further treatment at our treatment facility. Looking at the chart, we have several transmission mains, raw water transmission main and some finished water transmission mains. You will note that in both instances, the increase or decrease of the cost as the case may be, is not very much. In other words, the actual bids and construction costs of these facilities is pretty much on target which was... with what was envisioned originally.

The water treatment plant is expected to cost approximately \$2,000,000 more than was originally anticipated. On the chart we have shown in the left hand column the amount of monies that were allocated for the basic water treatment plant complete and for the raw water reservoir. You will note that after actual bids, the basic water treatment plant has increased in cost about \$762,000 some of which can be attributed to inflation. All of the other items listed represent changes that had to be made during final design because additional options were added to enhance the value of the treatment plant, such as the ozone treatment system -- which was strongly recommended by the State Health Department -- a raw water chemical treatment building down near the source at the ground water infiltration system, a laboratory was added at the plant which was not anticipated originally, significant additional analytical and automated control equipment was added to make the plant operate in a more automatic mode with back-up safety controls, etc. And, certain piping and other facilities at the plant were increased in size to allow for readily expandability in the future so that unnecessary funds would not have to be spent to replace already then existing equipment.

Down at the bottom of the sheet, we have listed contingencies, engineering, sub-contractors, miscellaneous testing and supplies. You will see that contingencies originally were pegged at over 1/2 million, they have now been reduced to \$200,000. Engineering has changed very little. Sub-contractors and miscellaneous testing and supplies, those items were for such things as drilling test wells, pilot test plant operation and ozone test plant operational set-up, geotechnical and geophysical testing services, sub-surface investigations, environmental experts regarding wetlands and other items, extensive laboratory testing and a lot of supplies, rental of pumping equipment and other items.

The total project now is approximately \$13,884,000. This represents an increase of \$3,184,000 above 1991 estimates. To summarize, this increase has become necessary due to features added to the project which are deemed necessary to provide a treatment process which will supply the Town with the very best system to provide the best quality water. Secondly, the necessity to design and construct more complex and therefore, more expensive facilities in particular, the groundwater infiltration system and last a lengthened schedule occasioned by delays in the permitting and approval process by NYSDEC and the Department of Health and others. Specifically, the most significant delay was experienced as a result of the necessity to design, construct and extensively test pump a full section of the groundwater infiltration system. Although this represents a significant increase in cost, the current borrowing rates and the bond amortization schedule which is available at this time, are significantly lower and more attractive than the very conservative assumptions that were utilized in projecting annual costs in the 1991 reports. As a result, the annual debt service cost will not be significantly different than originally predicted. In fact, they will be equal or less than predicted.

The Commissioner of Public Works has prepared revised estimated and projections of annual operation and maintenance costs, including debt amortization, which he will present and explain this evening.

This project continues to be the best project to provide the Town of Bethlehem with a much needed supplemental water supply to fulfill its long term needs during the next 50 years. It will provide an excellent quality water to be treated at a modern water treatment plant at a cost which is very significantly below the cost of any other alternative. My recommendation to the Town Board this evening is to approve the expenditure of an additional \$3,184,000 and to increase the amount of the project budget to a maximum of \$13,884,000.

I thank you for your attention. At this time, I would like to turn the podium over to Bruce Secor.

MRS. BURTIS: Could I ask a question? I am worried...

SUPERVISOR FULLER: We are all hot and I understand what you are saying but this is the purpose of the public hearing. We have to present the plan.

MRS. BURTIS: He did this 2 weeks ago at the meeting.

SUPERVISOR FULLER: But, he didn't do it for everyone here and that is why there is a public hearing.

MRS. BURTIS: But, somebody is going to faint or get sick.

SUPERVISOR FULLER: We all are.

MR. SECOR: This will be very brief. (applause) There are reams of paper and to try and go through all these numbers we will be here all week. No one wants to do that. I will simply get to the bottom line. This... without putting numbers up here you can't read, this project was originally figured in a conservative fashion using 8 percent interest. It is no different than someone who mortgages a house and the mortgage rates come down and you refinance the house. Basically, we used 8 percent when this was put together in 1991 knowing that the interest rate was less than that at the time we did it but not wanting to guess 4 to 5 years in the future. What we are set with know is that we will move from bond anticipation notes which we are currently under to serial bonds. The bond anticipation note rate we are paying right now is 3.2 percent. The serial bond rate right now is on the order of 4.5 percent. If this is approved by the Town Board, we would -- just as someone remortgages a house -- we would go and set up a closing and then you would then set that rate so that you know what your interest rates are. When this project was figured in 1991, the State Constitution had a different debt service schedule than there is now. They are now able to put 11 debt service schedules together just like a mortgage for a home.

I will throw away all of these overheads.

GENTLEMAN: Good.

MR. SECOR: You can go through all the magic you want in the numbers. The water rate... the residential water rate is actually, since 1991, the residential water rate in the Town of Bethlehem has been \$1.07 per thousand gallons. It is \$1.07 in 1993, it is \$1.07 in 1994, it is going to be \$1.07 in 1995 and we are projecting that it will stay at \$1.07 for another 3 or 4 years beyond that. What has gone up is the industrial rate. The industrial rate went from \$1.07 to \$1.14. It is project to go to \$1.21 to \$1.25. The rates were going to have to go up no matter which option we selected. This option is much more cost effective but the decision was not made on the basis of dollars alone. We looked at water quality and the needs of the entire Town.

MRS. BURTIS: I really object to this format. You are trying to wear down the entire audience here.

SUPERVISOR FULLER: Excuse me. I think there is a need for some clarification as to the purpose of a public hearing. It is for the

engineers to present to the Town Board and the community the plan for the additional \$3.8 million. No one wants to be here, we all agree it is hot and we will move it along as quickly as we can. I am sorry for any inconvenience but I have to tell you to be fair with everyone...

MR. KENDRICK: It is repetitious, Sheila.

SUPERVISOR FULLER: We need to have...

MRS. BURTIS: Can the people in the back hallway come up where there is all this space?

SUPERVISOR FULLER: Sure. There is no reason to be standing outside.

MR. SECOR: Anyone who wants to come up and sit on the stage, please feel welcome.

I will only be a couple minutes.

SUPERVISOR FULLER: If there are any empty chairs, please sit down.

MR. SECOR: One last thing, the Water District property tax rate is 75 cents a thousand. It is projected to go down. Again, the only thing that is going up here is the industrial rate. It would have gone up any scenario, it is much more cost effective in this scenario. There has been information put out there about award winning supplies, if we are going to give people credit for award winning supplies, we ought to look at them all. This system is very similar to Niskayuna's system and the Green Island system. They both won the same types of awards as the Albany system. These things are no magic, this system that we are building will also be an award winning system.

The issue of reclassification of the river. The reclassification of the river is not an issue, not because I say it is not an issue or Jim Fraser, because the NYS Department of Health and NYS Department of Environmental Conservation who review water supply permits throughout the State says it is not an issue. The infiltration gallery itself will provide significant quality protection and enhancement. The galleries are not connected to the Hudson River as had been previously proposed. Results from the pilot study indicate the water quality from the galleries is such that the Department considers this ground water source and will not require reclassification. Reclassification -- when this started in 1991, the biological requirements for class C was 1,000. The biological requirements for class A was 2,500. They have now changed them so they are all the same. Don't get confused simply by the nomenclature. All of the plants that are operating on the Hudson River already operate through class A standards because of all of the direct water users that are down river from us, Rhinebeck, Poughkeepsie, Port Ewing, Hyde Park, and Town of Highland.

There is 2 basic issues in water supply, one of them is where does the water come from and the second one, how do I get the water to my customers. This project answers both of them. There is an excellent supply of ground water that is going to go through the water plant and be pumped across into the industrial area. It is not being pumped into the industrial area because there is something wrong with it, it is because the hydraulics of the system demand its. Our current system has over 150 miles of pipeline. The water now comes in from the Vly Creek Reservoir -- 80 to 90 percent of our water comes in from the Vly Creek Reservoir, we are buying about 10 to 20 percent from Albany. We are talking about supplemental supplies. This will provide a balance. You are pumping water into this area, you have water flowing in from this area and will balance the system. It is an excellent system. We have as engineers and scientists reported to the Town Board the facts and I recommend to the Town Board that we move forward with the project..

Thank you. (Applause)

SUPERVISOR FULLER: Thank you. We will take questions from the Board first and then we will turn to the audience.

COUNCILMAN LENHARDT: I have one question. Can everyone hear me? I have one question, just for the record. At our last meeting with Mr. Fraser, the only variable in the price schedule that you show now -- as I remember your statement -- the 20 inch raw water transmission main, excuse me, the current estimate is \$900,000. That is still an estimate, everything else is actual, is that correct?

MR. FRASER: That is correct.

COUNCILMAN LENHARDT: Thank you.

SUPERVISOR FULLER: Any of the other Town Board members? Certainly the Town Board members have been through this for many a meetings and many a year and have asked many questions. So, as soon as we finish, we will get right to you.

COUNCILMAN PUTNEY: Question. I understand that Albany, City of Albany is supplying our supplemental needs at a cost of \$1.68 per 1,000 gallons, is that correct?

MR. SECOR: \$1.65, yes.

COUNCILMAN PUTNEY: What is the approximate cost as proposed under the present system for the new supplemental supply?

MR. SECOR: The unit cost will be about \$1.40.

COUNCILMAN PUTNEY: Thank you.

SUPERVISOR FULLER: Okay, members of the audience, if you would please ask your question but please first identify yourself -- name and address please. Thank you.

MR. KENDRICK: Good evening ladies and gentlemen, committeemen, Town Board members. My question is, before this project even got under way, why didn't we get a chance to vote on it?

Applause.

MR. KENDRICK: My name is Pat Kendrick and I have been a resident of the Town of Bethlehem for 35 years and I am a retired operating engineer. And, I see the Town Board brought all their big guns out today. Well, I worked on most of the river projects from Castleton to Mechanicville in 45 years of the construction business and I am pretty aware of the Hudson River. Now, there has been a plan in the making in the northern part of the Hudson River where the GE dumped PCB's for the last 40 years and they are under silt. There has been a plan in the making to dredge that silt out, whether they use high pressure pumps, a dredge or clam buckets or whatever, but it is going to be moved sooner or later. And, obviously, it is going to go down river with the current. I am wondering what is going to happen to our wells down here when this PCB's is disturbed. It is laying dormant now but it could come down the river with any action up on that part of the river. Now, I am not against these wells, for industrial purposes I think it is great -- car washes and down industrial park. If we could only have 2 systems it would be a great thing. Applause. But, I can't see myself and my family drinking Hudson River water. Applause. I will admit this, it is 100 percent pure, because everything is taken out of it. All the minerals and everything, the calcium, that has no iron, it barely makes soap suds this river after it is treated and a lot of the people said they can guarantee it for 50 years. But, I don't think most of these people are going to be around in 50 years. Applause. Myself, I am against the system. I would like to have a 2 system, but I don't think we can afford that. Why don't we get locked into the Albany water supply which from my knowledge and reading, is designated the best water supply in New York State from what I read in the... Applause. If we are afraid that Albany is going to raise the water tax on us or the price, why don't we get locked into a long term contract so they can't do this. Applause. Thank you people, thank the Board, thank the committee.

MRS. CAPONE: My name is Marie Capone, I live on Delaware Avenue across the street. If you notice on this pink sheet, it says our

award winning crystal clear water. The Town has never won an award. Now, it says in an interview last week it says it was hush, hush at the outset. At the request of the neighborhood association, when Bob Hendrick was Supervisor, the Town Board agenda is on the library channel on Monday, 2 days before the meeting for people that don't have the cable, it is posted in the back in the hall there on the board. There is no reason why you don't see it. Well, you watch Roseann, you can slip during the commercial and take the library and pick it up.

At the last Town Board... I forgot to tell you, Bruce Secor in the corner there has been with the Town for something like 16 years. He is the guy that...

MR. SECOR: Marie, what is your question?

MRS. CAPONE: He can take a licking and you keep on ticking, Bruce. Bruce graduated Clarkson.

MR. SECOR: What is your question? I am here to answer questions.

MRS. CAPONE: He graduated Clarkson... there is no question, okay. He graduated Clarkson. It is no...

MRS. BURTIS: This is the question part.

SUPERVISOR FULLER: Marie, question only. No longer statements, question only.

MRS. CAPONE: Okay, I am asking a question. Are you aware that 3 weeks ago, there was a bulldozer on Murray Avenue while we were talking here repairing the system that had broke down? Do we want to put the money on a new system or do we want to put the money on repairing the system that breaks down? This pamphlet and the ad in the Spotlight cost money. The Town didn't pay it but don't forget it is an election year. Thank you. Applause.

SUPERVISOR FULLER: I am going to interrupt and just tell everyone, it is questions only. You are going to have the opportunity to make your statements for and against as soon as the questions are completed. Question.

MRS. TREOLO: I am Carmela Treolo from Delmar.

SUPERVISOR FULLER: Where in Delmar?

MRS. TREOLO: 1 Forest Road in Delmar. I understand that the City of Albany is contemplating putting fluoride in the water and I am wondering if we continue to depend on the City of Albany for our drinking water, does that mean that we will also have to have the fluoride? Is there any way for that, you know, to sell us the water for the citizens of Bethlehem to decide whether they want the fluoride put in or not. Because, I am real concerned about that. I know my son had some problems and you know, like he took a fluoride supplement because we don't currently put fluoride in the water, my understanding is. And, I could decrease that fluoride but if they are going to put it in the water, it's going to be really and we can't choose... it is going to be pretty difficult.

SUPERVISOR FULLER: That is a decision that hasn't been resolved in the City of Albany yet.

MRS. TREOLO: But, like is there a way to keep it out. If the City of Albany decides to put fluoride in the water and we are continuing to buy it, will we have to drink the fluoride too? Is there some way...

MR. SECOR: The answer to your question is, if...

SUPERVISOR FULLER: I don't think we ought to be confusing the issues here tonight.

MR. SECOR: The City of Albany water filtration plant is on the other side of the Selkirk railroad yards. I would assume, and again, I

don't know how they are going to do it, but most operations they would add the fluoride at the water plant because it is another chemical in the treatment process so that the water coming through Town, the 48 inch main, would have fluoride in it and yes, if we were to continue to purchase water, we would then get fluoridated water. We would have no choice.

MRS. TREOLO: So, in our contract or anything we couldn't prevent that from happening. I mean whatever they decided to put in.

MR. SECOR: Again, it would be subject to negotiation. But, it depend on where they add the fluoride.

MRS. TREOLO: All right, my other question is about the cost...

SUPERVISOR FULLER: Excuse me, one question until everybody has had an opportunity to ask their questions, please.

AUDIENCE: That's the 5 minutes, that is it.

SUPERVISOR FULLER: No, I am sorry, the 5 minutes is your statements in favor or in opposition. This is only questions for clarification, so that you can determine whether you are in favor or opposed to the additional spending.

MRS. BURTIS: My name is Linda Burtis. I live at 61 Salisbury Road in Delmar. And, I have a question for Mr. Secor. The aquifer from which we will be getting the water is located mostly beneath the Hudson River, isn't that right?

MR. SECOR: No, it is not correct.

MRS. BURTIS: Where is the aquifer located?

MR. SECOR: The aquifer is huge, it is 1,000...

MRS. BURTIS: But, where is most of it? I know it is beside of the banks.

MR. SECOR: Most of the recharge will be coming from the river side, that is correct. That is the way it is designed.

MRS. BURTIS: So the aquifer follows the Hudson River and does the banks and if you measured it most of it, as I have looked at your numbers is located underneath the Hudson River, the highest percentage of the aquifer.

MR. SECOR: The answer to your question is no, but what you are getting to is correct. The aquifer is huge, the sand and gravel aquifer is huge.

MRS. BURTIS: I will take that, I will take that. Okay. Now, how much is the aquifer...

SUPERVISOR FULLER: Linda, one question.

MRS. BURTIS: I am asking her question. Okay. This... Lillie called me up the other day, she is a wonderful woman, she is very involved in this project, she is opposed to drinking water from the Hudson River and she wants to know. Laughter. How much of this water is recharged in the aquifer... how much is recharged by the Hudson River.

MR. SECOR: I gave you those numbers, 80 to 90 percent of the recharge of the aquifer for the taking is coming from the Hudson River but the quality of the water you are looking at is very different.

MRS. BURTIS: Okay, no, that is all I just want to know...

MR. SECOR: Oh, I know you don't want to know all the stuff but fine.

MRS. BURTIS: I just wanted to know how much was recharged by the Hudson. You had your chance.

What is the river classified...

AUDIENCE: No, sit down...

SUPERVISOR FULLER: Wait just a minute, the 5 minutes is not for the question. Really, I am hoping that everyone is here very objective to give the information to the Town Board. That is the 5 minutes, that is what I really would like to hear and the rest of us would. The questions are for clarification only and to give everyone a chance to ask the questions, I would like to limit it to one.

MS. MARVIN: My name is Becky Marvin, I live at 72 Delmar Place and I am here for information tonight otherwise I wouldn't put up with the heat. My question actually follows very nicely on Linda's which is, how frequent is the recharge of the aquifer now from the river, as we use that, as we draw from the aquifer, will that rate of recharge increase and if the rate of recharge increases, will that affect the quality of the water? We have heard about the drillings and what they found but if it is recharging faster...

MR. SECOR: The reason we built full scale wells and the reason we test pumped it for 250 million gallons was just to answer that for ourselves so we could pass the information on to the Town Board. We wanted to make sure that the water quality, no bacterial no coliform, no cryptosporidium, giardia that would stay constant. And, as the geologist testified, it is a silty sand gravel material and is a very effective barrier. So, the ground water quality is very different from the river even though the river is recharging it. And, the answer to your question is, we went long past a normal pump test, we pumped for months just to answer that question so we could come with great certainty to the Town Board and give them that information.

MS. MARVIN: Then, why is the State Health Department strongly recommending -- is what I have heard -- an ozone treatment plant over standard treatment plant.

MR. SECOR: The industry is moving in the direction of ozone. There has been many, many years of looks at trihalomethanes and the compounds caused by chlorinated water. It is a health decision. If you don't put chlorine in the water, you had a chance of a lot of people getting sick, if you do put chlorine in the water, you know you are making chlorinated compounds. They are looking at ozone as another tool so that you don't have to use chlorine in the pretreatment process when there is other particulate matter in the water. It is another tool and we have tested our system for the precursors for these by-products of disinfection from ozone. But, it is the direction that the industry is moving as another tool that is available to it.

MS. MARVIN: And, ozone plants have been used elsewhere in the country and not in the area.

MR. SECOR: That is correct. In fact, it is very common and it is coming into place with the Health Department. I talked to the Health Department the other day, a couple of them are under construction and they are looking at it very carefully with each new plant that comes on line.

MS. MARVIN: Thank you.

MR. STRONG: A number of people here...

SUPERVISOR FULLER: May I please have your name.

