

TOWN BOARD  
JULY 24, 1991

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

- PRESENT: Kenneth J. Ringler, Supervisor  
 Frederick C. Webster, Councilman  
 M. Sheila Galvin, Councilwoman  
 Charles Gunner, Councilman  
 Sheila Fuller, Councilwoman  
 Philip Maher, Comptroller  
 Martin Barr, Esq., Chairman, Planning Board  
 Jeffrey Lipnicky, Town Planner  
 Paul E. Currie, Sr., Chief of Police  
 David Austin, Administrator, Parks & Recreation Dept.  
 Dick Vanderbilt, Lieutenant, Police Dept.  
 Donna Wardlaw, Wardlaw Associates, P.C.  
 John Behan, Saratoga Associates  
 Kenneth Goldman, Goldman Albany Partnership  
 D. Dzekciorius  
 Lou Frangella  
 Diane Capron  
 Mike Murphy  
 Ronnie Bohl  
 Jolene Kolb  
 Jean M. Newsbeck  
 Michelle Deleskiewicz  
 Donna Thomas  
 Flor Entrotl  
 Fran Stillwell  
 Karl T. Prior  
 Jim Catallano  
 Bob Keiker  
 Lisle Saydestri  
 Esther J. Snyder  
 Mary Ventura  
 A.J. LaLima  
 Marie White  
 Yvonne J. LaLima  
 Carol Northrup  
 Dorothy Zdgieblowski  
 Leah Northrup  
 Bona J. Ventura  
 Dorothy Ventura  
 Jean Machia  
 Meredith Machia  
 Mary S. Filkin  
 Maureen J. Pulice  
 Camille Pope  
 Kevin Pope  
 Donna Fish  
 Mary Jane Davis  
 William E. Davis  
 William Best  
 Andrew Filkins  
 Nancy Morabito  
 Anthony Morabito  
 Les Neri  
 Richard Hegeman  
 Kevin J. O'Connor  
 Craig O'Connor  
 Lisa B. Saltis  
 Jim Saltis  
 Frank Fernandez  
 J. Morabito  
 Sherwood Davies  
 David McClumpha  
 Concetta Femminella  
 Linda McCall  
 Jim Nicholson  
 Colleen L. Entrotl

- Debra Nicholson
- B.J. Best
- Jessica Best
- Louise McKinley
- Mary Ann Filkins
- Diane Fisher
- Anne Varcasia
- Ella L. Ruso
- Kent Jenkins
- Marie Capone
- Suzanne Capone
- Susan Wheeler, The Spotlight Representative
- Ilaina Jonas, Times Union Representative
- Kathy Keenan, News Herald Representative
- Carolyn M. Lyons, Town Clerk

- - -

Accept  
Petition -  
Citizens  
Lobby for  
Alternative  
Waste  
Solutions

Supervisor Kenneth Ringler welcomed everyone to a regular meeting of the Bethlehem Town Board. The first item on our agenda is a presentation of a petition from C.L.A.W.S. group and Mr. Neri told him there would be a spokesperson that will do all of this. Mr. Richard Pulice from Willowbrook Avenue in South Bethlehem indicated he was here on behalf of the Citizens Lobby for Alternative Waste Solutions. He was going to spare them a lot of the things that they had already heard outside. If you want to see a copy of Metroland they are all over the place. Supervisor Ringler indicated that this was a subscription to which he did not subscribe. Mr. Pulice indicated that he was going to keep it brief. What they want to leave you with tonight is a group of signatures that make up a petition that we estimate now comes close to 2,000 people. He wanted to emphasize the fact that the 2,000 people are not just people from the south end, they are not just people from Selkirk or South Bethlehem or Coeymans, they are people from all over Town, and we expect as we continue our mobilization effort, and by the way we are about two weeks old now at the most, and he was really proud to be part of an organization that can mobilize that quickly and get 2,000 signatures but he thought that it shows you that from the town perspective what a volatile issue this is, and he knew that you folks were taking it seriously and we certainly appreciate the efforts that the Town Board has taken both in terms of the task force that you have created, we know that you have worked very positively with the Bethlehem Work on Waste group and we look forward to a positive working relationship with the Board here, also.