MR. STRONG: ...would like to know what the viability of the... of furnishing just the industrial properties with this Schermerhorn Island site.

MR. SECOR: Okay. The industrial only question, again, in looking at the long term needs of the Town of Bethlehem -- to look at an industrial only supply says I have only answered one very small portion of the question and you start back all over again -- distribution and storage, source of water. To try to split out the system would become very, very costly and it is not a solution which

we have recommended because it is not demanded... it is not anything we would want to recommend when we have such a high quality of water available to us. So, that is why we haven't recommended it. And, it is not a cost effective solution. You do not have the rest of the Town sitting as an island. Our peak demands, our largest peak demands happen in the residential area and that is also the area which is the older section of Town and has the smallest size water mains. So, it is not an easy thing to say, let's build this for industry and keep everything else we have for our own. It still doesn't work that way. You need the hydraulically balance the system which this project does.

MR. WEHMANN: My name is Wolfgang Wehmann, I reside at 64 Huntersfield Road in Delmar. I have really 2 questions. I have to clarify something because I heard something that Mr. Fraser said and what you said -- you said in your plan that you put also chlorination plan in and you are switching over to ozone. So, what will really be built?

MR. SECOR: Both systems are available.

MR. WEHMANN: But what do you really build because you know the EPA plans have been or it is a reduction of the use of chlorine. What is your contingency plan then, only for clarification.

MR. SECOR: The ozone plant and the chlorine additives are both there, either one can be used. Right now State standards require that chlorine residual be maintained in the system. If that changes, the ozone is there and can be worked. The problem with ozone is you can't carry a residual out in the system so the chlorine is probably going to be with us.

MR. WEHMANN: So, in other words you have 2 plants for full capacity.

MR. SECOR: No, it is one plant but 2 different additives available.

MR. WEHMANN: Okay, now comes my question in order to understand your treatment, you mentioned the turbidity -- how high is really the turbidity and the use, please?

MR. SECOR: It is 5 or 6, it is very low.

MR. WEHMANN: And, what causes the turbidity?

MR. SECOR: Suspended iron mostly. 80 or 90 percent of the iron in there is in suspension. It is very easily settled out.

MR. WEHMANN: Thank you.

MR. SILVER: My name is Reuben Silver and I live at 510 Huron Road in Delmar. As I understand it, you have said that this system exceeds or equals or exceeds quality standards set by State and Federal government.

MR. SECOR: That is correct.

MR. SILVER: Since we know that regulatory bodies set minimal standards, are you kind of saying is what this does is to set a minimal standard, whereas in Bethlehem and in Delmar we have gotten used to something above minimal standards.

MR. SECOR: No, that is not correct. What... right now the way the water systems are going, the minimal standard is being set at the practical quantitative limit or the lower limit. If they can test to 1 part per billion they may very well regulate to 1 part per billion and we are meeting all those... most... as Jack has testified, all of the things that we looked at were below detectable limits. So, we are setting a very high standard. New York State, in some cases, is much more strict than even the Federal standards and we are well below those. So, no, we are building a first class system and we are starting off with the water, which is healthful to drink before it even goes through the plant. There is no bacterial, no cryptosporidium, no giardia, there is no problem before you even get to the plant. We are talking about removing suspended iron.

MR. JASINSKI: Robert Jasinski, Bender Lane. If we were to negotiate with Albany at what point or... would we start negotiation now and if we did, wouldn't we come in at kind of like no options, a disadvantage? I mean with the fact that they know we need the water if this don't go through? Is there any kind of a dollar figure that you have or be in there without our pants on.

MR. SECOR: Our only piece of paper has been the cancellation notice and there is nothing else as far as a fixed price or an offer from the City. But, the project, as I say, it has been recommended to the Board, the Board has adopted it and we are at a point where we are looking for additional direction from the Board.

MR. JASINSKI: All right, okay, thank you. I am for this project by the way.

DR. MEUWISSEN: My name is Hilaire Meuwissen, I am in 101 Darroch Road. My question is this, I am not so much concerned with all the ingredients and foreign materials in the water as you mentioned, I am concerned with those we don't know yet about. And, my question really is do we have certified independent laboratory confirmation of all the testing that you report. Applause.

MR. SECOR: Yes. We used 5 or 6 different labs. None of the certified results were done in our own lab, everything went out through Jack and they went to various certified labs in the State and in many cases we either took split samples or used different labs. We were very concerned about that because you are testing down to 1 or 2 or 5 parts per billion. So, we did use a whole range of certified labs.

DR. MEUWISSEN: And, will we have available a list of the items that you measured and the...

MR. SECOR: Yes, we published a report which is on file at the Library and filed with the Town Clerk's office which lists all of the testing results. There was another round of testing done after that report was published and those test results are also available.

DR. MEUWISSEN: Thank you.

SUPERVISOR FULLER: Other questions?

MR. ADELL: Mort Adell, McKinley Drive, Delmar. Bruce, is this a done deal or are we really going to decide things? The residents seem mostly against this idea.

AUDIENCE: No, no and applause.

MR. ADELL: Let's have a show of hands.

MR. SECOR: The answer to your question is -- is this a done deal? The answer is no. It is subject to the vote and approval of the Town Board and that is what we are here for.

MR. ADELL: So, we still have time to have drinking water separated from industrial water, is that true?

MR. SECOR: It is up to the Town Board.

MR. ADELL: It is up to who?

MR. SECOR: The Town Board.

SUPERVISOR FULLER: Town Board.

MRS. KNAUF: Alberta Knauf, McCombe Drive. As long as I only...

AUDIENCE: Can't hear you.

MRS. KNAUF: Alberta Knauf, McCombe Drive. I only have 1 question. I would like to ask a question. Would you please consider separating the water supply? Applause.

I wanted to ask another one.

MR. DORSEY: Hi, I am Pat Dorsey. I have lived in the Town about 40 years and I am going to ask you a question -- first thing of all people who have been up here, I don't know of anyone that lives in that area. We are in the light residential or business section down there where GE is. I have 2 acres down there. We have to carry water and my question is when the water comes up through from the new plant, are we going to be able to hook into that water?

MR. SECOR: Yes, you will. It is being provided and at no cost to you since it is being put in as a major improvement. You just have to pay the tapping fee.

MR. DORSEY: We have a well already which we can only use for about 20 minutes. Most of the people in that area and myself with a new home being built there, we have carried water to that house for drinking water to use for the bathroom and for other facilities there. So, I just wanted to be on record that I agree with the Town Board and with you, Mr. Secor, that I am willing and able to have the water through there.

SUPERVISOR FULLER: Mr. Dorsey, it was only a question.

MR. DORSEY: Thank you.

Applause.

MS. HURST: Mr. Secor...

SUPERVISOR FULLER: May I have your name please.

MS. HURST: Mr. Secor, like this gentleman...

SUPERVISOR FULLER: Would you please identify yourself, name and address.

MS. HURST: Barbara Hurst, Maple Road, Slingerlands.

SUPERVISOR FULLER: Thank you.

MS. HURST: I was... this gentleman that was just on there, he was saying he didn't have water... my well was tapped, capped, like about 15 years ago, we have been carrying water. There is a water line right across the road from me. Why haven't I been able to tap in?

MR. SECOR: Well, the water line is not a municipal water line, it is a private water line and that is something you have to work out with your neighbor.

MS. HURST: Oh, that is not what I heard before.

MR. SECOR: Well, that's... the water line that's out by you is a private water line. When you and I spoke, I asked you to get a letter from... that you lived in the Town of New Scotland, I need a letter from the Supervisor out there so that it could be put before this Town Board to see if water could be granted because you are outside the service district.

MS. HURST: Okay, as soon as I left your office yesterday, I wrote a letter.

SUPERVISOR FULLER: Excuse me, is there another question? Anyone have a question from the audience. This issue you can pursue.

MS. HURST: Thank you, Mr. Secor.

SUPERVISOR FULLER: This issue can deal with the Town of New Scotland and Bethlehem.

MR. CLEMENTE: Hello, my name is Brendon Clemente, I live at 114 Adams Place, Delmar.

SUPERVISOR FULLER: Please get closer to the microphone.

3/2

MR. CLEMENTE: I have a question regarding the old wells. Are they wells or are they drawing openly from the reservoirs and do we need to improve our current system to comply with the new clean water acts?

MR. SECOR: No, the Vly Creek reservoir is on South Road and the 2 wells are out on New Scotland Road. So, they are 2 separate things. Actually, the wells were drilled before the reservoir was built.

MR. CLEMENTE: So, they are...

MR. SECOR: They are regular vertical wells with gravel pack.

MR. CLEMENTE: The Alcove, is that drawn openly from the Alcove or is that drawn from wells?

MR. SECOR: No, the Alcove reservoir is a great big lake and that is brought into a water purification plant.

MR. CLEMENTE: But, does that meet the new EPA regulations on the clean water act without Town improvement?

MR. SECOR: The Alcove reservoir is the City of Albany and the City of Albany has their own water plant.

MR. CLEMENTE: Yes, but they are going to have to sell it to you and...

MR. SECOR: Wait a minute, I can't answer your question. I don't know how that will work.

MR. CLEMENTE: No, because I know that the only reservoir... open reservoirs in the country if totally exempt from the new clean water act are New York City's without these new processing plants that supposedly remove the beaver fever and these other things that usually aren't picked up in normal filtration plants. And, my question is... the Alcove water everybody has been claiming is great and Albany's water quality is great but the question I am putting to you more or less is that that Alcove water -- does the Town have a chance of like, say, beaver fever where you wouldn't have that in the wells from the Hudson.

MR. SECOR: That is a correct statement. Any open reservoir -- and it is just not the Alcove, our Vly Creek -- any reservoir is going to have bacteria, it is going to have cryptosporidium, giardia, the wells do not. And, that is a big advantage and then we are still going through a water plant.

MR. CLEMENTE: So, then, the wells from the Hudson would be better than the Alcove water right now.

MR. SECOR: From a health standpoint, that is correct.

MR. CLEMENTE: Thank you.

Applause.

MS. BELL: I am Laurie Bell from 4 Dorset Street in Delmar. The geologist was talking a great deal about the barrier between the infiltration system and the Hudson River. Over time, does the underlying geological make-up change such that the barrier would change in time too?

MR. HALSTITCH: Well, over time you may get some clogging, like you would get with any normal filter but the aquifer is quite large and it would mean that there would be some small shift back and forth as to which part of the aquifer is bearing water.

MS. BELL: So all the testing that was done on that, would that be done periodically or...?

MR. HALSTITCH: I am talking about very slight. I mean to the point where it would act the same way as when it was tested.

MR. DAVIES: My name is Sherwood Davies, I live at 13 Roweland Avenue. Mr. Secor showed on a slide Niskayuna's water which is secured from an infiltration gallery similar to what is proposed for the Town of Bethlehem. I believe that Niskayuna, the Mohawk river is classified as A. The slide also referred to a statement from the Health Department, I believe this is a statement from an individual regarding classification of the river. Would it be your recommendation to the Town Board that they formally request Department of Environmental Conservation to review the reclassification of the Hudson River so that we receive equal treatment with other communities?

Applause.

MR. SECOR: As I explained to you before, we met with the water quality people, main office, we met with legal staff at main office, we, in petition for a water supply application, when the piece of paper is issued by the Department of Environmental Conservation, or by the Health Department, it is the policy statement of the Health Department. So, what you just asked has already been answered and that is what we already did. And, that was the determination of the Health Department and that was part of the water supply permit granting.

MR. ALLEN: My name is Harry Allen. I live on McCombe Drive. My question is, why is this Town Board determined to push this through? Why not turn around and give this a chance to go before the residents and let the residents vote for it, one way or the other? Applause.

SUPERVISOR FULLER: This is not something that is subject to referendum.

MR. ALLEN: The other... For some reason or other I have a feeling that the Town Board here is only interested in the amount of taxes that they can get out of any commercial outfit that comes in this area.

SUPERVISOR FULLER: Is that a question or a statement? I couldn't tell.

MR. ALLEN: That is a statement.

Laughter and applause.

SUPERVISOR FULLER: I only would like to respond about the question for a vote. We are the legislative body here in the Town. It is our responsibility to vote, this is not subject to a public referendum. The Town Board will have to make this decision.

MR. ALLEN: If it wasn't for the taxpayers, you wouldn't be sitting in here.

Applause.

We voted you in here.

MRS. KNAUF: 51 votes.

SUPERVISOR FULLER: I am sorry I didn't hear the gentleman. I didn't hear you, I am sorry.

MRS. KNAUF: 51 votes got you where you are sitting.

SUPERVISOR FULLER: 54.

MRS. PONEMON: Sylvia Ponemon and I live on Partridge Road in Delmar. I would like to ask a question about finance. Who paid for all the exploration and the borings and all that, in other words has the Town Board paid for all the testing that has been done? Do they have an invested interest now in continuing on this? And secondly, I am not sure how the financing is going to take place. I heard that industry was going to pay for it, now I hear bonds will be floated.

MR. SECOR: The bonds that will be floated are identical to what you would have if you had a mortgage on your house. There is an annual debt service payment, principal and interest and we are raising the money for that by increasing the industrial water rate. There is no increase to the residential water rate. There is no increase in the tax rate. So, the answer to your first question is this was paid for out of the project funds as the report went forward and the bonds will be sold just like the mortgage on a house and it will be paid for by industry.

MRS. PONEMON: It was paid for by the company that is interested now in building it?

MR. SECOR: Yes, the majority of that will be from Selkirk COGEN and the general industrial rate is also being increased.

MRS. PONEMON: And, what is this I hear about the Southridge, some company in Southridge, some industry is going to be paying for all of it and that we will pay nothing.

MR. SECOR: Selkirk COGEN Partners is building a \$200,000,000 facility down on Creble Road to generate electricity. They need some water for cooling, they need some water for process in the building. They will be paying over \$1,000,000 to \$1,500,000 a year in water payments. Any... the base revenue for this is increased in the industrial rate on the industrial rate in general plus the surcharge payments being made by Selkirk COGEN.

MRS. PONEMON: And, who will be floating the bonds?

MR. SECOR: They will be general municipal bonds.

MRS. PONEMON: By the State?

MR. SECOR: No, they will be municipal bonds by the Town of Bethlehem.

MRS. PONEMON: The Town of Bethlehem.

MR. SECOR: That is correct.

MRS. PONEMON: And, do you know what their ratings are going to be?

MR. SECOR: We have a very high credit rating, we are only at about 7 percent of our debt service and selling bonds has never been a problem for the Town.

MRS. PONEMON: Thank you.

SUPERVISOR FULLER: Are there any other questions before we begin those in favor?

GENTLEMAN: Can I speak from here, I think everyone will hear me?

SUPERVISOR FULLER: We need to have you on the recording here so that all of this is part of the public hearing, for the record. If you want to go ahead.

MR. BURTIS: My name is David Burtis, I live in Delmar. I would like to read a little sentence from a letter from...

MRS. CAPONE: Ask a question.

MR. BURTIS: I will ask the question. I will ask a question. The... a sentence in a letter from the State Department of Health to the Department of Environmental Conservation. The State Department of Environmental Conservation says that an analysis performed by Dunn Geoscience -- which did the work -- indicates that the avenue of travel of the river water is vertically through the river bottom, down into the aquifer and then horizontally via the sand gravel formation for several yards. So, that raises in my mind the issue that suppose you have an oil spill, some kind of spill on the river that maybe we all know about or maybe there is a discharge by a plant that we don't know about, you have this water travelling an unknown

distance, varying distance through varying grades of filtration for several yards...

MRS. CAPONE: What is the question?

MR. BURTIS: And, how... what sort of knowledge would we have that there would be something that would be coming through that would impact us, maybe not this year, maybe next year, maybe 10 years down the road. Do you have the proper kind of testing, continuous monitoring to allow you to recognize things even if you are not aware that the discharge, that the pollutant has entered the river stream and is coming through the formation?

MR. SECOR: Yes, the water in the wells will be continuously monitored and that is shown on the contract plans. In addition to that, you have to understand, that the base flow of the river is about 9 billion gallons a day and so that the taking that we are looking at is infinitesimal amount compared to the base flow in the river. And, the taking is from the very large aquifer, not from the river directly. So, you have a number of barriers of protection but there is continuous monitoring of the ground water and one of the purposes of the 20 million gallon storage facility, up at the plant, if there is a power outage, a break in the line, if there is a reported spill in the river, we would shut down as a precautionary measure... we don't anticipate it would get into the aquifer but we are not about to risk anyone's health. We would shut down as a precautionary measure. The history of the spills in the river or any water shed, Route 32 runs through the Alcove, Route 20 runs through the Watervliet reservoir -- any water supply could be subject to a spill and in any case, you would shut down your intakes and wait to make sure things were cleaned up. It is just a matter of safety in consciously running the system.

MR. BURTIS: Does this monitoring include all of those items that Mr. Fraser referred to that he said meet the standards plus he referred to those that do not have standards. We are referring obviously to quite a long list of organics, compounds, and heavy metals, as well as, the bacteria.

MR. SECOR: Yes, obviously you can't continuously monitor 140 different chemicals. There are indicator chemicals that we would be monitoring and they are listed on the plans. I would be happy to go over that with you but they are continuously monitoring.

MR. BURTIS: So, you can't monitor all of these organics and heavy metals.

MR. SECOR: No, you cannot.

Applause.

MR. DEMBLING: Good evening, my name is Dan Dembling, I live in Glenmont on Manor Drive. This relates to this last question very pointedly, you talked about earlier what a gentleman mentioned something along the lines of some computer modeling done to find out if this aquifer actually drew directly down or horizontally. Now, if you can answer this as directly as possible. What would happen, if, something did go through and would... is it possible to do some type of computer analysis or speculation on what would happen if something was dumped there or what would happen? And, if that information has not been sought or looked at, why not.

MR. SECOR: No, it has been and that is why I say, there is continuous monitoring. There is monitoring at the plant and again, the water treatment plant is set up to purify and filter water. Most of the things you have talked about would be normally oxidized and settled out or be oxidized and boiled off in the process.

SUPERVISOR FULLER: Is the gentleman here that was standing in the back of the room, asking to speak.

MR. KACZYNSKI: Right here.

SUPERVISOR FULLER: Come ahead please, I have been looking for you.

MR. KACZYNSKI: I guess it's my turn. Good evening, I am John Kaczynski. I live at 36 Dumbarton Drive and I am associated with building banks. I will be doing the new Cohoes Savings down on Delaware Avenue with my equipment. My question is this, I know that you can run into some pretty damaging delays in building. Next year, according to someone's comment this evening that our agreement runs out next year with the City of Albany, has somebody been shaking hands or taking out to dinner someone down in Albany so that when our agreement runs out we do have the 2 million plus every day we need? Or, are we just kind of leaving it on the back burner. Because our own Vly reservoir would never handle it, right Bruce?