Mr. Pulice continued let me just tell you some of our concerns and where we would like the Town Board to go with this. Our petition tonight that we are presenting and will continue to present as signatures come in reads as follows: "WE THE UNDERSIGNED HEREBY REQUEST THE TOWN OF BETHLEHEM TO TERMINATE ITS MEMBERSHIP IN A.N.S.W.E.R.S. AND MAKE A COMMITMENT TO OPPOSE ANY A.N.S.W.E.R.S. LANDFILL IN THE TOWN OF BETHLEHEM AND THE TOWN OF COEYMANS. and then folks have signed with their name and noted what part of the community they are from. We will be presenting the exact same petition to the Town of Coeymans, also, so we are not just saying this is Bethlehem problem and the Town of Coeymans can forget it, we will be down there speaking to them also. We do think the Town of Bethlehem should remove itself from the ANSWERS regional group. If it is not enough of an indication that they chose multiple sites in the Town of Bethlehem without much good research, if that is not enough of an indication for you he did not know what is. We are advocating for a local solution and we know that local solutions mean that we may in fact see a local solution in one of our neighborhoods, that is something we are willing to live with and something that we know will be very difficult for this Town to approach, but the notion of taking garbage, toxic ash, from what is now being described as the ANSWERS consortium, but which the enabling legislation if ANSWERS gets the enabling legislation then it clearly allows them to import garbage from other parts of the State and we have already talked about the fact that it is no accident, we do not believe that it is an accident, that every one of the sights abuts a rail line, and on behalf of the members of the Selkirk Fire Department, of which he is not a member, he is a member of the Bethlehem Ambulance, and the members of the Bethlehem Ambulance, they would invite you to look over the report of the box car fire that occurred in the Town of Bethlehem in the Selkirk yards, what was burning, it was garbage and it was

garbage on its way to St. Louis, do you think that they are going to stop and keep going to St. Louis when they are going to have a nice convenient place, and that the enabling legislation allows them to import garbage, and do you think that the Town of Bethlehem is just going to see garbage from the ANSWERS consortium. We think that the ANSWERS consortium is bad enough, but the notion of bringing garbage in from outside from New York City and we could play all kinds of scare tactic games of what garbage from New York City is all about, garbage from any place is not great, but we feel that a local solution in managing our own trash through recycling and through other methods is the best route to go.

Mr. Pulice continued that they were very concerned about the ANSWERS organization itself. Their research indicated that in fact ANSWERS is a nonentity and that its power comes from the City of Albany from nowhere else. One of the things that they would like to request from the Town Board because they are having trouble getting it is more information on ANSWERS, its Board of Directors, and what relationship this Town Board has to ANSWERS and we would appreciate at some time if maybe Mr. Ringler could provide some of that information to us. The report that was done, although they listened to he believed over 300 of us, all speak against, the report that was done is filled as he mentioned outside with inaccuracies and at best data that is outdated. Many of their members are chemists and in other of the hard sciences and if they presented data that indicated 1964 studies, 1971 studies even 1985 studies, they would be laughed out of their profession and ladies and gentlemen we should laugh that ANSWERS report right out of the Town of Bethlehem. They told us that they never visited our Town. He asked the gentleman himself have you been to South Bethlehem and he did not know where it was, do you know where the Onesquethaw Creek is, we do not know where it is, we are concerned about those kinds of answers when as you know in the southern part of the Town, particularly, we do not have a public water system, we have wells and in meetings that he personally attended at some of the fire houses, members of the Town have said there is no way that you are going to get a public water system in the near future here, who is going to protect our water? The ANSWERS report makes comments about traffic and one of the lines straight from the report says there is already a substantial amount of truck traffic along Route 396 and the residents will not know any adverse effects. Laughter. Obviously he does not live in the Town of Bethlehem. Their group is working on a solution and we welcome involvement with the Town's organizations, we are a brand new organization but let him volunteer on behalf of C.L.A.W.S. to say that if you would like additional input from some of our people and some of the residents of the Town of Bethlehem, they are more than happy to do that. He was sure that they had numerous members that would like to get involved in a solution. We do believe that the solution as of today is to remove ourselves from ANSWERS. We want local determination, we want local accountability, we want community determination for what happens. With this I will present the petitions on behalf of the citizens of the Town of Bethlehem some 2,000 signatures. Clapping.

Supervisor Ringler indicated that we do have to move on with our agenda but before we do just a couple of quick comments. Number one he did not think that there was anything that he heard Mr. Pulice say that he could disagree with, OK, he thought that long before these sitings took place in our community he had decided in his mind that we better be looking at some other options because he didn't like the looks of what the long relationship with ANSWERS would be. We entered ANSWERS and it was a business decision. As far as he was concerned there is no quid pro quo. We have been dumping in Albany, yes we have, but we don't owe Albany anything as a result of that, that was a business decision where they came and asked for our trash because they needed it for the revenue source and for their incineration process. It was a business decision at that time for us that looked at a twenty year solution to the problem, and as it turned out to be much less than that, OK, so in reality we don't owe them anything, when we make a decision from here on in it is going to be based upon what is right for the citizens of the Town of Bethlehem and we will continue to do that and he totally agreed that we should be looking for alternatives and he thought that we were going to find them to be perfectly frank. Clapping.