MR. SECOR: Yes. Again, the way that the water systems work, just as we had to apply for a water supply permit, the State of New York regulates water supplies. And, the whole idea of that is so that communities would have the confidence that the water would not be shut off. So, the water supply still resides with the State of New York.

MR. KACZYNSKI: We have protection.

MR. SECOR: That is correct.

MR. KACZYNSKI: Thank you.

MS. SHIRK: My name is Margaret Shirk. I live at 152 Hudson Avenue in Delmar. And, my question is one of governance. We can see tonight from the attendance at this meeting that this is a volatile issue, that most people are very concerned about. On most... on many days one can open the Spotlight and see that the Town is going to be constructing new soccer fields on the Town Park. My question is, why when the water contract from the City of Albany was cancelled and these plans began to be made, we could not open the Spotlight and read about this but we had to read the fine print in the paper during Christmas week.

SUPERVISOR FULLER: It was printed not only in the Times Union, it was stories in the Times Union and in the Spotlight for several weeks prior to, I can tell you that. The legal ad is what was printed in the Spotlight on Christmas day.

MS. SHIRK: Thank you.

MR. KALADJIAN: Greg Kaladjian, Huntersfield Road, Delmar. I just want to know how much money you are ready to spend on the project, against the 10 million dollars already allocated.

MR. SECOR: There is about 2 million, 2 1/2 million, I think. Because, we bid some of the work. The first contracts came in under estimate and then we did the water plant and a number of the contracts together and that's when we realized there was problems with the budget and we came to the Town Board and we started this process.

MR. KALADJIAN: So, it is 2 million already spent just on the engineering studies and things like that. Or 2 million dollars including all contractual obligations to date.

MR. SECOR: No, we built, we went through the initial testing and design but we actually built a portion of the full scale wells. Most of that money is invested in those wells which is a permanent well fixture. So, the wells are there. They are an asset to the Town and we test pumped those, put 250 million gallons through them so that we could verify results and get the chemists to give actual reports back to the Board. So, most of the investment is in permanent materials which are assets to the Town.

MR. O'SHEA: Good evening, my name is Brendan O'Shea. I live on Ridge Road in Slingerlands. I didn't know much about this whole project when I came here tonight and I just have a question. You mentioned or I believe the initial person mentioned that there were 5 possible solutions to the problem that were considered and then ultimately rejected. The 1 possible solution that I wanted to ask about was that of continuing negotiations with the City of Albany and

I just wanted to ask that this question -- since the City of Albany served a notice of cancellation in 1990, have there been any follow-up negotiations with Albany about continuing the source?

MR. SECOR: The answer is yes. There were a series of meetings before we got the cancellation notice and there were meetings after the cancellation notice.

MR. O'SHEA: What is the status of those negotiations now and is there a price tag on the water that Albany would sell to us?

MR. SECOR: Albany has never submitted or given us a written offer as far as what the price would be. They floated the idea of \$1.88 or \$2.00. I think their bulk rate right now is \$2.20.

MR. O'SHEA: Okay, thanks.

MS. ROYAL: My name is Frances Royal and I live on Tierney Drive in Delmar. And, my question is really to every member of the Board, because you are our representatives, wouldn't you feel more comfortable with your positions if this was put to a vote as the incinerator project was?

SUPERVISOR FULLER: Unfortunately, it is a legal requirement. This is not something subject to a vote of the public. It is not a rule that I made or the Town Board. This is the law.

COUNCILMAN PUTNEY: State law.

MS. ROYAL: Could I just comment on that. I understand that legally you have no obligation to hold a vote and even if there was a vote, you would not have to abide by the results of that vote. But, I think we are talking about something other than the law here. We are talking about how the people feel, whatever their decision is. Because, at this point, I have no idea what the outcome of the vote would be, for or against, I really don't. But, I think that we are all entitled to a vote.

Applause.

ATTORNEY KAPLOWITZ: Excuse me, maybe I can help. Mrs. Fuller is right, it is not a question though of obligation. We cannot hold a referendum. The law in the State of New York is that a referendum is permissible only when you find statutory authority for it.

MRS. BURTIS: Take a poll of the people.

ATTORNEY KAPLOWITZ: There is statutory authority for certain kinds of things such as pollution and the environment. But, there is nothing for this.

MS. ROYAL: This is not environmental, though.

ATTORNEY KAPLOWITZ: No, that would fit within the statute by any stretch. Fluoride is another issue. We asked years ago if we could have a referendum on the issue of fluoride. Many communities have, there are several opinions from the Attorney General and the Secretary of State's office saying absolutely not, in fact if you do it knowing its illegal, you 5 Town Board members may be responsible, personally, for the cost of doing it, if there is one unhappy person. I am just trying to make it clear, it is not something... if we went to the Attorney General or the Secretary of State where we occasionally go for advice, they have divisions for municipalities, the answer would be, it is clear, no you cannot hold a referendum because you are not allowed to spend the money. You were elected to make these decisions would be their answer.

MS. ROYAL: Just one other question, this is just a follow-up on that? How did the incinerator project differ from this?

Applause.

ATTORNEY KAPLOWITZ: Section 81 -- I think it is, I am not sure of the section number but I think it is 81 of the Town Law -- about a

page and a half of things that are allowed, that you can hold a referendum on.

MS. ROYAL: But to me, I mean, I don't know anything about this, but to me, air quality and water are the two...

ATTORNEY KAPLOWITZ: I don't have the section here but you would have to read it but I think you would find that it doesn't apply in this situation. If you read the section of law that has to do with 202-b projects, which this is, right afterwards you will find a couple annotations of opinions by the Comptroller's office saying a 202-b project when you are asking for additional money, such as we are tonight, is not subject to a permissive referendum. I would be glad to show it to you later if you want. But, it is there, we didn't make it. Only thing I can tell you is that legally, the Town would be wrong if they held a referendum.

MS. ROYAL: And, there is no way around this?

MR. KELLEHER: Bill Kelleher, 182 Roweland Avenue. I had a question concerning ozone treatment. Do you anticipate the Vly reservoir and the Alcove reservoir which have a good deal of natural organic material in it, do you anticipate that eventually they will be required to put in ozone treatment in order to reduce cancer?

MR. SECOR: I am going to let Jack handle that one if he can. Do you have any idea, Jack? There is a great debate going on in the waterworks association on that issue. They are looking at ozone as an alternative to use as a pre-treatment rather than adding chlorine at a point when all of the organics are coming in to the plant from the surface water.

MR. DRAUTZ: Okay, well, is currently being studied under the EPA's new information collection rule where they are looking at various disinfectants such as chloridoxide, chlorine chloramines and ozone. Ozone has been widely used in France since World War I because of their aversion to chlorine. But, we don't really know. There is going to be trade offs between chlorine or ozone because they all tend to produce some sort of by-product in water.

MR. KELLEHER: But, ozone wouldn't produce chlorinated hydrocarbons.

MR. DRAUTZ: That is true.

MR. KELLEHER: That are known cancer causing agents.

MR. DRAUTZ: Right but it does...

MR. KELLEHER: I thought EPA and the Public Health Service accepted that as a fact.

MR. DRAUTZ: Again, it is under study. They are going to test various size water supplies over the next 2 years. When they collect all that data they will make that decision and that will guide actually the policy probably of EPA concerning water treatment plants.

MR. KELLEHER: Well, the point I wanted to make is that if you use the ozone treatment and you do have some organic material in the water, your are going to get less cancer causing agents in that water than if you chlorinate the Alcove reservoir water because I know from personal experience that they have a lot of natural organic material in the Alcove reservoir. I don't know about Vly Creek reservoir.

MR. DRAUTZ: Okay, they may very well, I am not sure.

MR. KELLEHER: Thank you.

MS. STIPE: My name is Kathy Stipe and I live on Lincoln Avenue. I have a question. The company that is going to do the general construction, are they going to hire from the local trade union or is it going to be a closed shop and an out of state company that is going to do the construction?

MR. SECOR: The low bidder on the water purification plant is U.W. Marks out of Troy and the answer to your question is I don't know.

MR. FREEMAN: My name is Bob Freeman. I live on Dumbarton Drive. It seems based upon what we have heard that the water that we get now is excellent, that the water we would get under the proposed system would also be excellent. My question approaches the issue from a little bit different vantage point, and that is how reliable from your perspective is the Albany water supply system in terms of volume, as well as, the reliability of the infrastructure, if you will. Based upon what I have read, supposedly it is beyond its useful life. How sufficiently, I suppose, can we continue to rely on that?

MR. SECOR: One of the findings of the engineer's report in the study of alternatives, which Mr. Fraser presented, was that there was question about the long term reliability. The system was built in the 1930s, it is -- by their own admission -- 10 years beyond its service life. And, when we looked down the road and our needs increase, Albany's needs increase -- that is one of the reasons that we thought that in the long run, it was advisable to recommend to the Town Board that we build a new system for ourselves based upon this ground water supply.

MR. FREEMAN: Thank you.

MR. UMINA: My name is Anthony Umina. I live on Rural Place. The question I have is could a non-binding resolution be taken. I understand we couldn't have a public referendum that would be against the law but could the Town voters be tested in a straw poll?

ATTORNEY KAPLOWITZ: Sir, I don't really know the answer because I don't know of anyone ever attempting to do it. I would think it is possible but somebody would have to sit down and work out the details. The big problem is the expense and I think that is why the law is the way it is. It says you may not spend the money. Well, if you opened it up... if you opened up one polling place at Town Hall or something, the expense would be very little. If you try to open up 30, it could be... you know, if you use voting machines and everything else. Somebody would have to sit down and try to work something like that out. I don't know, it is not for me to say.

Audience comments yelled out.

MR. BURKHARD: My name is Bill Burkhard, I live at Brookview Avenue in Delmar. Am I correctly informed, Bruce, that assuming this plant is built as designed, that we will not under the caviats of the permit be allowed to disengage from the Albany system and if that is true, is there a cost associated by maintaining that contact?

MR. SECOR: The permit requires that the emergency interconnections be left in place. We have an emergency interconnection with Guilderland, we have 2 connections with Albany. The Health Department and just people in general are trying to get all of the municipal water systems interconnected as best they can. Those connections have already been constructed and, obviously, we have to mow the grass and paint the windows but in terms of real maintenance, there is not very big expense.

MR. BURKHARD: Thank you.

SUPERVISOR FULLER: Is there anyone who has a question? We will end the questions very shortly so we can begin the rest of the meeting.

MS. TERZIAN: My name is Pat Terzian. I live in Glenmont. I am brand new in Bethlehem and I am wondering if Mr. Kaplowitz is the Town Attorney.

SUPERVISOR FULLER: Yes, he is.

MS. TERZIAN: And, could he possibly get us and show the taxpayers a letter from the Attorney General's office saying that we cannot hold a public referendum and what other methods we could use, like this other gentleman suggested.

Applause.

And, publish that in the Spotlight for all the residents to read what the answer was from the Attorney General's office. Secondly, I came here concerned about water and like I say, I am very new in Bethlehem, I am going home extremely concerned about the fact that I live in the Town where a Town Board can feel free to spend 10 million dollars of taxpayers money and not give any answers.

Applause.

I am also extremely shocked, I am very dumbfounded that the voters haven't held you more accountable and that you have the nerve to sit here and ask for over costs of 3 million dollars with this long winded speech to me that is way over my head on a hot night. Overruns, no.

SUPERVISOR FULLER: Do you have a question?

MS. TERZIAN: My question is, there must be some way to hold all of you accountable other than waiting until election time and I would like the Attorney General to clarify that for the residents of this Town who have to pay that 13 million dollars.

Applause.

MR. JOHNSON: My name is Ron Johnson. I live on Old Ravena Road in Selkirk. I am a class 2 journeyman, mechanic, industrial maintenance mechanic for 26 years and I would like to know if there has been any consideration at all given to the industrial community of this area as to whether they would accept class c water and fund the major part of this project if they could get reduced water costs with class c water under a 2 water system rather than the Town bearing the full cost of this whole thing. And, you say that the industrial part is paying for it but they are paying for it too by buying class a water. Why not try to go to the industrial people and see if they would be willing to buy into this project.

MR. SECOR: We met with the industrial people and talked to them about a potable and non-potable system. And, as you can imagine, in any plant site, they have their own distribution system within the plant. It would be a matter of maintaining 2 separate water distribution systems within the plant site and the cost of that, the duplicity of the doubling of the water mains and everything would outweigh the savings that they might be able to get from a slightly reduced water cost. But, we did look into that but it is not an economically viable situation to try to maintain 2 separate types of water systems.

MR. JOHNSON: Well, I disagree with you because where I worked before, back in Buffalo, our plant did maintain 2 separate water systems and they did pay for it all because they got reduced water prices. This would have cost the plant...

SUPERVISOR FULLER: Excuse me, but this is not a question. This is a statement.

MRS. KNAUF: Well, when we have questions, you don't answer them.

SUPERVISOR FULLER: The purpose of a public hearing is for the Town Board to receive information from the community. The Town Board is not here to debate anything.

MR. LA GIUDICE: My name is Joseph LaGiudice, Marlboro Road, Albany. I understand that the system that we are contemplating is similar, if not the same, as the one they now have in Colonie. And, my concern is that it looks to me as if we, the taxpayers, of the County of Albany are going to end up footing another 5 million dollars to get glycol out of the water system in Colonie. How is their system different from our system and what kind of guarantee that we are not going to have the similar 5 million dollar bill in the future?

MR. SECOR: This system is not similar to Colonie. The Town of Colonie is a direct river intake and the reason that they are having the glycol in their intake is because they take water directly in from the river. This is a groundwater taking and we have tested it for glycol during periods -- during the winter when glycole was being used at the airport. The airport has spent a considerable amount of money to capture and process that water and it is not measurable either in the Hudson River or in any of the ground water. So, they have done a reasonable job in that the 50 parts per billion for each one of those, part of that is food additives but, you know, it is not measureable and we actually put in a supplemental report on the glycole where during that 250 million gallons of pumping, it is not a similar system. We are ground water taking, they are a direct water taking.

MR. LA GUIDICE: Thank you.

MS. LOLLI: My name is Lillie Lolli, Feura Bush Road. I have read many times in the Times Union that the former Mayor Whalen and now Mayor Jennings wanted to offer a fair price for the continuing of water in this community. My 7 grandchildren, how can you sit there, you look intelligent to me, and you want... you own houses, you still sell them... you still sell houses, Mr. Webster?

COUNCILMAN WEBSTER: I have never sold a house in my life.

MS. LOLLI: Do you want homogenized feces piped to your premises? Is that what you want?

SUPERVISOR FULLER: Is that your question?

MS. LOLLI: I don't want it for my grandchildren. I don't care about myself. I have had a stroke and my time is limited. But, I want my grandchildren and my children to have good, pure water.

Applause.

And, I want you to negotiate with Mayor Jennings. That is what he wants, at a fair price.

Applause.

SUPERVISOR FULLER: This will be the last question and then we will begin the meeting of those speaking in favor and those speaking in opposition.

MR. SHAEFFER: Actually I could start off with the statement. I have had a prepared statement for tonight. I can skip my question. Actually I can make it a 2 part. You have mentioned... I am Mike Shaeffer from Selkirk, for the record. You mentioned that we couldn't have a binding referendum because of State law, why can't we have a non-binding resolution or referendum to just... just to get the pulse of the community because I don't... I think there is just far too much dissidents here tonight to have 8 people here and special interest groups telling us what we have to have. This is not fair to the community.

My statement is I am a registered Republican, I am very concerned. I would like to build here in Bethlehem. I am very happy with the community but also very concerned that we have a proposal here to draw water from the Hudson River water shed and I think a lot of unsuspecting people in this community were too distracted with their day to day living, do not have the time of day to come down here and give their input. I am really disturbed that we are as cavalier and it is ridiculous to think that we can just stand by and let you push this down our throats. I think it is just ridiculous.

SUPERVISOR FULLER: I would now ask for those wishing to speak in favor of this proposal.

MRS. RAPPA: My name is Hermania Rappa. I live on 11 Rappa Drive, Selkirk. I came here to find out the water that GE sends down to the river -- will it affect our water that you are trying to build?

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MR. SECOR: The effluent from the GE plant is -- actually some of their effluent standards are more stringent than drinking water standards but the effluent from the GE plant goes down to the river is about 1/2 mile or so down stream from where we are.

MR. RAPP: I don't think it is too far.

MR. SECOR: That is correct.

MRS. RAPP: They go down through that water, through that pipe into the river. It comes out where the railroad used to have their water run. They used to send it up to the railroad there.

MR. SECOR: That is correct. And, they discharge to "a" standards and it is put into the river down stream from us. There is a tidal flow and that is one of the reasons we are into a ground water taking because of the barrier that is provided by the ground water.

MRS. RAPP: Well, I don't know. I thank you all.

SUPERVISOR FULLER: This is the very last question.

MS. LUDICK: I am concerned about a question that was asked before.

SUPERVISOR FULLER: Please identify yourself.

MS. LUDICK: My name is Amy Luda, East Fernbank, resident since 1972. Synthetic filters for water treatment build up a layer of crud, smutz, deca after a while and I am just concerned about this layer of buildup that is going to be accumulating on our natural filter and if there has been any check on how long it is going to take to build up, if it will have to be backwashed.

MR. SECOR: No. What you are looking at is such an enormous area of this, 1,000 foot long of our infiltration system, the ground water aquifer is a very, very large aquifer. The velocities we are dealing in are so small, one of the reasons we went to the Dunn Geoscience type people is to design a system where we wouldn't have that concern because whereas in the water purification plant, you have a filter and you run it so long and then you back wash it and then you run it again. This is a natural filtering thing. There is 60 years of experience in Green Island. There is 25 years of experience in Niskayuna. I mean... you just.. other than normal well maintenance, it has just proven not to be a problem.

MS. LUDICK: I also was recently on a tour of the GE Selkirk wastewater treatment and the person who took us on a tour, 1.5 million that they now discharge is going to be mixed with the 1.5 million that they are taking from the new system to go through their cogeneration plant. So, their waste water is going to be mixed with the new water that they are getting from this if that all goes through for their COGEN.

MR. SECOR: They are recycling. Yes, but it is mixed on site and there is backflow prevention.

MS. LUDICK: Right.

MR. SECOR: They are actually doing a recycling project there where they are using that in the cooling tower and then that is discharged in the discharge pipe.

MS. LUDICK: So, they don't really need drinking water quality to go through the COGEN plant.

MR. SECOR: In part of the plant they do and in part of the plant they do not. That is correct.

MS. LUDICK: Okay.

SUPERVISOR FULLER: We will now start enforcing the 5 minute rule. Those speaking in favor please come forward. Lynne. Please identify yourself, name and address. You will be limited up to 5 minutes.

MS. DEYSS: I won't need 5 minutes, thank you. Christine Deyss, Albin Road in Delmar. I would like to thank the Town Board and the community for this hearing first of all, it has been very informative. Admittedly, tedious at times, but it is a complicated issue and I appreciate it, thank you. I would like to go on record not only for myself, I think I am not the only member of the Town who has been very aware of this right along. I am sorry that there are so many who apparently were not aware of the plans for a water supply but many of us were. We appreciate the plans, support them and the additional cost -- which is the point of the hearing -- seems entirely reasonable thank you.

MR. RINGLER: My name is Ken Ringler. I live on Quincy Court in Glenmont and it is nice to be on this side of the table.

The purpose of the hearing tonight is to comment on the increase in the project bonding. I am in favor of the Town Board proceeding, unhappy with an increase, but I think that this increase and its impact have been adequately explained. Incidentally, if the price had been 13.7 million when the original approval took place, it still would have been the best and most cost effective alternative that we could have had. Although I don't think whether to proceed or not to proceed is the issue tonight, some have made this the issue and I feel compelled to once again comment on the merits of this project and respond to comments of certain groups opposed to the project. A recent letter in the Times Union this week from a representative of a group known as Clearwater for Bethlehem outlined their concerns on the approval process and decision. And, I am going to use that letter as a basis for my comments tonight.

First they state that this plan was a closely guarded secret because the Town Board was quote terrified of an uproar from the people. They imply that we put an official meeting notice in the Spotlight on Christmas day in order to avoid receiving the pulse of the people. That simply is not true. I wonder how many of the people here tonight read the official announcement of the meeting tonight. I doubt that they would know where to look for it. Government must rely on the media to get the word out as to what they are doing and in this case, the Times Union, the Spotlight, the News Herald have all done their job. I spent the other morning in the Spotlight archives and I spent today looking at Times Union articles and the Times Union did over 10 articles and the Spotlight did many more. But, the one that interested me most was December 18, 1991 right after the public hearing was set on page 3 and large letters -- Town to tap Hudson for water source. It further reads that the calls... the plan calls for raw water infiltration system to be drilled near the Hudson River. The system would recover naturally filtered river water and convey it to a nearby treatment plant located along Clapper Road. Let's put an end to this charge that we tried to hide something once and for all. I am proud of this project, proud of the decision and have been bragging about it since day 1. I truly resent the comment in the letter which states we took 6 weeks to make this decision and the only work the Town Board did was to raise their hands and vote for the proposal. Simply another untruth. The Town Board began working on this project as soon as we received notice in 1990 and again, this is well documented in the media. We explored all options thoroughly and spent many hours reviewing the voluminous reports provided by the consultants.

I did find some accurate statements in the letter, this issue certainly did heat up for the first time in the past November election. I always found that interesting. The leaders of Democratic party never spoke out against this project prior to the election season. In our political system, the party not in office usually monitors what is happening and at times will offer different views, they did not. The record indicates that one Democrat committeeman asked some questions at the hearing but never spoke against this project. Why was the November an issue, why was it an issue in November... in my opinion, simply they had no other issue and by creating false impressions about this project in the mind of the voters they felt they could affect an election and they almost succeeded.

Since that time, the Clearwater group has spent time... I am trying to speed this up for my 5 minutes here... since that time the Clearwater group has been studying this issue and have not been able to write any factual information to show that this project is unsafe. They have gone to the State and found that all agencies have found this to be a quality source of water but they still persist. This group has based their whole case on the fact that the Hudson River recharges the aquifer that we will be drilling into. They have held press conferences where they took a glass of water from the river and asked our residents if they wanted to drink it. This is great showmanship and very effective but once again is a total distortion of the facts.

So, is it Hudson River or not, there is no disagreement that this aquifer is recharged by the river but analysis shows that the water coming out of the ground has none of the characteristics of the water in that glass. Nature has purified this water and in my view, this water is no longer Hudson River water as we know it.

Applause.

MR. CORRIGAN: My name is Dennis Corrigan. I live at 9 Brightonwood Road in Glenmont, New York and I won't take the 5 minutes that I am entitled to. It seems to me, I am in favor of the project and it seems to me very clear that on the one hand we have the Town engineer, the Town engineering consultants, the Town technical geologists, we have the NYS Department of Health Bureau of Public Water Supply, the safe drinking water standards of the State of New York, the drinking water standards of the Environmental Protection Agency and the approval of the Department of Environmental Conservation. On the other hand, we have nothing in terms of technical facts. We have some innuendoes, some fear mongering and a very strong attitude of don't confuse me with the facts. Thank you.

MR. JOHNSON: My name is Robert C. Johnson. I live at 531 Wayne Place in Delmar. Mrs. Fuller, I would like to thank you, our present Town Board and our past administrators and Mr. Secor for having the courage and foresight to plan a modern water supply which will serve our Town now and in the future. I say this for the following reasons. I am not comfortable being held hostage by the Albany Water Board whose costs have been rising, won't guarantee a price and rate, and have an old, possibly, unreliable delivery system. From what I read, Green Island and Niskayuna are very happy with their water systems.

I am not an engineer or a water expert but I trust Mr. Secor, the regulators of the State Department of Health and the State Department of Environmental Conservation to assure our safety. I also have seen Mr. Secor in parades with children. I know most of the people on this Town Board. I know you are concerned for the youth and everybody in this community. I feel very comfortable that you would not do anything to hurt anybody in this community and I thank you very much.

MR. GEURTZE: I am John Geurtze.

GENTLEMAN: I think that people who have been here all night and I think that it is fair to have one person speak for and one against.

MRS. BURTIS: Yea. People are leaving, Sheila, and they are going to miss the...

SUPERVISOR FULLER: That cannot be done at the public hearing. We are going through as quick as we can and you have noticed most people are not using their 5 minutes.

MRS. BURTIS: Yes, but most people are starting to leave.

MR. GLAZER: Why can that not be done at a public hearing?

SUPERVISOR FULLER: This is a meeting of the Town Board, this is not a public debate. This is to benefit the Town Board. Everyone will have their opportunity to speak.

MR. GLAZER: But, we have been here... Pardon me, we...

AUDIENCE: We have been here all night.

SUPERVISOR FULLER: And, we have been here all night.

MR. GLAZER: We have been here 2 1/2 hours and the same people that you have invited in...

AUDIENCE: Sit down.

MR. GLAZER: ... to meet with you to share facts with have not been allowed to present their side. We have been here 2 1/2 hours, we haven't been allowed to talk about the expenses and the overruns.

SUPERVISOR FULLER: I am sorry, I have extended not one invitation. But, we have sat here for an hour of questions and everyone was entitled to ask those questions. Mr. Glazer, I am trying to run a meeting as fairly as I can.

MR. GLAZER: But, there are 2 sides to this issue and only 1 is being heard.

MRS. BURTIS: This is not fair. Sheila, this is not fair. Can you take a vote tonight. Can we just be the voice of the people?

AUDIENCE: No, sit down.

MR. GLAZER: No, I don't want the voice to be 54 hands.

MRS. BURTIS: Would it be fair...

MRS. KNAUF: Alternate the speakers.

MRS. BURTIS: Clapping hands, alternate the speakers, alternate, alternate. That would be the fair thing to do.

SUPERVISOR FULLER: I don't think there is any reason for a debate in the Town Hall. Mr. Geurtze, begin.

MR. GEURTZE: I am John Geurtze from 939 Route 9W in Selkirk. My concern is what do we do when the well goes dry. Many of you in this room, are as old or older than I am. Drove past the Alcove reservoir in the early 1960s and saw the church steeple from the Indian Fields village that was flooded because of the reservoir. Many of you young people don't remember that. We have to look at the future.

I was on the Water Board before the Town became a first class Town, when we put water in Selkirk, Glenmont, Corning Hill, Cedar Hill, and so on and many of you people are from that area. We had opposition at that time. They didn't want it. They didn't want the cost. They have got it. They love it.

I was on the Town Board for a number of years, also involved with water problems. Back in those dry years, I can remember it being a farmer going to the Hudson River and getting water for my live stock because in Glenmont, you didn't have water. We have to look at the year 2020, not 1994. I am in favor of the project.

MR. BIRD: My name is Richard Bird and I live in the Elm Estates area of Selkirk. And, I too am in favor of the proposal and all that you are doing and the hard work that you are doing. I would like to take exception to this pink flier that I think everybody in Town has received. There seems to be a lot of misleading information on it and I hope people can read through that and take exception to it and vote for this. Thank you very much.

MR. FRASER: I am Robert Fraser, I live at 64 Dumbarton Drive. I am a professional engineer and I have been part of the team that has developed this project. And, with my family, I have been a resident of Elsmere for 27 years here. I have been actively involved in water system engineering in Bethlehem and in other communities for over 30 years. I am proud to be a part of this team of dedicated engineers and public servants associated with this project. Albany's 5 year

cancellation notice in 1990 of its supplemental water supply agreement with the Town was a very alarming event. With only 5 years in which to find an optional and make operational a long term alternative supplemental supply, the results of the team effort have been absolutely brilliant. An examination of alternatives and a unique combination of circumstances with executive leadership and foresight gave the Town a financing opportunity which had never previously been available. An innovative engineering approach to water extraction from the Schermerhorn aquifer resulted in the proven reality of a plentiful supply of outstanding quality. Water which will meet long term needs of the Town far more reliably than the existing supplemental source.

This team has within its 5 year window of opportunity studied alternatives, selected alternatives, completed final engineering design for all construction contracts. Constructed and tested a third of the infiltration system taking bids on almost all of the construction and obtained all necessary regulatory permits for public water supply. The water quality will be equal to or better than our existing sources and with a brand new treatment facility, it will be far better able to meet future requirements than our existing sources. Giving the wonderful quality of this project and the enormous benefit of knowing that this can meet the long range needs of the Town's water system, it is thrilling in addition for me to be able to say that this is also the least cost alternative. This 13.9 million dollar project will result in an annual cost saving of over 1/2 million dollars for total project financing operation cost in the very first year of operation, compared with the purchase of the comparable volume of water from Albany. Over a 15 year period, the cost saving resulting from this project versus purchase from Albany, is estimated to be about 18 million dollars. This project will result in no increase cost to residents. These accomplishments are nothing short of brilliant. This project is a win-win situation and it should be a dreadful mistake, in my opinion, for long term good of the Town of Bethlehem, if the project were not completed as planned.

Thank you.

MR. NEWKIRK: My name is Ken Newkirk. I live at 331 Clapper Road. I just like to express my support in the water treatment plant. I think first we should recognize the Town engineers and their comprehensive and responsible design and their consideration of the alternatives. Secondly, I would like to say I think the water treatment plant will be an asset to the Town and a solution to the water supply needs of the future. Thank you.

Applause.

MR. OLMSTEAD: Hi, I am Michael Olmstead. I live at 439 Wellington Road in Delmar and I would also like to thank the Town Board and the engineers and the people who put time into this through the whole process. I am in support of this. The increase seems well worth it. I have spent a lot of time thinking about basically, I see it as 2 sides, the safety of the water and the economics of the project. Safety of the water first. I haven't seen any evidence, whatsoever, either from here or in some minor research that I have been able to find time to do myself that would show that there is any danger -- at least to the best of our scientific knowledge -- that there is any danger to this whatsoever. On the economic side, I have to look at what is going on in the City of Albany, as in many municipalities, and the deficits that are running and what is going to happen... has happened and will happen as far as looking for revenue and I have to say from an economic side, this definitely is a positive project. As far as -- I have lost my thought, thank you.

MR. REIDEL: My name is Alan Reidel from 24 Lincoln Avenue in Delmar. I just want to say that with the information I have in front of me from the State of New York Department of Health and the State of New York Department of Environmental Conservation, I can believe what they are stating. I am an engineer and I understand what they are saying and I am fully in support of this project. Thank you.

Applause.

MRS. BURTIS: He already gave a statement. He just gave a statement. He started off...

MR. CLEMENTE: I asked a question.

MRS. BURTIS: And then he said I will do my statement now. It is right in your minutes.

MR. CLEMENTE: My name is Brendan Clemente.

MRS. BURTIS: But, you are going twice. He gave his statement, Sheila.

SUPERVISOR FULLER: Do we have it for the record? Linda. Did he give a statement.

TOWN CLERK NEWKIRK: He asked a question. I don't know if he gave a statement.

MR. CLEMENTE: Are you afraid of what I might have to say?

MRS. BURTIS: No.

MR. CLEMENTE: Then I think you should have no problem with it, thank you.

MRS. BURTIS: Why should you go twice? Wait a minute.

MR. CLEMENTE: You have no fear of me do you?

Applause.

MRS. BURTIS: He already gave a statement.

MR. CLEMENTE: Do you have a fear of what I have to say?

MRS. BURTIS: He already gave his statement. We are all entitled to one.

SUPERVISOR FULLER: Linda, wait a minute.

Shouting from the audience.

SUPERVISOR FULLER: Wait a minute. They are limited to go up to 5 minutes. He did not use the 5 minutes.

MRS. BURTIS: How many minutes did he use?

MR. CLEMENTE: Are you afraid?

SUPERVISOR FULLER: No, he did not.

MRS. BURTIS: Who is afraid?

MR. CLEMENTE: I mean you are making such a fuss, what are you afraid of?

SUPERVISOR FULLER: The gentleman at the microphone, would you begin your statement please.

MR. CLEMENTE: My name is Brendon Clemente, again. I do live in the hamlet here in Delmar. Again, I praise the Town Board for this move. You are taking control of the situation and taking it out of the hands of another municipality who could at any time need money and put that burden upon us as taxpayers because we do have to buy the water if we do stay with it. And, again, I have been in the construction industry all of my life -- along with my brothers we own a local construction company -- and knowing what I know about aquifers they are way safer than any reservoir drawn opening off of water because, again, you are considering not being able to trap certain viruses and bacterias that have been known to kill people across the country and again this is why the EPA and Clean Water Act has brought these things to us and said, it is better to go to the aquifers or you have to go to these elaborate filtration plants that

cost millions of dollars, more than what we are spending now. And, I think this thing is something that the Town should really... the Town Board should really look at and say yes. It is something that we need and again, it is taking control of our future and not letting Albany run us.

Thank you.

MR. GOYER: My name is Maynard Goyer, better known as Red. I am very much in favor of the Town Board and what they are doing and with Mr. Secor and the engineers, I believe we don't want to be strangled by the City of Albany. And, I am very much in favor of this project.

Thank you. Applause.

MR. BOUTELLE: Lindsay Boutelle, 12 Brockley Drive. I want to go on record as being for the project. I do it on the basis of the facts that are heard here tonight.

MR. GROVES: I am Morris Groves of 4 Brockley Drive. Mrs. Fuller and Members of the Town Board. I am a 42 year resident here. I am a graduate, licensed Civil Engineer. Served 3 years over seas in the Army Corps. of Engineers in World War II. I have been involved with the design and construction of roads, bridges, water and sewer lines for 38 years and I am now retired. I am familiar with the well field to be located about a mile downstream from the Nicole Sill homestead, on a large meadow known as Schermerhorn Island extending down to the west bank of the Hudson River. This area is now under crops and farm cultivation. A similar method of obtaining drinking water has been used for years from an area on the south bank of the Mohawk River near Rotterdam in Schenectady County.

I feel that the Town's method of increasing and distributing our water supply from this source is justified from an engineering standpoint particularly for the future.

MR. WOEHRLER: Alexander J. Woehrle, 377 Wellington Road. I have been in Delmar since 1955. I support very much the project.

MR. HAHN: My name is Ken Hahn. I hail from the North Bethlehem community. As a result of good planning, 50, 60, 70 years ago by our Town fathers and Town Board, the North Bethlehem community some 15 years ago was able to join the rest of the metropolitan area in our fine public water system. When I started to hear loose talk about drinking Hudson water, I decided to take a look for myself -- I am not from Missouri -- but I like to go and have a look and see what it all looks like and when I drove down to the wells, I found the same thing that you would find today if you were there today, that the well head, the point of which the water would come out of the ground is more than 40 feet away from the river side. The rule of thumb that I have been brought up over the years is that if water passes through 10 feet of sand or fine gravel, nature takes care of filtering its own. And, perhaps that is the reason why the tests showed in this 40 foot or 4 times the space needed to filter it that it was safe and good enough to drink even before it moved to the filtration plant. This represents a double bonus for the Town of Bethlehem, the first being that we are going to wind up getting a long time water source given to the Town over a number of years by the industrial companies that will be using it, paid for by them and at the same time these same sizeable corporations paying huge sums of new taxation to the Town that will give opportunity for water to be spread out into other areas where they have been unable to have water up to this point and will plan for new growth.

The second benefit is the fact that we will not longer be held hostage to the Albany water system, where at their will they can charge us whatever they wish. They can turn off the valve every 5 years and we can go through this thing over and over every 5 year contract. I would like to leave with you just one thought and that is whatever you, the residents drink and me, the 4 of the 5 Town Board members are going to drink the very same thing and I can assure you there isn't one of them that is going to drink Hudson River water.

MR. BROWN: Cameron Brown, 348 Wellington Road. I am a professional engineer. I am a member of the American Waterworks Association and I lost a \$5. bet in the back of the room that I didn't think anybody would have the guts to try to pronounce cryptosporidium. Laughter. And, you said it 3 times but I am not going to pay \$5 per time.

I have also been advised to eschew obfuscation which was one of my long suits. Everything that has been said before me, I guess I can subscribe to with variations and rather than beat it to death, I subscribe to anything that my fellow professionals might have said with one possible exception. Being from this area way back and being intimately connected with the world of plumbing and pipes and water supply, I distrust Albany. It is a venerable system, the water comes through it goes in one end and sometimes comes out the other. I believe your professionals might have bent a little bit more on what the impact of the enhanced surface water treatment rule -- did I get it right -- is going to effect both Vly and Alcove. That is not a static situation it is bound to impact this new rule which is coming in. It is bound to impact costs. The well system, I think, is an absolutely marvelous thing. Is going to give us something that we can be assured of costs and we are not going to be at the mercy of other things and other rules from the Health Departments of either the Federal government or the State.

I thank you. Applause.

MR. JASINSKI: My name is Robert Jasinski. I am from Bender Lane. I want to thank the Board for their indulgence and patience tonight, number 1. Number 2, after 32 years of living in the Town of Bethlehem and going through 3 different locations, I am finally getting Town water, which I thank the Board for. I know and I do agree that this is a viable, good project and it should go forward. I looked at it from the point of view that you will get a quantity and quality of water at a fair price and you will be able to expand to people, like myself, in the future who have waited a number of years and have lived on wells and have gone dry. I have heard many people get up here and they speak against this and they are people that have had water constantly from where they moved from to this Town. They have moved on direct water lines and that seems to be their concern, is only for themselves. What about the people that you will be able to expand this water to that haven't had water in the Town of Bethlehem and that have lived here for 30 and 40 and 50 years. Thank you.

Applause.