Supervisor Ringler asked if he could clarify just one thing that has been brought up in a lot of the discussions and that the ANSWERS

authority legislation. He has opposed that legislation for several years now and we have been very successful in not having it passed because as he looked at that legislation when he came into office it basically gave the City of Albany all of the power to site landfills if we decided to participate and gave us very little input, unless that legislation had been changed to give us or make us true partners in that process he could not have supported it and did not and working together with legislators it has not passed. It passed the Assembly on two occasions and we were able to defeat it in the Senate on two occasions. It did not even pass the Assembly this year, so there is no fear of that authority coming in and all of a sudden having eminent domain power. In addition to that the legislation states that once it is passed we still have one year to decide whether or not we will be a participating community in that authority and they only have eminent domain power in participating communities, so the fear of that legislation - Clapping - he thought has been a misunderstanding. Assemblyman Faso he knew had received many letters and he has been responding to them, he sent him a copy of the letter that he is sending out to everybody. It has not passed this year so don't fear that at this point in time. OK, of course a new bill could be introduced, there is no question a new bill could be introduced at some point with different language, but that is not what the existing legislation says. He did want to thank them for coming. He did want to thank them for their support, he thought that this was what government was all about, he thought that it was important that our citizens let us know what they think and quite frankly as he has said on both occasions we have been working on solid waste for several years and we have had volunteers doing it, and it is regretful that most people didn't even know what they were doing, but they have been working on it diligently and will continue to do so. He was more than welcome to sit down with your leaders. If you want to make an appointment, come in and discuss our current relationship with ANSWERS as you suggested Mr. Pulice, he would gladly do that, just contact the office and we will discuss that. He thanked them all for coming. Clapping.

Councilman Charles A. Gunner indicated that he would first of all like to say that he was very happy to hear the positive presentation given by and he did not know if Mr. Pulice was the Chairman or not, and Mr. Pulice indicated he was just a member of the steering committee, because it realized that we have a solid waste problem and we have to solve it. We can't just be against, after we make sure that that battle is completed against it, that we have to then work together as a community so we have to involve the whole community, every part of it, and he was assured by one of your members that you are seeking equal signing of petitions from all over and he applauded them for that. Clapping.

Supervisor Ringler asked if there was anybody else who wished to speak.

Councilman Frederick C. Webster stated that he saw several signs out there Remember The Children. Don't forget that we all have children, and his children have grown up a little bit, but he has grandchildren out there and we have had three this year so they are all over the place out there you know and he has spent thirty years in the fire service and every time the Selkirk alarm comes in for your dump down there unfortunately he has got to go too as it is all mutual aid and he does not like it either believe me and he was on their side. Clapping.

Councilman Gunner indicated for those of you who may not have been aware, this Board unanimously approved the motion that we are against the dump sites. That is on the record right there. Some one from the audience thanked Councilman Gunner. Clapping.

Supervisor Ringler stated the rest of our meeting you may find very boring but you are all welcome to stay. Laughter. He indicated that we would take a two minute recess for those of you who don't want to stay.

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After the two minute recess the Supervisor indicated that the next item on our agenda is consideration of an application for Building Project Approval for PRD #2 and #7 for Goldman Bethlehem. He asked if Saratoga Associates representatives were here.

They indicated that they were present. Supervisor Ringler asked I hope you people didn't think all of that was for you. Laughter. Councilman Gunner asked scared you a little bit?

The Supervisor asked the representatives if they wanted to set their maps up. Which they did and indicated that there would be three people making the presentation. Mr. John Behan of Saratoga Associates asked the Town Board Members if they could see the map and Supervisor Ringler indicated to Mr. Behan that the Town Board had maps if he wanted to face the map more so the audience could see it.

Discussion  
BPA for PRD  
#2 and #7

Donna Wardlaw of Wardlaw Associates, P.C. in Saratoga Springs said she was here representing Goldman Albany Partnership which is the applicant for the development we are going to introduce to you tonight. What we would like to do is introduce you to one of the two owners of the property and also give a brief presentation of the project by John Behan of Saratoga Associates. We have already met with your Supervisor and members of the Planning and Zoning staffs and the Building Department and had a pre-application conference and we are here tonight to officially make our submission and to start the process. What we are looking for tonight is establishing the building project. This property is already zoned Planned Development District and she did not know if they were the first to do this but she understands that we will be following your Memorandum of Understanding with the Planning Board that your adopted last February for going through the SEQR process and the development process.