MR. BAGDON: Good evening, I am Mark Bagdon. I am President of Bagdon Environmental Consulting firm on 3 Normanskill Boulevard. While not a resident of the Town, we drink the water every day... we drink and use the water every day. I think first of all that there has been a lot of concern tonight about the possibility of water contamination and that is well founded but it would seem to me that this project... any water supply source can be contaminated, so by diversifying your sources, I think it is an excellent strategy to be able to respond effectively should any one of your sources become contaminated in any way. It seems that the Town has proceeded very carefully in terms... and the engineers... in terms of the tests that have been done to indicate that this is, indeed, a good supply of water. Obviously, you can never have all the information that you might want at your disposal before deciding whether to move ahead with a project like this but you have to kind of take the scientific evidence before you and make your decision based on that. I think there has been a lot of emotional reaction about drinking Hudson River water but I think that really you have to look at the data that you have and move ahead. It seems like a good project to me.

Applause.

MRS. OLMSTEAD: Linda Olmstead, 439 Wellington Road. I would like to commend the Town Board for the actions that they have taken and their forward looking thinking. I am in full support of the project and want to be on record as such. Thanks. Applause.

MR. MC CRUM: My name is Bob McCrum, 37 Lyons Avenue, Delmar. Just wanted to say that I am in support of the project. Thank you. Applause.

MR. METHUSA: Good evening, my name is Parker Methusa, 16 Sutherland Court, Elsmere, NY. I would like to vote in favor of the proposed project proposed by the Board. I would like to argue the point that it is key for diversification of the water supply. I anticipate an amount of growth here in the Town of Bethlehem over the years and I think we should be in the position to be able to negotiate from a point of strength, in terms of securing our water supply for the future. Thank you. Applause.

MR. WAGNER: My name is Paul Wagner, Delmar, NY and I worked 20 years in the Water Department. I am glad to see that the Town is not going to be vulnerable and to stick to their own supply. I worked many years with J.K. Fraser Associates and Bruce Secor and I put my utmost confidence in them.

Applause.

MR. SMOLINSKY: John Smolinsky, Orchard Street in Slingerlands. I would like to say that as most people in this room, I see 2 issues -- the water quality issue and the cost issue or cost benefit issue. I think from a water quality point of view, as a career environmental professional, I think it has created a lot of emotional reaction but in fact, I think the risk is very low. We have water quality standards, we have professional designs and I think we are assured of high quality water supply regardless of where it might come from. On the cost issue, though, I would suggest to the Town Board that you look at your answers to this group tonight relative to your negotiations with Albany. And, I think that it is hard for anyone to conclude that a 13 million dollar project is more cost effective against something that you don't even know. Your last negotiation is your contract cancellation. I think you have to search your conscience that, in fact, this water supply which will meet the quality standards is the most cost effective supply against the best that you can negotiate. You have got to be better negotiators than what you have told this audience tonight. Thank you.

Applause.

MS. NEWKIRK: Hi, Kathy Newkirk and I live on Clapper Road. I have lived there since 1949 and for the first time in our living on Clapper Road in the Town of Bethlehem we will have a municipal water system. I have a well, it is sulphur and I appreciate the fact that we will have a system that will come through our area. Thank you.

Applause.

MR. DE FAZIO: Hi, Charles DeFazio, 35 Fairlawn Drive, Selkirk, Elm Estates. I have lived in the Town since 1972. I am a professional engineer and environmental engineer by trade and this water source is excellent. The State of New York Health Department and DEC do not rubber stamp approvals, I know that from fact. It is taken a lot of time, effort and investment by the Town to get these approvals and they are well deserved. This will be an excellent source of water at an economic price and I commend the Town Board for their action and the Commissioner of Public Works. Thank you.

Applause.

MR. DEYSS: Larry Deyss, 32 Albin Road, Delmar. Want to thank Mr. Secor and the engineers for the very fine presentation. I think it is a very solid presentation. I think the facts are well in place. I am more than comfortable with what I have heard this evening. I want to thank you, the Board, for your work and I would heartily encourage you to follow with the endorsement of this and see it through to its conclusion. And, thank you.

Applause.

MR. MATTERSON: I am Curt Matterson, 30 year resident on Kenwood Avenue. I would like to make 3 points, I am very disturbed that

anyone can make such claims that we have received in the mail to have such a concern about the water safety and be so lacking in accurate research and make such unsubstantiated claims. This project -- I have followed closely since it was first... hit the papers, this is 4 years. And, I think that throughout the period of time that 4 years has been a tremendous amount of concern for historical consideration of Town needs, careful evaluation of the project itself, continual testing and one of the things that kind of struck me -- I heard tonight several references to parts per billion and I don't know how many people are familiar with what a part per billion is -- when I was a little kid it was part per 100,000 and now we are talking parts per trillion. But, some chemical research companies have come up and made an indication that a part per billion is like taking a grain of salt and placing it in the Olympic pool at the Town park. And, our testing facilities can tell you the next day how much salt was put in there or whether it was sugar instead of salt or both. So, we have the testing capabilities that will go beyond that and when Bruce mentioned parts per billion, that comment kind of came through my mind. I think the Town Board, present and previous, should be congratulated for their foresight and prompt action, their research, their planning and the decision making in assuring our Town is responsible for its own welfare. Thank you.

Applause.

MR. DEMBLING: My name is Dan Dembling. I am a resident off and on for the last over 30 years. I grew up in this Town and I have moved back here to raise my family and when I heard about this and read it in the paper recently, because I wasn't aware -- I was very concerned, however, as a registered architect and very, very concerned about our built environment and what way we are using our land. I can tell you that the research that was done seems very thorough and we as a Town and a people should feel very fortunate that we have this opportunity because there are very many municipalities in this country that don't have this opportunity to use an aquifer like this for good clean drinking water. So, I applaud the effort on the Town Board and support the effort.

Applause.

MR. STRONG: Bill Strong from Van Wies Point. I will put my 5 minutes away and simply say this -- that if there is any value in the saying that the proof of the pudding is in the eating, I stand before you as one of 9... as a member of 9 families on Van Wies Point that has been drinking water from the Hudson River by an induced infiltration system for some 20 years and Medicaid hasn't complained yet.

Laughter and Applause.

SUPERVISOR FULLER: Is there anyone else who wishing to speak in favor? There were none. Linda, we will now begin the testimony of those in opposition.

MRS. BURTIS: I am Linda Ann Burtis. And, I have lived in Delmar with my family since 1981. And, I will tell you why... How can I get it down a little lower.

TOWN CLERK NEWKIRK: Pull the black piece down.

MRS. BURTIS: I will tell you why I became involved with this project. I didn't know until this past November that our water was going to be switched from the Alcove reservoir to the Hudson River and I was amazed and I thought well, I think I will look into this and also, I have written for 10 years, environmental articles for the Spotlight and I have written about air pollution and I have written about pesticides and I have written about transportation of hazardous materials. And, I was surprised how this could have happened so quietly without the furor and obvious controversy that is present tonight. So, I said well I will look into that process and the second thing that got me involved was in November at the League of Women Voters debate in this room, Sheila Fuller said that the water was not coming from the Hudson River and Matt Clyne who lost by 56 votes, said the water was coming from the Hudson River. So, I said,

well is that such an inexact science. Somebody has to be telling the half truth here, let's get to the bottom of this. So, I started a group called Clearwater for Bethlehem and we began to do the homework that I wish the Town Board had done. We found 2 key things as we talked with outside experts, as we talked with hydrogeologists, as we talked with people that Department of Environment Conservation who were overseeing this project. We said we found that this project had gotten through very, very quickly and quietly in the dead of winter. And, that is a strong charge to make and I am going to give you some dates that are going to support that and the second thing we learned is that the water is definitely coming from the Hudson River. The Town says this, the Town says the water is coming from an aquifer period and the sentence stops. The rest of the sentence reads the water is coming from an aquifer, that is recharged by the Hudson River 80 to 90 percent. Now, I want to give you 2 public examples of how the Town and the officials connected with this project have hidden the Hudson River piece under the rug. The first one was a few weeks ago, right here at the Town Board meeting, April 13th. Mr. Robert Fraser came and presented a 30 or 40 minute report just like the other Mr. Fraser did tonight with the graphs and the charts and so on, talked for 30 or 40 minutes. He didn't once use 2 key words, Hudson River. I stood up and I asked Mr. Fraser a question -- I said, Mr. Fraser, how much of the aquifer is recharged by the Hudson River? And, I thought he was going to say 30 percent, 40 percent, Mr. Fraser said to me that he didn't know. This was a few weeks ago, April 13, right here. We are paying Mr. Fraser's company off of our tax shoulders 1.7 million dollars. The connection to the Hudson River with this water project is fundamental. It goes to the heart of all of the feeling that is in this room. Everyone of us will leave this room tonight, go home, I hope and brush our teeth, wash our hands. We are going to use drinking water. This is a very important thing and to have that a few weeks ago not know that and also Mr. Secor, the Commissioner of Public Works, said he didn't know how much of the aquifer was recharged by the Hudson River. This was April 13, 1994, a few short weeks ago. This project supposedly has been so studied and so on the books. They are hiding the Hudson River connection of this project.

The second place publicly where it has been hidden. We also received the Bethlehem Report. This is hot off the press, the date on this is summer 1994. On the front page, this report talks about the water project, it leaves out.

SUPERVISOR FULLER: Linda, one minute left.

MRS. BURTIS: It leaves out 2 words, Hudson River. Why did the people feel this was slid by them because Christmas day was when the notice for the public hearing was put in the Spotlight. The reason we have public hearings is so that the voice of the people can be felt. You don't put a notice for a public hearing Christmas day in the Spotlight.

Applause.

And, I will end with my... not mine, Clearwater for Bethlehem... it has been raised many, many times by the people who have spoken to you, keep the water for the residents, the drinking water coming from the Alcove reservoir and give industry the water from the industrial source, from the new project. Industry should get the water from the new project. Vote no on the 3.2 million dollar proposal resolution that is before you and use that 10.7 million dollars, cut out the residential... the need to bring the water up to drinking water and I would like to...

SUPERVISOR FULLER: Time.

MRS. BURTIS: I know, I know. I am going to stop, I am done. There is a guest here from Albany, a guest here that I would like to offer the microphone to...he is from the Albany Water Board and I am sure you will all be interested in hearing what he has to say.

Applause.

MR. CONOLE: Supervisor and Mr. Kaplowitz I am asking for the privilege of the floor for 30 seconds.

AUDIENCE: No.
Yes.

SUPERVISOR FULLER: You can come to the microphone and speak like everybody else but please identify yourself for the record.

MR. CONOLE: I certainly will. Thank you very much, Madam Supervisor. My name is Tom Conole and I am very happy to be the Treasurer of the Albany Water Board. What I am going to say is very brief and that is it will speak directly to the question of negotiations. It is incontrovertible that both your predecessor and Madam Supervisor, I have spoken telephonically with both of you. We are almost like in a Shakespearean actor gotten on bended knee. Only thing I can say is, we are willing to negotiate. We are ready to negotiate. The Albany water is adjudged the best in the State by many sources. You can continue to have Albany water, ladies and gentlemen, all you have to do is convince your Town Board to reopen negotiations with the Albany City Water Board and the Mayor and we stand ready to do that at any time. Thank you Madam Supervisor.

Applause.

MS. HOULT: My name is Annette Hoult. I live on Woodlawn Terrace in Delmar.

SUPERVISOR FULLER: Your last name, please, I didn't hear you.

MS. HOULT: Hoult. I am in opposition. I am concerned about the cleanness of the water and the inconsistencies that I heard regarding the... such contradictions saying that there is only iron and magnesium... manganese, excuse me... no PCB's or bacteria and then said that the filtration plant will clean this up... clean up bacteria. That seems to be contradiction. Also, I forgot to mention that I have been familiar, I have been an employee of Dunn Geoscience and I am familiar with their underestimating budgets. Currently, right now, they are rust environment and infrastructure and this is basically because they have lost a lot of their clients due to overbilling, unsatisfaction with the work, things like that. So, I am familiar with projects. I have prepared reports to the NYS DEC and DOT, including wetlands permitting, things like that. So, I am familiar a little bit with what is going on and... they said that the increase is justified by inflation -- I want to know what the inflation is. Is it justifiable in extra services that they are requiring or... you know, what is inflation? That is what I would like to know. That is the end of my statement.

SUPERVISOR FULLER: Thank you.

Applause.

MR. LECAKES: My name is Nicholas Lecakes and I live at 19 Fairway Avenue in Delmar. I would like to start off with the fact that we cannot afford to make a mistake. The love canal which everybody is familiar with, they started building houses on land where houses never should have been. Later on they found that the little children living in that area suddenly came down with all kinds of malformities. We had another case right here, close to home, where Carl Touhey, I believe it was, built some houses over on a dump. And, evidently everybody said it was all right to do this. The authorities that he had to go to for the permits said, hey you can build this. So, he did. And, what happened, they had fires over there and they had to tear houses down and rebuild them on another location. Now, the Environmental Conservation -- it has been my experience that a truck turns over and a couple gallons of fuel oil falls out of the truck and they get all excited and they say hey this is a terrible thing this happened. This polluting, the ground is polluting the water, they come out and they build dams, they come out with these environmental specialists who make a good buck doing this and they dam up the stuff so the stuff doesn't get into the Hudson River. And, namely I am referring to gas spills out of New York State Thruway, to name one place in particular. Now, a few years

ago, we had a Governor who went down to Broome County and they had a sewage treatment plant down there and the man that was running it handed a glass to him of the water coming out of this plant that was supposedly treated. And, he said you can drink this water. The Governor looked at him and says no, not me. And, this is the same thing we are having here. We have all kinds of chemicals that are going into this river. We know that, we know that even today, they even talk about a farmer used to go out and spread manure to fertilize his fields. In a few years you won't even be able to do that. In fact, the President of this country was involved down with Tyson who spread chicken manure evidently and now this is a big item that they have. Why, if this is all true and if you can just take a couple feet of sand or yards and when you are talking about 1,000 yards, you are talking about million of gallons of water -- and we are saying that this 1,000 feet of sand is supposedly is going to purify this water. Well, I for one, do not want to drink water that comes out of the Hudson River. I don't care what you do to it, it is just like the same thing. Why don't we just build a sewage treatment plant then and take a glass or turn this water around and put it back into the system and drink it, if all these things are safe. And, when we find out... we find out 10 years down the line when our children come out and maybe my grandchildren and all of a sudden they got crippled legs, they got cancer, they got all kinds of things. And, if you don't believe this, you just read some of the articles on communities where these things have happened. And, all I can say is that you people that sit here on the Board you have a big decision to make because I for one would never want to drink water that comes out of that Hudson River and especially downstream you got a tank farm which is right there at Albany; you have sewage which is going into the river and we all know that the sewage treatment plants right now drive up along 787 and smell what comes out of that sewage treatment plant that they got up there. Thank you very much.

Applause.

MR. DAVIES: My name is Sherwood Davies, 13 Roweland Avenue. I attended the public hearing you held January 8, 1992 to consider this water system. I see 2 familiar faces that were there at that time. I would like to call to your attention that the reference was to drilled wells, that likewise appeared in the Spotlight, it did not refer to an infiltration gallery along the Hudson. I would also refer you to the application made by your engineer for DEC which specifically referred to an infiltration gallery, not an infiltration system. Your DEC permit refers to an infiltration gallery. The State Health Department refers to an infiltration gallery. Why don't we correctly use the term infiltration gallery.

I am opposed to the Town providing infiltration gallery water recharged from the Hudson River for any residential water use. I would request that the questions and comments* I sent to the Supervisor with a copy to the Town Board members on July 11, be made a part of the minutes of the public hearing. (*following the comments in favor and opposed at this meeting.) In addition to the water quality issue there are a number of fiscal concerns, specifically, Mr. Lenhardt asked the unit cost for production of water at this plant, a \$1.40. If we look at the production of water under the present plant, it's about \$2.00 per thousand gallons. The unit water costs are based on a questionable and unrealistic O and M projection of cost. No administrative costs are included, no fringe benefits for salaries for employees are included. The cost of producing water at the present plant is not considered. Comparable costs show the open end at the existing water plant Vly Creek and the wells -- about four times greater than the projection... projected costs for the new plant.

The interest and principal payments for bonding over 30 years that is now proposed will be 27.5 million dollars compared with the earlier projection of \$18.6 million. This is an 8.6 million dollar or 45 percent increase. The revenue from COGEN and the increase in industrial water rates falls something like \$300,000 short of needed annual revenue to support this project. Can the town legally renegotiate the long-term COGEN contract to reflect our \$8.6 million increase in amortization costs? If not, will taxpayers be holding the bag?

The Town Board should also request that the consultants and Town staff provide a detailed and comprehensive cost analysis of revenue and expenditures for the existing and the proposed facilities. The Board needs to carefully analyze unit water cost for residential, industrial and commercial users and make adjustments in our water property tax and water rents which at the present time seriously discriminates against the residential water users. Finally the four largest industries use about 33 percent of the water in Bethlehem and pay approximately 22 percent of the cost. I thank you.

Applause.

MRS. KNAUF: Alberta Knauf, McCombe Drive. I'm opposed to this water plant. I have been a resident for 33 years in Bethlehem and I have always trusted the Town Board to be in my best interests. However, I think, I don't think you did it intentionally, but I think you've erred, o.k.? I think you should rethink what you're trying to do.

The first time I became aware of this problem was in the election, ah, last year... around the election time and, ah, also I think Mr. Clyne was for a moratorium on building which I also thought was a good idea. Um, but, there is an editorial in Tuesday's paper, May 31st, that said don't change Bethlehem water. The Town is preparing a new system to help supply a cogeneration project. Now, I believe that that was probably the main intent in this, was to find some more water and make it more accessible too... whether it was this cogeneration project -- I don't know what that means.

Ah, however, it also says in the editorial that Albany officials indicate they are ready to keep the water flowing if the Town of Bethlehem would only show an interest. Well, apparently, they are interested because even a man was here tonight to tell you, he's interested. Now, if you have to take this 2 million dollars, that you have already spent that I didn't know about and call it and put it in -- what do you call that when somebody has a loan that they don't pay up or something you know -- put it in default, put it in bad loans and start over again. Because I know from experience that just because they say water is drinking water and that it's safe to drink, I don't doubt that for a minute, that it would be safe to drink, but what would it taste like. Rensselaer had Rensselaer water or Hudson River water, it was safe to drink. My mother-in-law had to buy water because you couldn't drink it. She could flush the toilet with it, but she couldn't drink it. One time by accident, ah, I had a soda in her house when they had this water, and she ran out of water... boughten water, excuse me, and -- I'm a little nervous. This is the first time in 33 years I have been to a Town Board meeting. So anyway, I think I am going to come more often.

SUPERVISOR FULLER: They are very exciting.

MRS. KNAUF: So, anyway, what I was going to say is the ice cubes in the drink started melting and I said what is in this soda and she said, oh, I forgot, I used Rensselaer water and that sums it up. Call it a bad debt, whatever they call that in accounting language and do it.

Applause.

MS. HERMANN: I am Jean Hermann, 11 Dumbarton Drive and I have to go on record that I wish you had gotten us involved long before this. A little bit of information every few months since 1990 or 89 when you got the warning. Um, I think we'd all feel better. The only thing I want to leave with you is the fact that right now and from now on, I guess I'll be wondering when and if we are going to have water from the Hudson River and if so I want you to know that I think it would be better if we could have two systems, even if they cost more, so that the industrial system could have the Hudson water... the Hudson River water and the residents could have the Alcove water. We like it, we'd hate to give it up. Thank you.

Applause.

MS. HAMERSLEY: My name is Rosmand Hooper Hamersley and I live at 430 Delaware Avenue. While it seems certain that this project will

be carried out, what I find more distressing and profoundly disturbing is the manner and style in which it will have been done. And, I think that the manner and style has been reflected here tonight -- a manner and style that is characterized by rigidity and insensitivity to people, that while there has been a strong adherence to Robert's Rules of Orders, there has been a lot of talk about passion and emotion, but we are all people here. Everybody has fears. Everybody has hopes. Everybody has desires, but there is a lot of uncertainty and when there is a simple request to do something like -- lets even it out, lets have a yay, lets have a nay -- what's the big deal to change something like that. There is a sense in which that the deck is stacked when people are bombarded with a whole lot of information and if our complaint in some senses we didn't get enough information early on -- well then it seems right that you should give it to us. But the room is hot. There is a lot of detail, people leave, people get an opportunity to speak. Those in favor speak, people get tired, people get frustrated. You don't hear all the voices.

I am also opposed to this project, but I am very saddened, as a resident of this community, that this meeting has been conducted as it is being conducted. Applause. It makes me feel -- I will preface this very last statement by saying I am not accusing the Town of corruption, but it makes me feel sad and depressed the way I feel when I come out of a movie like China Town and Serpico -- and I think that was a movie, I know that it exists, but its over. But this isn't over. Thank you.

Applause.

MR. GLAZER: My name is Joe Glazer. I live on Hudson Avenue in Delmar. I would like to start by stating that I am very distressed, that it is two hours and forty minutes into this session before those who have opposition and who have done research on this issue and have been invited in by the Town Board to meet with them, to discuss their numbers and discuss those issues have had to wait two hours and forty minutes to have that opportunity now. I think you have deprived yourself and this community of the opportunity to hear all the facts.

What I would like to talk about is some of the facts that have been missed. Many of them are facts that were discussed at the meeting at which this hearing was set and which Mr. Fraser got up and did a very similar explanation of what he did tonight but was challenged on much of that. Challenged on the fact, which many people who have already left, will not have the ability to know. But challenged on the fact that Fraser and Associates have never done a project like this before and that much of the cost overrun is because of the fact that they have been unable to predict in their process what it was going to take to get the necessary regulatory approval.

When you get to the 30 percent -- I'd like to do some of this in a lay-science, lay-mathematic sense -- help the people understand some of the numbers and charts that they have seen tonight. I can't do it all in five minutes, but I will do it as briefly as possible. I will quit at the end of five minutes.

Thirty percent of a cost overrun. Thirty percent is simple. If you are driving from Los Angeles to New York and you are off by 30 percent, you are in Jacksonville. That is a 30 percent error. That is what we have seen here.

Let's talk about the numbers. Let's talk about the difference between the \$10,700,000 and the \$13,900,000. That is the principle. That principle paid out over thirty years of bonded indebtedness will run us up a bill of \$27,000,000. What do we do to pay that \$27,000,000 if Selkirk COGEN can't sell all the electricity that these estimations are based upon.

What do we do with the property tax rate that may or may not change, may or may not be adjusted as time goes on which directly affects the cost of our water as well? The \$27,000,000 figure that we had to deal with as indebtedness to be paid for by the people of this Town at 1.6 dollars per thousand would supply water to the Town of

Bethlehem and the residential consumers for more than 15 years. That's without any additional costs added in, that's what we're putting into this plant.

What the people here also have not been informed of is the fact that those overruns are not the end of it. We've heard discussions tonight on the subject of this program... this project. What hasn't been included is the 1 1/2 to 2 million dollars we will have to spend for a storage facility to increase water pressure for the Elsmere-Delmar area. That's another project that is going to have to be done before this project is complete and it's not been included in what's presented here. We'll be coming back and doing this all over again. Hopefully, the next time it will be done in a better fashion. Hopefully, the next time that the people who are prepared to be heard and come forward have the opportunity to express themselves within the first three hours of this public hearing. Thank you very much.

Applause.

MR. KANSAS: Thanks for the opportunity to speak. I am opposed to this resolution. Ah, I think if you were talking about appropriating a couple hundred dollars for some fans for the auditorium, I would be supportive of that bit I am pretty sure that they are usually here though. Anyway.

I have been a resident of the Town of Bethlehem for about 25 years and, ah, I have been drinking the water from the Alcove Reservoir -- not that I ever knew it but, ah, for that whole time -- and, I came here tonight to learn, I came although originally opposed to the resolution, I did come with an open mind to try to absorb some of the technical information that was presented here tonight. And, ah, I've been involved and interested in this long enough to understand that I really believe in my heart when something sounds too good to be true it usually is and, ah, not that this particular resolution sounds too good to be true, but I think we're missing something. And, ah, let's see, I am not convinced given the information we've heard tonight and what we've read in the past several months that the cost effectiveness of this project is comparable or more cost effective than the potential that's out there for renegotiating with the City of Albany. With my discussions with some of the people in Albany, uh, it is my understanding, as well as, from the testimony of Mr. Canole that those negotiations have not been pursued to my satisfaction.

Anyway, up until recently, I have to admit that I have not been really well informed about this. I bear the responsibility for that. I bear the responsibility for not having read the newspaper on Christmas day, but I believe that you folks -- and I know you are well aware of this, you folks bear the responsibility for this decision. Uh, you're accountable to all these people for that, including myself, uh, and I understand in your deliberations you hire experts and you rely on what those experts tell you. But, I feel that you also need to consider, very carefully, the opinions of these people, including myself. And, I ask -- although I have to disagree with some of the comments that encourage you folks to have a referendum -- I have to say that's what you're elected for, you bear that responsibility. In this particular case, it's a pretty heavy one and, ah, you're accountable to us for that and I don't believe referendum is appropriate. That's your responsibility, that's what you get paid for.

SUPERVISOR FULLER: That is correct.

MR. KANSAS: I just have to ask that... you're elected to serve this Town, you're answerable to these people... I just ask that you listen to these comments carefully, you consider them in your deliberations carefully and serve the people you were elected by. Thank you.

Applause.

MS. ROYO: My name is Frances Royo and I live on Tierney Drive in Delmar and, ah, I moved here in 1975 and I thought I knew a lot of people in Town but they weren't here tonight. All of the people you

see at Magee Park and on the Soccer fields weren't here. And, we have no idea how they feel so even though this was a large turnout, I feel that there were many, many people who for one reason or another weren't here tonight. And, I think that it is very important to have a vote and even though Mr. Kaplowitz explained about the binding referendum, a poll as we had with the incinerator I think would be what we need and since we are thinking of spending millions of dollars whatever it would cost to have an election or to have a vote, would be minimal compared to the amount of money we are talking about spending. I did call DEC and I called the Department of Health and actually their answers to my specific questions helped to clarify my position on this. And, many of them said to me we are here to serve the people. Everyone in your community is invited to come down and speak to us to make an appointment -- and they were very helpful over the phone -- but that is an option that everyone does have, to go to the Health Department and speak to people there.

And, the other thing I want to add is that I feel that you all have the best of intentions and I think this comes down to whether you think technology can solve all of our problems. And, I think all of us have seen enough problems with technology to know that in many cases it not only doesn't solve the problem but creates enormous problems which I think might be the case here.

Applause.

MS. SCHRADER: Hi, my name is Sara Cheryl Schrader. I live on Elsmere Ave in Delmar. Um, I'm 15 years old right now and unlike some people who have spoken, I still will be around hopefully in 50 years so I'll probably be seeing and feeling whatever comes out of this resolution. Um, it frightens me that I may be drinking water that comes from the Hudson River. I understand that it comes from an aquifer and that right now when you did the tests, it came out that it would be fine for drinking water but it seems to me that there are many chemicals that are poured into the Hudson River and a man spoke earlier about PCB's that were buried up river in the Hudson River and that the water quality could change and maybe without warning... and once we buy into this resolution, it seems like there's no way out and that's kind of scary that we might be drinking this water that might be harmful to us. I haven't heard anything about any chemicals being poured into the Alcove Reservoir or about any PCB's buried under the water there and it just seems like we should stick with what we're sure about and what we know will be okay with our health for a long time.

Applause.

MS. S. BURTIS: My name is Sara Burtis and I live on Salisbury Road. I have been using Alcove Reservoir water practically since I was born and I've never had any problem with it and um, because we do have an adequate supply of very excellent water and I just think that since that's the case there should be no need to switch it. Thank you.

Applause.

MR. BERGAN: Mike Bergan. I live on Elsmere Avenue. I feel like I know all of you setting here this evening very well. My concern is not specifically with water but generally with your vision of government and how best to serve the people.

One of the issues that is at hand and needs attention is regionalization of governmental services. There is a lot of attention that is being given to that. One example that is easily understood is the critical area of solid waste. We are participating as a Town in that effort -- in regionalization of the answer to that problem. That problem is easily understood as a regionalization problem.

Not to long ago I was before this board and, frankly, I was talking directly to Mr. Webster but there was a 911 issue, there are five answering services so to speak in the county which is a duplication of five times more capacity than we need. If I'm not mistaken our Town spent \$300,000 to duplicate that capacity and that is an example of going in the wrong direction on the issue of regionalization.

The issue of water is another issue that we are going in the wrong direction on regionalization. We currently are regionalized with the City of Albany to supply water. There is plenty of capacity there. The population of the City of Albany has dropped in recent years, some of the large users of water in the City of Albany have gone away. Tobin Packing Company was present and a large user at the time the system was designed. It's no longer a demander and user of water. They have a tremendous supply beyond their actual needs. They are able to supply our needs and we are going to spend 13 million dollars to replicate that capacity for no good reason. I would ask you to reconsider your position on that and on other issues that come before this Board, consider the issue of regionalization and how we fit into the picture to better serve all the citizens of this area.

Applause.

MS. SHIRK: My name is Margaret Shirk. I live on Hudson Avenue. I have heard objections to this project labelled contrary to fact and emotional. And arguments in favor sustained by the rhetoric of scientific logic. But I think we need to remember that science is as interpretive as politics. We have heard a lot tonight from engineers and scientists about the natural ability of these aquifers to render Hudson River water nearly benign, naturally. What about the fact that that there is very little natural about the existing water in the Hudson River at this time. What is said here tonight by engineers, by science is an artful interpretation and we need to remember this. I resent political interests hiding behind the god of science.

Applause.

MS. LUDICK: My name is Amy Ludick, East Fernbank Ave. I'm just an engineering student but I recently took a course this spring on waste water treatment analysis and during the class we took a tour of a couple different facilities, one of which discharged into the Mohawk River which is class a drinking water. It was the sewage treatment, the Schenectady sewage treatment plant. So we followed the water going in and all the way out, it was really a horrible tour until you got to the end and the water really looked great at the end. One of the other ones was GE Selkirk, dumping into the Hudson which I don't... I understood that that was class c which means it's not okay for bodily contact. It sounds like that may be changing which I think is a good thing, and if it changes to class a and all the people who are discharging into the Hudson have to do the same things that the Schenectady wastewater treatment plant does, that would probably be okay. But the water... even though people at GE were great, they gave us a wonderful tour, the water at the end of that tour that was going into the Hudson was yellow and it smelled bad and I sure wouldn't want it running anywhere near land that I was farming or drinking. So, based on that... those two things and the class of the river, if it hasn't changed from class c, I am opposed.

Applause.

MS. MC COY: I am Liz McCoy and I live in Delmar and I just want it noted for the record that I have been here since about 7:00 tonight and there were about 500 people maybe even more here -- there are about 100 or 200 people and I think they should be commended for hanging in here on this topic which is crucial obviously to the future of our Town. We are all concerned about it and that's why we are here. Um, we have heard some people speak in favor of this proposal, um, I'm speaking against it, um, I have no objection to use of this water for industrial purposes. And, I wanted to make it clear to the Town Board that in the short space of the time that we have been here tonight, we estimate that we have collected approximately 500 signatures between yesterday and today in opposition to this and we will continue those efforts.

I also want to bring to the Town Board's attention an issue that because of my job commitments and my family commitments, I have not had an opportunity to pursue, but I will be, ah -- there was a recent notice in the Environmental News Bulletin with respect to the Albany County sewage treatment plant and the notice concerned a proposal by

DEC to allow the sewerage treatment plant to exceed -- as it has in the past -- its current permit standard for cadmium and as condition of the future issuance of the permit to continue to exceed the cadmium levels, to study the issue talk to the city of the cadmium... on the sources of cadmium -- and under those conditions they are going to allow the permit for the sewage treatment plant to be renewed. I think that's a very good and very relevant demonstration to those of us in the Town who have tremendous skepticism about insuring this quality of water, now and into the future, that DEC could, in fact, in this fashion lift its own standards for this purpose knowing -- because its the same DEC we're dealing with who issued the permit in this case that's reviewing the Albany County Sewer Plant project -- that we, in fact will be treating... we will be drinking the water if this proposal goes through.

I don't think that that's in the best interests of the Town and as I said, I will make it my issue on an unpaid volunteer status to go and meet with the representatives of DEC and to share that information. In the future, I would ask, however, that you raise that issue also. Thank you for your time and your attention.

Applause.

MR. O'SHEA: Hello again, Brendon O'Shea from Slingerlands. First of all, thanks to you and thanks everyone behind me, I came in here ignorant and I now feel like I have a grasp of things.

Turning first to the scientific issues, I feel that from what I have heard here tonight, that there really is a safe source in this aquifer. I think that the most that the folks who oppose the project have been able to say and maybe there's more that really needs to be said, but I didn't hear it tonight, was that the water comes from the river and that may or may not be true. Assuming that it is true, I read the papers. We all read the papers and there are plenty of communities along the Hudson River that have been drinking out of the river for years, and I will go with science on this one, if we must go with science.

My opposition though is on a different basis. I just don't think that its cost effective at this point and from what... the question that I asked and I think the question that some of the other folks asked, is that I get the feeling that the Town of Bethlehem could save money possibly by going back to Albany and saying guys, we're ready to pull the switch on this. Let's negotiate because I think that this Town has Albany possible where it wants it now and Albany may have needs and Albany may comes to us and give us a better deal. My thought then is that, the project while scientifically feasible and perhaps scientifically useful should be put off until negotiations with Albany can be totally worked out, taken to their nth degree and then and only then as a stop gap should this process, this project be voted in.

I also thought that the comment from the gentlemen who said he spoke for industry was very good and I thought that the comments from the people who said that there should be some kind of a dual system at least considered, were very good. I don't know the science or the plumbing or the technology behind that. But, those are my thoughts again, I think that the project is workable but it's too costly at this point and we should explore other options. Thank you very much.

Applause.

MR. JOHNSON: I am Ron Johnson from Selkirk, Old Ravena Road. And, some of the things that are presented, as far as, the aquifer and all that are true in that water from underground in a subterranean is much purer than surface, any surface type water. But, also I have had a lot of experience with using subterranean water and water systems in my experience of being a mechanic for 26 years. And, that this does... they say there is probably no possibility of this breaking down but I think that is kind of a fallacy for them to say on their part in that they haven't given us only the figures that you people have wanted us to hear and what they have wanted us to hear through you people. They haven't given us, I feel, is the other side

of the story, as far as, the figures go and the size of the aquifers for the other communities that are using this type of system and the length of time they have used it and how much water they are drawing from those aquifers at that time. You know, this is all in relation as to the breakdown of the aquifer eventually and this is something they can't predict and if you don't want to have... look at that kind of a view point, you can't get an answer for that need. But aquifers are a very good filtration type system, I don't deny that but they do have a very good tendency to break down and this is all dependent on how much of the aquifer is there; how much water is being drawn through the aquifer; the depth of the aquifer from the actual surface of the supply water; and these are not figures that have been presented to us. In this aquifer that we are looking at or in other community aquifers, as to their sizes, there gallonage of water that is being drawn through them every day and all this. I think we are in a very precarious position to say yes for this due to this fact and, I feel, as though the town of Albany has legitimate reasons for cutting us off or cancelling us on this water supply. And, I'll give you my own back of the mind thoughts as what is going on. Is... How is this all handled in the beginning, as far as, this COGEN, permits being given out allowing them to build such a plant without adequate water usage for them or adequate water supply to them.

It sounds to me like the Town went ahead and got the cart before the horse and then hoped later on they could get the horse in front of the cart by baffling the overall Town people. It sounds like the town of Albany kinda seen through this and says the heck with you. If you're going to try to pull this, we're not going to give you water. And this is what it really sounds like happened.

The Town Board here doesn't seem like they've been totally honest or even begin to try to be honest with the Town people. They tried to snowball it sounds like to me, that they tried to snowball the Town people all the way through on this project. And I think if you go back and would have really given a conscientious effort to view this, in a pro and con manner and let the Town actually come up with a representative to look at this in a probe manner also, instead of strictly being given all con things and you're trying to con us now, and I really think you really went about it in a very, very poor manner. I'm sorry and, as far as, the part about the industrial, I think that if the Town would have went to the industry and said that we could supply you with class c water, I think they would have been more than willing to take and save all that cost of water... class a water for their makeup water systems in their plants with class c water and a double system would have been highly feasible. And, I know most industries would even be willing to support a very large percentage of the cost for doing something like this. And, I can't even see why we can't even ship our waste treatment water down to them for class c water. We don't have to go through drilling big wells and that. We're shipping class c water out to the river that could be sent right back down to the industry for a minimal cost of what it will cost to drill into that aquifer and do all this scientific backlog work and all this. To me, you spent a lot of money in a way that didn't have to be and you really are trying to baffle the people. I'm opposed to this whole system.

Applause.

SUPERVISOR FULLER: Thank you

MR. GARDNER: Good evening, I am Joe Gardner and I live at 68 Carson Road in Delmar. First I'd like to compliment Mike Bergan for the most intelligent statement that was presented to you folks tonight about the need for looking to the future, the need for regionalization, considerations for water supply. It's a matter of foresight and I think we are standing in a good example of that situation. This building could very well... should have stayed as an elementary school rather than a Town Hall. That's just a little example of the need for foresight. Also, I would like to close with a little statement. I was hiking yesterday in the Catskills, Water Supply System for the City of New York and I was hiking with a fellow who is retired like I am, who lives in Waterford -- that's up by the Mohawk and the Hudson, just north of Albany. He doesn't drink the

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water, he said he does use it to make coffee but his wife does have cancer.

Applause.

MS. LOLLI: Lilly Lolli, Feura Bush Road. I would like to share with you a little story. I am a hostess at the Ramada Inn, Professional Women's Club, second Tuesday every month. Three ladies from Delmar were sitting there telling me -- one of them told me they called you, Sheila Fuller, and they were down at the aquifer where there was an animal control truck picking dead animals out of the aquifer and she looked at the truck to see if it was from Bethlehem, but she couldn't decide whether it was Bethlehem, Albany or where. But, they were slapping the dead animals on this heavy tarp and when they got to the dog that was completely, almost eaten away and they slapped that down, 500,000 maggots crawled out of it. And, I am...

SUPERVISOR FULLER: And this was somebody that called me?

MS. LOLLI: Didn't someone call you about it, she said she did.

SUPERVISOR FULLER: Well, I don't remember that story.

MS. LOLLI: You have never heard that story before?

SUPERVISOR FULLER: No. I think I would have remembered that one.

MS. LOLLI: She also mentioned at the same time that she was surprised Mr. Secor was conducting this session when several years ago he couldn't figure out what to do with the needles from diabetics. He told them to take them to your pharmacy. The pharmacy wouldn't take them, then take them to your family doctor, the family doctor wouldn't take the needles. I wonder if Bruce has figured it out yet. I am opposed to feces water. I don't want feces piped to any part of my house.

Applause.

MS. ECKEL: Well, I am not getting up here with any special scientific knowledge. My name is Jeanne Eckel, 59 Salisbury Road. This is... I am just strictly a worrier and I am here to tell you that I am still worried. And, you know, I used to eat eggs all the time and I loved eggs and finally I realized eggs are really bad for me and now I can't even look at an egg without feeling like this is going to poison me. So, you know, and the water has fish in it that we can't eat because the New York State Health Department tells us that we shouldn't eat fish, or not very many of them, out of the Hudson River or the St. Lawrence River or some of the Great Lakes and I spent a lot of time on Cape Vincent, New York in the summer and there is a water treatment facility there and we drink the water out of the St. Lawrence River and I only drink it for a few weeks a summer, but I am still worried because I am drinking the water that has the fish in it that I am not supposed to eat. And, I know that the water is clean today and the New York State Health Department can approve it and say yes its okay today, but is it okay if I drink it for 20 years and at the end of 20 years, am I the fish. That's what I'm worried about.

Applause.

MR. ALLEN: Hi, my name is Harry Allen from McCombe Drive. I am a little bit surprised here tonight with the attitude of the Town Board here in making statements that they are the ones that are going to make the decisions on this. I think that you should actually take the time to think this thing over and, in my opinion, I would rather see you go with the system that you are putting in down in the river down there to go along with the industrial section and leave the rest of the Town hooked up to the Albany water system here. Thank you.

Applause.

MR. JEHAN-PARWAR: My name is Behrus Jahan-Parwar. I live at 43 Carson Drive, Slingerlands. I am a physician and an Environmental Neotoxicologist. I have been studying the effects of Pcb's on

nervous system and behavior and I am concerned that you are considering to drink Hudson River water, because Hudson River is one of the most contaminated... pcb contaminated aqua system in the world. And, evidence from the literature and also from my own work suggest that PCB's in very low concentrations can alter brain functions, has in addition of being very potent carcinogens, they are also neotoxicants. And, I don't know... I am concerned because I am not sure whether they can really control the amount of PCB's that can go through this aquifer and contaminate the drinking water there. And, that's why I want to register my opposition to this plan.

Applause.

MR. BURKHARD: By the time I get here, you must know the end is in sight. Bill Burkhard, Brookview Avenue, Delmar. As opposed... as pertains to that portion of the program that deals with the economics of this project, I guess I would have to agree that it is going to be better to finance it this year than two or three years ago. And, we reluctantly give Bruce a pat on the back for that, but at the same time we would like to say it is more good luck than good management.

Like, I assume a few others in this room, I have been down to the river and visited the scene of the crime and I hear this figure of 2.4 million gallons that was pumped in the test condition. I guess it's from that little pipe down there with the cap on it that says test well, no?

MR. SECOR: No.

MR. BURKHARD: Well in any case, 2.4 million gallons -- if you divide that by what 6 million gallons of production rate, what is it 240 million, is that the figure you used. I figure that's about 40 days of production at any rate. Forty days of production for a facility that is going to last us 50 years and I kind of thought to myself, it's like the fall of the year when you think about the heating season and you go down in the cellar and you change your filters and how marvelously your system works when you got nice clean filters. And, how along toward the end of the season when its been sucking up all that particulate that's in the air, they don't work so well any more. And, for you to assure us that this natural filter is going to recognize the fact that it has absorbed its capacity and direct the water from the recharge medium into our collection system, this boggles my mind. I don't think that's going to happen. I think when the pressures get good enough, get high enough, that the contaminants that are in the filters are going to be pushed right into the collection system and it will be up to the system to deal with them if that's possible.

Liz McCoy just mentioned to you in passing that there is a quantity of cadmium that is being discharged from the Albany County Sewer District. I didn't hear our chemist say that he is looking for cadmium. He's looking for lead, he's looking for mercury, but he's not looking for cadmium. It is my understanding further that this \$600,000,000 ozone generator that's going to be a substantial part of the cost overruns -- \$600,000 will deal very effectively with organics but it won't do a thing for heavy metals. What do we propose to do in that regard?

So, I think there are enough holes in the playing board here that the bases are not all covered. But, in my opinion, the most obvious failing on the part of the Town Board was the failure to get a price from the City of Albany. You had a figure last fall, you had a figure last month, you had a figure tonight -- about how much money could be saved and yet you tell us that Albany has never given you their price. And, it kind of reminds me of the new car that we just bought. We went out and we agreed that, yea, that was the car, we would like to buy that and the salesman stands there with his arms folded across his chest and doesn't say a word. Well, how much do you want for that car. Well, we talk around and around but the salesman doesn't give me a price and he ultimately maneuvered us into the point where we quoted our own price, fools that we were. And, maybe that's the problem here, maybe Albany's waiting for you to come and make an offer but in any case -- smile, listen, I think it's a humorous topic -- that we can be talking about 16 million dollars...

SUPERVISOR FULLER: Mr. Ferraro was here in my office in January. He was not here to negotiate. Mr. Ferraro was here.

MR. BURKHARD: Well, we had Mr. Canole here tonight...

SUPERVISOR FULLER: Mr. Canole called about six weeks ago and this is the second time I heard from Mr. Canole.

MR. BURKHARD: And...

SUPERVISOR FULLER: He asked us to call and negotiate.

MR. BURKHARD: Ah, okay. Well, as I said last fall and as I said last month and I'll say again tonight, I am opposed to the project as it is currently constituted and I think you should take advantage of Mr. Canole's offer before it's too late. Thank you

Applause.

MR. BURTIS: My name is David Burtis from Delmar. I'm opposed to the 3.2... spending of \$3.2 million extra. I was here earlier this year to a Board meeting... listening to the Board meeting and my recollection is that Members of the Board expressed the belief that very few people had evidence to any opposition to this project -- that they weren't aware if there was more than just two or three who were being vocal in opposition and clearly there are more people who are worried about it. I think the Town was very quiet about this and could have instead been very clear, very early in the game that one of the plans was to use an aquifer in which the water would come from the Hudson River. Um, clearly a lot of people are worried about the issue of the Hudson River. Everybody has their own reasons. One you heard tonight was the issue of technology. You putting a lot of trust in technology to prevent any problems. Love Canal, for instance is an extreme example, uh, and that's unlikely to occur, but who knows what's going to happen over the 20 to 30 to 40 years that you expect this system to function -- if not for a hundred years. So you're taking a chance when you switch from the Alcove water to filtered Hudson River water.

The other point I'd make about people being worried, you heard the expression here, by Jean Eckel, that's she's worried, she is not the only one. A lot of people are worried and that's why you got such a turnout with so little effort on our part. All it took was a mailing. Other people are worried too, people -- and now that people are beginning to know who I am, have come up to me and said well, um, and this is, um, straight to me -- a fact that they said I was considering looking at a house in Delmar in Bethlehem and now, um, I don't think I'm going to do that. People are less willing to consider coming into this Town and purchasing a house. So, when it's time for me to sell a house, I have fewer potential buyers. Maybe I'm lucky and maybe I'm not lucky, who knows. But on an average, the price of a house goes down, relative to what it would be otherwise. You're going to drive down relative to what it would be otherwise, the property value of people's homes when you switch from the Alcove to the Hudson River.

That's bad enough, of course, the Town has a tax rate on our property and I am sure you don't want to see your income go down so that forces you, in essence, to raise the tax rates. So, everybody here pays a higher tax on a lower base. So, I think those are two points that you might consider and I hope maybe you would consider this issue rather than continuing to -- as recently as that publication came out just a couple of months ago, or a month ago, made no mention of the issue that this water is, in fact, coming from the Hudson River. Thank you.

Applause.

MR. KNAUF: My name is Bob Knauf from Delmar. Most of my remarks have already been made tonight, except for one. I remember Rensselaer water and the taste was deplorable. So, I oppose this Hudson River water.

MR. JOHNSON: I don't know if I can make another statement or not.
Ron Johnson from Old Ravena Road.

SUPERVISOR FULLER: If you would wait just one minute. Is there anyone else who has not spoken at this time that would like too?
Lynda.

MS. BURTIS: Um...

SUPERVISOR FULLER: Well, you were pointing, I didn't know if there was anyone else.

MS. BURTIS: Oh, no, I'll speak at the end if I could have a minute or two.

SUPERVISOR FULLER: Okay.

MR. JOHNSON: I just want to make a comment that, this aquifer that you are referring to has been laying dormant for some period of time and to be able to draw up a small amount of water that you have drawn off, you probably barely touched the aquifer, as far as, the volume of water that is available there. For testing purposes, I think your tests are very insignificant in that it was not in the amount of water that was drawn off. I know you people are probably telling us that you are all the experts and everything else, but, I have seen... over my period of time, I've seen a lot of this water contaminated that has been drawn off from one subterranean supply that has turned bad after a long period of usage. And, I can truthfully say that with the sand here in this area, that that aquifer could break down very quickly.

And, that's all I'm going to say about that object or part of the thing. But, as far as, the overall treatment of the water, the chemicals you use in the water and that -- where I lived in Buffalo, we were getting water off Lake Erie which entered the Niagara River. We had to have a large pickup out there in the quite... about a mile out into the lake and the water needed to be treated quite heavily and they said it was drinkable water which it was, it was drinkable, it tested okay and everything. But, yet all the chemicals that they used in the water were very strong. The water as they said -- these people from Rensselaer stated that the water had a strong taste, did not taste good.

And I, myself, it don't pertain to this, but I am a fish fancier. I have a lot of fresh water fish and when we were in Buffalo, the water had to be thoroughly treated before you could put it into the fish tank. I had to airtiate it and I had to dechlorinate it and I always had to have a supply of water on hand so I could change my water in the fish tanks. Since I've been out here and getting the water from the system that we have now, I can put that water right into my fish tanks, right from the tap, without any ill effect on the fish whatsoever. That doesn't stress the fish or anything and this is drinkable water, yes, but how much chemicals is it going to cost us to treat this water down the line if this aquifer starts to break down. As I say, this thing has been setting dormant and we can probably draw on it for quite a few years before it does start to break down. But, it's a known fact that it will eventually start to break down and we will get more and more treatment being needed for the water for the cost of the treatment. And, I don't want to get into the situation where these people with the Rensselaer water -- the way they talked, I sure wouldn't want to put my fish in their water, cause I know I'd have dead fish the next day and maybe the same day. Thank you.

Applause.

SUPERVISOR FULLER: Thank you.

MS. BURTIS: I just wanted to say a couple of rap up thoughts that I had. First, I think there is an obviously amazing commitment of the people who have stayed here on this hot night and have lasted this long under difficult circumstances. I think the people should be applauded and I think its a message to the Town Board -- how

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important and near and dear to our heart, the issue of clean drinking water is.

Um, the bottom line on this is that right now we have a high quality source of water. Our own source of water from Vly Creek and the two wells and the backup supply from the Alcove Reservoir. The Alcove Reservoir issue is what is driving this small portion, about 500 thousand gallons a day. So, we're going from, if you were to go ahead and approve this project, from a high quality source of water to a polluted source of water and to make that polluted source of water safe, you have to spend millions and millions of dollars that's a tax burden for us. I think that's the bottom line for this that really needs to be thought out. I think that it's really sad that this discussion is happening after the Town has spent \$2.2 million dollars. This is water, this is drinking water, okay, we're not talking about the porch that my husband and I put on the back of our house a couple of years ago. We had to go through weeks and weeks of the Town Board zoning variances and so on. This affects the 28,000 new born babies, children, teenagers, young adults, middle aged adults, and elders who live in this community. Top to bottom, we are touched by water and drinking water every single day. So a hearing like this, it was wrong that this wasn't held early in the game.

Applause.

SUPERVISOR FULLER: It was held, Linda

MS. BURTIS: Yea, the public hearing was held, Sheila's right, the notice for the hearing went in the paper Christmas day, 1991. (Applause) Seventy-five people came. I think that the point of a public hearing is to seek the pulse of the people. I don't think putting a notice in the paper Christmas day is an effort to seek the pulse of the people. It at least gives the appearance of trying not to get the people there. If not actually trying to do that.

And, I am disappointed. I have talked for many hours to Supervisor Fuller, and to Mrs. Davis and um, recently to George Lenhardt, that nobody on the board has come forward and said you can make one point Clearwater for Bethlehem, we blew it, we shouldn't have put that notice in Christmas day. This Board is cement, you have just stayed together and what I have said and what Clearwater has said has fallen on deaf ears and that is disappointing.

SUPERVISOR FULLER: Linda, we are not the ones that put in the legal ad. We are not the ones that place the legal ad.

MS. BURTIS: Where does the buck stop, Sheila?

GENTLEMEN IN AUDIENCE: Yes, really.

MS. BURTIS: Okay. I want to clarify something that keeps coming up -- this cancellation letter, the famous cancellation letter of August, 1990 that's driving this project. The Town is telling part of the story. We started to buy water from Albany as our backup water in 1980. We bought water from Albany from 1980-1990. We saved millions of dollars doing it that way. We didn't need another system and guess what? Albany treated us so well that in ten years they never raised their rate once -- 1980-1990. What product can you buy, we bought water in 1980 and we paid \$1.33 per thousand gallons. When we were buying water in 1990, the price of that water was \$1.33 per thousand gallons. In 1990 -- a \$1.33 per thousand gallons. Okay, if I'm wrong -- I have a source from the Albany Water Board, a man from the Albany Water Board told me that, okay. So, I would like that to be checked out if I'm wrong. The point is that Albany sent... what Albany wanted to do was renegotiate the rates with Bethlehem. The law requires that before you renegotiate the rates you cancel the existing policy.

ATTORNEY KAPLOWITZ: What law? Linda, there is no such law that requires you to cancel a contract.

MS. BURTIS: Probably the same law that didn't allow us to speak until the end of this meeting.

ATTORNEY KAPLOWITZ: Well, okay.

MS. BURTIS: But anyway, Albany was trying to renegotiate the rates.

SUPERVISOR FULLER: Linda, I do think you started speaking at 10:00 with questions which began and there were many a question that were answered, so I really take exception to the fact that no one was allowed to speak. There were many questions asked. That was the only reason it got later.

MS. BURTIS: Okay, all right, I won't argue with you about that. The Town is not telling you the full story about the cancellation letter. Albany is willing to purchase water from us. They have publicly said so. The Commissioner and the Chairman of the Albany Water Board have publicly stated many times they are eager to sell us water, it's a buyers market. We are in a very strong position. We should renegotiate a good rate. Lock us into a good rate.

The issue of Albany being the enemy and the Town of Bethlehem being hostage -- here's a simple solution, don't go and spend 13.9 million dollars, get a resident from the Town of Bethlehem and put them on the Albany Water Board and have your voice represented.

I was going down Delaware Avenue, across from the Grand Union two days ago and I noticed on the CDTA sign, Capital District Transportation Authority, there's a line right under that sign, it says, CDTA in cooperation with the Town of Bethlehem and the City of Albany.

I urge you to keep our drinking water coming from the Alcove Reservoir and use this new system for industry alone.

Applause.

SUPERVISOR FULLER: I thank you all for being here this evening. I know this was not the easiest evening. We all had things that we would rather be doing, I am sure, on a summer evening, but unfortunately, this was the night for the public hearing. I appreciate all of you staying here.

You do understand that this is the decision of the Town Board, we will be making the decision probably in the next couple of weeks. Our next Board meeting is July 27. We have received letters, phone calls and people have stopped by my office voicing their opinion for or against. I appreciate...

GENTLEMAN: Are they mostly for or mostly against.

SUPERVISOR FULLER: And, by the way the letter are filed within the minutes for tonight's meeting. I can tell you of the phone calls that came directly to the Supervisor's office, there were 4 opposed, 2 were in favor. Office visits, 2 in favor, 2 in opposed. Letters, 4 opposed, 4 in favor and they will become part of the record.

The following letters were submitted:

13 Roweland Avenue
Delmar, New York 12054-3037
July 11, 1994

Sheila Fuller, Supervisor
Town of Bethlehem
445 Delaware Avenue
Delmar, New York 12054

Dear Sheila:

Per our recent discussion, I am attaching comments/questions relating to the proposed water system and would ask that they be included as a part of the record of the scheduled 7/13/94 public hearing.

My concerns relate to the additional funding needed to continue this project and the incomplete misleading and unanswered questions

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relating to water quality and costs. (Please refer to my letter to you dated June 17, 1994).

The proposed method of financing will increase the total costs from \$18.9 million to \$27.5 million. What does this 45% increase of \$8.6 million actually cost the taxpayers versus the industry for which the plant is being built?

I would urge that the project be abandoned as a source of water for domestic consumption by our consumers and that the residential needs, if any, be met by purchase of water from the Albany County Water Board.

With best regards--

Sincerely,
/s/Sherwood Davies

c.c. K. A. Newkirk, Town Clerk
Town board Members

- - -
THE 7/13/94 PUBLIC HEARING
TO BE HELD BY THE BETHLEHEM TOWN BOARD
WILL CONSIDER INCREASES IN BONDED INDEBTEDNESS
FORM \$10.7 MILLION TO \$13.9 MILLION
FOR CONSTRUCTION OF A NEW WATER SYSTEM

Questions by Sherwood Davies

A legal notice in the SPOTLIGHT dated June 22, 1994 announced that the Bethlehem Town Board would conduct a public hearing on 7/13/94 to consider increasing the bonded indebtedness from \$10.7 million to \$13.9 million. The notice referenced prior maps, reports and plans and an June 20, 1994 amendment.

The following questions relate to the above referenced materials and the Selkirk/Cogen agreement to purchase Bethlehem water.

WATER QUALITY

1. Chemicals and pesticides, including PCB's, DDE, Endosulfan, Bis-phenol A, that are know to mimic estrogen, are being released into America's waterways. Scientists believe these hormone-like chemicals cause breast cancer, infertility and fetal developmental problems. In order to remove trace amounts of hundreds of organic chemicals, Cincinnati, Ohio plant to use Granular Carbon Technology, widely used in Europe. Deep beds of carbon granules will trap contaminates such as gasoline and pesticides. Gasoline and pesticides resist conventional filtration systems and are not filtered by sand. Has the Town's Consultant considered this technology? If not, why not? What would be additional cost to provide a greater degree of protection for residential water users?
2. The new water system provides for 6 days of raw water storage in the event of a spill in the Hudson river. What are the potential sources of pollution and at what concentration would the raw water quality be impacted? How would the contaminant be detected? What is the criteria for using the water?
3. The Full Environmental Assessment Form completed by town Engineer Secor and Consulting Engineer Fraser on 12/10/91 indicates that the average water flow in the Hudson river at the site of the Bethlehem infiltration system is 8700 mgd. The release of a contaminate at the rate of 9 gpd would result in a Hudson River concentration of 1 ppb at Bethlehem's new source of water. A release of less than 450 gallons would result in a concentration of 50 ppb. A June 2, 1994 Times Union article on relocation of Latham's water intake indicates that the propylene glycol standard for drinking water is 50 ppb and that propylene glycol is released by the barrelful each winter at the Albany airport. Has Bethlehem's Consulting Engineer evaluated the releases from the Albany airport and projected concentrations in the Hudson River?

4. Did Selkirk-Cogen prefer the chemical characteristics of the Alcove Reservoir or Hudson river water compared to Bethlehem's Vly Creek and well water sources? Was this a consideration in selecting the Hudson river infiltration gallery as the source of water?

5. The Consulting Engineer reported the results of a sample collected from the infiltration system on 9/27/93 which was analyzed for Volatile Organic Chemicals (VOC), Synthetic Organic Chemicals (SOC), and metals and inorganics. Have other samples been collected and analyzed for VOC, SOC and metals and inorganics? Can one conclude that one sample or a few samples over a short time frame reflects the Hudson river water quality over the next decade?

6. The state of New York has classified surface waters for best usage i.e. "A" - potable water use, "B" - Barking/Swimming, "C" - fishing and "D" - other uses. Surface waters including portions of the Mohawk and Susquehanna Rivers providing recharge for potable water sources are classified as "A". The Hudson River at Bethlehem's new raw water source is class "C". Will the Town Board request the State of New York consider reclassification of the Hudson River?

ALTERNATIVES

7. Paragraph 11 of the Cogen-Bethlehem agreement provides that in the event of termination of the contract, the Town agreed that Cogen could make any arrangements to procure an alternate supply of water including entering into an agreement with the Albany Water Board. Has the Town Administration discussed the possible termination of this agreement or any other alternative that Cogen might consider?

8. Under paragraph 10 (b) of the Cogen-Bethlehem agreement, Bethlehem has an obligation to obtain financing sufficient to construct the system and shall have commenced construction of the system by a certain date. Has the Town Administration discussed with Cogen management, the need to increase the bonded indebtedness by 30%. Have any commitments been made by the officials of the Town of Bethlehem to Cogen or others that the amount of bonded indebtedness will be authorized?

9. The \$10.7 million bond issue provided no money for land acquisition and the associated engineering and legal expenses for the new water system. How much money has been spent to date or obligated that has not been included in the bond issue? What is the source of funding for these added expenses? Did the Town of Bethlehem include these costs in the negotiated rate for sale of water to Cogen?

10. The 1991 Consulting Engineers estimate of the Water Treatment Plant costs did not include a "Plant Laboratory". Will this laboratory require additional personnel? If so, what will be the additional labor costs including fringe benefits? What is the purpose of maintaining laboratory services at the Vly Creek plant and the new plant? Will the new plant laboratory provide routine and continuous analysis for the organic chemicals? If not, what is the lag time between collection of a sample and detection of toxic chemicals?

11. The Nov. 1991 Engineering report on Bethlehem's new supply states "with the removal of the pumped Albany interconnection at Kenwood Avenue, it will be increasingly difficult to sustain pressure stability in this region of the system because of its remoteness from either source." The report recommends that immediate steps be taken to plan for additional storage in the Kenwood Avenue area. With the removal of the Albany service interconnection, will Delmar-Elsmere residents face low water pressure? Will fire flows be impacted? How much will the additional elevated water storage tanks cost? Did the Town Board consider including the funding for this multi-million dollar project in the water bond issue? If not, why not?

12. At the 1/8/92 public hearing held by the Town Board to consider a \$10.7 million bond issue to construct the new water facility, Town administrators indicated that the General Water District Tax would not increase. In 1991, our water property tax increased 20% and the water budget was overfunded by approximately \$500,000 which has been transferred to the Capital Reserve Fund. The current water charges,

particularly the property tax impacts residential users by a factor of 3 or 4 times what the industrial user pays. What is the rationale of the Town Board for the 20% increase in 1993 in the tax and in the same year overfund the water budget by \$500,000? Has the Town Administrators provided a unit cost analysis of water charges for residential, industrial and commercial users including water rents and water property tax? Will the Board address these inequities?

13. At the 1/8/92 Bethlehem Town Board public hearing to consider bonding for the new water system, Town Engineer Bruce Secor and Supervisor Ken Ringler stated that industry would pay for the new water system. Recently, the Town Administration has stated that "one of the major consumers in the industrial area is paying a higher rate which will essentially pay the majority of the costs of this new system." Are semantics being used to deceive the public? Does reference to "higher rate" include both the water rent and water property tax? What does reference to "majority of the costs" mean? On 4/20/92, Supervisor Ken Ringler signed an agreement with Selkirk Cogen to sell water at the rate of \$1.69 per 1000 gallons of water. Residential users pay \$1.07 per 1000 gallons as a water rent. In addition to the water rent, Selkirk Cogen pays \$0.10 per 1000 in the form of a water tax property tax and the average residential user pays \$1.50 per 1000 gallons in the form of a property tax. Selkirk Cogen total unit water cost is \$1.79 compared to the average residential water user cost of \$2.57 per 1000 gallons. What is the basis for such a difference in calculated unit water costs?

14. Bethlehem's 4/20/92 agreement with Selkirk Cogen required that Cogen buy a minimum amount of water which averages 1.6 MGD. Cogen can purchase up to 3.4 MGD. The minimum or guaranteed amount of water purchase of 1.6 MGD would provide an annual revenue of \$1.09 million. Bethlehem in its cost projections calculated the annual revenue from Selkirk Cogen at \$1.4 million through 1997 and \$1.54 million thereafter. If Cogen purchases only the minimum amount of water, how does the Town plan to make up for a shortfall of \$440,000?

15. Has the Town Administration reviewed the legal and financial obligations in the event the Town Board fails to increase the level of bonding for the new water facility?

16. The Nov. 1991 Consulting Engineers Report provided projections of unit water costs based on Volume of water processed at the new plant which formed the basis for establishing Cogen water rates. The projections failed to include the costs for producing water at the existing plant, administrative costs and fringe benefits. The Town overestimated the annual guaranteed revenue under the Cogen contract by \$300,000 to \$450,000. The project exceeds the original estimate by 30%. Revenues are overestimated and expenditures underestimated. Will the Town Board review costs and water charges?

17. The Town Administration recently stated that residential water rates will not be increased. In 1993, residential water use charges averaged \$2.60 per 1000 gallons compared to \$1.23 per 1000 gallons for the four largest industrial users. Will the Town Board review the justification for the significant difference? Will the Town Board consider lowering the water property tax and adjusting the water rents to be more equitable? Can the present Town Board commit any future Boards to charges for water and water property taxes?

18. The Town Administration has indicated that Selkirk Cogen and the increase in the industrial water rates provides the revenue to pay for the new water system. No supporting data has been provided. The projected annual revenue from industrial users to pay for the new system falls short by \$300.00 per year. By the year 2000 we may have a shortfall of \$1.5 million. How will this shortfall be met? Will Town officials address this in greater detail? Should bonding companies be concerned about the source of revenue? Should the taxpayer be concerned?

19. The administration's revised 6/94 projection of expenditures shows unit water costs through the year 2040. The O&M costs to operate the existing water plant are not included. The 1994 O&M costs of \$2.2 million per year to operate the existing plant greatly exceeds the 1996 projected costs of \$411,000 to operate the proposed

water treatment plant. The projected annual cost increases for O&M for the new plant is less than 3% per year compared to annual increases of 10% per year for the existing water plant. The assumed O&M expenditure to operate the proposed plant are grossly underestimated. Where is the data to support the projected expenditures?

20. The 6/22/94 legal notice indicates that the Town will consider increasing the bonded indebtedness from \$10.7 to \$13.9 million. The projected 30 year amortization schedule for the bonds show an increase from \$18.9 million to \$27.5 million or \$8.6 million. This is a 45% increase in the cost of funding for the new water system. Can such an increase be justified?

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INDUSTRIAL & RESIDENTIAL
WATER COSTS
TOWN BETHLEHEM 1993

SUMMARY

RESIDENTIAL USER	PRICE PER 1000 GALLONS*
Family Size	
2	\$2.90
3	2.60
INDUSTRIAL USERS**	1.23

- * Includes Water Rent Charge & Water Property Tax
- ** Includes Water Rent and Water Property Tax for the four largest industrial users. These 4 industries use 34% of the total water supply and pay 22% of the total water costs.

PRODUCTION/PURCHASE COSTS

	Cost Per 1000 Gallons
Bethlehems Actual Budget Costs	\$1.84
Contract for Albany Water	\$1.66

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ACTUAL WATER CHARGES
TOWN BETHLEHEM 1993
RESIDENTIAL USERS

USER	WATER CHARGES		WATER USE MGY	PRICE PER 1000 GAL.
	Water Rent	Water Prop. Tax		
<hr/>				
Family Size ()				
Mr. & Mrs. B. (4)	\$88	\$105	\$193	0.082
Mr. & Mrs. C. (2)	57	75	132	0.053
Mrs. K (1)	32	96	128	0.030
Mr. & Mrs. D. (2)	57	75	132	0.052
Mr. & Mrs. K. (4)	91	102	193	0.095
Mr. & Mrs. M. (4)	81	200	281	0.075
Mr. & Mrs. G. (2)	113	85	198	0.079
Average				\$2.60

AVERAGE RESIDENTIAL WATER USER CHARGES

	PRICE PER 1000 GALLONS
WATER RENT	\$1.07
WATER PROPERTY TAX	<u>1.53</u>
TOTAL	\$2.60

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ACTUAL WATER CHARGES
TOWN BETHLEHEM
1993
INDUSTRIAL USERS

INDUSTRY	CHARGES			WATER USE MGY	PRICE PER 1000 GALLONS
	Water Rent	Water Prop. Tax	Total		
A	\$330,000	\$27,000	\$357,000	315	\$1.14
B	216,000	71,000	287,000	209	1.36
C	46,000	1,700	47,700	43	1.11
D	46,000	14,500	60,500	42	1.43
TOTAL			\$752,000	609	\$1.23

100 McGuffey Lane
Delmar, NY 12054
July 9, 1994

Attention: Town Supervisor and Town Council:

I have lived in Delmar for 20 years and have consistently voted Republican in local elections.

Over the past few years the residents have been getting fewer services per tax dollars than those in surrounding communities.

The planned boondoggle to spend big dollars for drinking water of questionable quality is the last straw.

If you prevail in this proposal you have lost my vote for good.

A disgruntled taxpayer
s/s Daniel Nicolai

Box 514
So. Bethlehem NY 12161
July 11, 1994

Supervisor Sheila Fuller
Town of Bethlehem
Delaware Ave
Delmar, NY 12054

Dear Supervisor Fuller:

As most residents of the town are, I am concerned about the quantity and quality of the Town's water system. Certainly the Town Board needs to insure that all water is safe. I thank the Citizen's group for insuring that the issues are reviewed thoroughly, even though I feel that many items they raise are inaccurate and misleading.

I personally feel that the Board has taken a careful and thorough route on this issue, and I support its continuation along this option, as long as it continues to insure safety of the water supply and keep its actions and results open to all citizens.

Sincerely
/s/ Richard P. Canuteson

JAY HAROLD JAKOVIC
ATTORNEY and COUNSELOR AT LAW
662 Madison Avenue
Albany, New York 12208-3604

July 12, 1994
Hon. Sheila Fuller

Supervisor
Town of Bethlehem
445 Delaware Avenue
Delmar, New York 12054

RE: PUBLIC HEARING JULY 13, 1994

Dear Supervisor Fuller:

I regret that I shall be unable to attend the Public Hearing on July 13, 1994 concerning the Town's additional new water supply system and am writing to request that you include this letter in the record of said Hearing in support of the project.

The existing water supply contract with the Town of Bethlehem was canceled by the Albany Water Board leaving the Town no reasonable alternative but to seek an additional supply. Renegotiating with the Albany Water Board was not a reasonable alternative since the Board clearly indicated its disinterest in supplying the Town with water by canceling the Contract, rather than opening negotiations first and only canceling the Contract after an impasse.

The Town of Bethlehem studies various alternatives to the sources of water supply and chose the option of a ground water infiltration system in the Schermerhorn Island Aquifer. I have been told that part of the infiltration system and two of the well caissons have been installed and that tests on the water from the wells show that the water is free from bacterial contamination, PCB's herbicides and/or pesticides. These test results belie the concern of opponents and clearly establish the safety of the water source.

In addition the financing for the project will come from the system's industrial users and as such there will be no increase in the water district tax rate and no increase in the residential water rate. In the system with no additional cost. It is most unlikely that the Albany Water Board would have extended the supply Contract with no price increase, or else they would not have terminated the Contract.

In conclusion, the project is necessary, well considered, well designed and should be approved and installed forthwith. the Town board should be congratulated on a project that will provide a safe and plentiful water supply at no increase in fees to our residential users.

Thank you for your attention to this matter and I remain,

Very truly yours,
/s/ Jay Harold Jakovic, Esq.
JHJ/ds
Enc.
cc:File

- - -

14 Betsy Ln
Delmar NY 12054
July 13, 1994

Bethlehem Town Board
Gentlemen:

My wife and I strongly support the construction of facilities to supplement the present water supply in the Town of Bethlehem. The use of infiltration galleries is a long-time practice which has been proved to be safe for human consumption in community supplies the world over. During my 25 years in the water supply industry I assisted in the installation of many such facilities throughout Eastern New York State and they all were proved to be free of bacterial contamination and of reliable yield.

We urge that the project be brought to completion as being in the best interest of the Town.

Sincerely,
/s/ Frederic B. Adler

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Supervisor

In general, I agree with this position. Is there any real reason why we should change from Alcove Reservoir? Seems to me it's an unnecessary expense to switch!

/s/ M.E. Rothstein

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Mr. and Mrs. C. Morehouse
281 Old Glenmont Rd
Glenmont, NY 12077

Dear Mrs. Fuller,

My wife and I have been together since 1983. We lived in Albany until 1987 at which time we moved into an apartment in Elsmere. We loved the area and started looking for a house to buy. It took five years and the town of Bethlehem was our selection.

We liked the sewer system, "the water" from the Alcove, the fire protection, the police force etc. etc.

We finally found a house in Glenmont - in a quiet, secluded, friendly neighborhood. Now our dreams are shattered by "politics:.

Water from the Hudson and Southgate! Haven't you seen what has happened to route 20 and Guilderland? We have three plazas in Glenmont that have vacant stores in them.

We don't need another "Wolfe" road on 9W. And this is what will happen if Southgate comes to town.

We love Glenmont. It's just the high folutin politics from the other side of town we don't care for.

Yours in common sense
/s/ Charles and Phyllis
Morehouse

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Madam Supervisor and Town Board Members

I have a short prepared statement I'd like to read. First, I would like to compliment the Board for taking its earlier action to assure the Town will have an unlimited supply of water for the foreseeable future. That action also will make the Town independent of outside influence regarding cost, availability and reliability. Since this can be accomplished at no additional cost to the individual homeowner, I see this as a once in a lifetime opportunity that we cannot afford to pass up.

It is also a text book example of excellent long range planning.

A spokesperson for a group opposed to the new treatment facility has proposed limiting the new supply for industrial use only. If this was done, it would mean Bethlehem would still have to purchase some degree of water from other sources which would eliminate a portion of the savings that would otherwise occur.

In view of this I continue to support the Board's decision and hope it will move the project forward as originally planned.

Thank you.

/s/ J. Robert Hendrick

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Phyllis W. Pritchard - Opposed. (indicated on pink paper)

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July 13, 1994

Bethlehem Town Board
445 Delaware Avenue
Delmar, New York 12054

Dear Board Members:

Due to a previous commitment, I am unable to attend tonight's meeting. I would like, however, to present my feelings, regarding your water project.

The Vly Creek Reservoir, by itself, cannot serve the Town much longer. I also know from personal experience, having designed the Kenwood Avenue pumping station for the interim supply, that there have been times in the past that the 48" Albany water conduit was less than full, indicating at least a temporary shortness of supply available at those times. These two sources combined, under Albany's restrictions, will not b sufficient forever, and furthermore would sooner or later require extensive and costly revisions to the present distribution system in our Town.

The ground water infiltration system source will be endless and has been approved by the N.Y. Department of Environmental Conservation and the U.S. Environmental Protection Agency. Other communities take their drinking water directly from the Hudson without the benefit of natural filtration through a gravel bank. That together with the proposed treatment will create an ample source of quality water, and I fell strongly you are on the right track.

Very truly yours,
/s/ Warren T. Boutelle, P.E. retired

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MR. EPPLE: I called your office about 3 weeks ago...

SUPERVISOR FULLER: I can't hear you.

TOWN CLERK NEWKIRK: Please come up, I have to record you. And, please identify yourself for the record.

MR. EPPLE: Willy Epple, Delmar. Did you just state that you had six calls total to your office, four opposed and two in favor?

SUPERVISOR FULLER: Yes.

MR. EPPLE: Okay. About three weeks I called your office and spoke with you.

Sheila Fuller: Yes you did and I do remember the conversation.

MR. EPPLE: Right, you told me that there were about a dozen calls at that time. How does it shrink to half of that now?

SUPERVISOR FULLER: No, I did not make any such statement and I would hope that you wouldn't put those words into my mouth.

MR. EPPLE: You didn't

SUPERVISOR FULLER: No, I didn't, I'm sorry, I'm very sorry.

MR. EPPLE: Okay, that's what I heard. I'm sorry too.

SUPERVISOR FULLER: I heard some things also, if you remember correctly, but thank you. Can I have a motion to close the Public hearing?

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The motion was made by Mr. Webster and seconded by Mr. Putney to close the public hearing at 12 midnight. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,
Mrs. Davis.
Noes: None.

Kathleen A. Newkirk
Town Clerk

The motion was made by Mr. Putney and seconded by Mr. Lenhardt to adjourn the regular Town Board meeting at 12:05 a.m. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Webster, Mr. Lenhardt, Mr. Putney,
Mrs. Davis.
Noes: None.

Kathleen A. Newkirk
Town Clerk