Donna Wardlaw continued so what we will be looking for tonight if she understands the process, is a designation that the Town Board would like to be the Lead Agency here and designating the Planning Board as an involved agency. This is an Unlisted Action for SEQR purposes and circulating the Lead Agency notification so they can get on with the project. The property you are taking a look at here now is on the corner of New Scotland Avenue and what used to be across the road from Blue Cross Blue Shield complex here in the Town and the project was purchased back in 1970 and zoned PRD at that time and the original PRD application was made in 1973. The two PRD applications back in the early 1970's provided for a combination of over a thousand one hundred units for the property, 1,112 to be exact. That is not what we are presenting here tonight and having said that let me introduce you to Ken Goldman who is now one of the two owners of the property with his brother Peter and it was Ken's father who got the original zoning of the property.

Mr. Kenneth Goldman said good evening to the Town Board and that it was a pleasure to speak to you tonight and indicated that this project has been a long time in the planning. We owned this land for over fifteen years. He ran and owned a family business out of New Jersey which develops and builds real estate. Basically he just wanted to describe his experience up here in Albany and in Bethlehem having walked the land numerous times over the years, taking in the Normanskill, the views of Albany from that piece of property, and also the unique characteristics of the land, you will excuse me I am a little nervous. Supervisor Ringler indicated to Mr. Goldman that he should not be nervous here. We are easy to get along with. Laughter. Mr. Goldman stated that this again has been a long time in the planning. The property we think is a very special piece of property and how to develop it over the years along with other professionals like the Saratoga group and we have come up with a plan that we think not only addresses the unique prospects of the land but also addresses the community and the types of standards that Bethlehem has set. So basically John Behan will present that plan and we hope that you see what we see with the plan and the very responsibly submitted development application. He thanked the Town Board.

Mr. John Behan, of Saratoga Associates, stated just a quick bit of background, the earlier plans developed for the Planned Residential District were as Donna mentioned very heavily, highly intensive, residential developments. We have some pictures and old sketches of these and he would show these to the audience so they can see. This part of the property here, indicating on the sketch, and this was designated as a forty-four acre some 174 town homes and this part of the property here, again indicating it on the sketch, was designated for some 900 and some plus garden apartments here and this was really

just some background information if you would like to look at those and passed the two sheets of sketches to the Town Board Members. What we did and what we were asked to do when Ken Goldman met with us is help him decide how to develop this property and in doing that we tried to assemble a team of people that are recognized and experienced in assessing property like this.

Mr. Behan continued that they were working with J. Kenneth Fraser & Associates who are helping us with civil engineering and there is also as you know Albany clay type soils in this area so we have been working with Dunn Geoscience Corp. to see how this property can be appropriately used, and John Collins, Engineers has been working with us on traffic and transportation issues. Marketing is being handled by Remax Commercial Properties and all of these pieces fit together because all of these issues effect the market, soils, traffic, and our Project Architect is Jennifer Nobis and Goldman Albany Partnership is the Project Sponsor as has already been mentioned and the Saratoga Associates are the Planners, and the Surveyor Edward W. Boutelle & Son. So as Ken mentioned we have been spending really a lot of time, kind of private internal time, really several years, we have been since 1988 that we have been working on this and finally a couple of months ago made the attached sketch just to introduce the project and the results of our work and what we would like to do now is to continue to present externally to you the Town Board and to the people in the Town to help us mutually assess this project and its impact upon the community, both positive and negative, and then make some good decisions about the property.

Mr. Behan indicated just a little bit of description of the land. As you know the Normanskill is at the northern end of the property and the property is low and in the flood plain in this area and there is a hill and a bluff that comes up in this area where the Blue Cross and Blue Shield building is right there and what happens is the land lays in a plateau here and then there is another big ridge that goes through the property and then the land turns hilly and is very interesting rolling terrain in this area, the Cherry Avenue Extension is here, McCormack Road is in this location and there is a large pond and wetland here and there is a small pond and wetland on this side and in fact he saw a beaver living in this pond and they have observed deer living here, so obviously some of the things are going to impact the wildlife in doing this. What we try to do is develop a plan that is responsive to the market and responsive to the site and the environment. The proposal really is and the land uses are kind of divided by those three geophysical districts. Along the river at this low area but outside of the one hundred year flood plain we are looking at an opportunity to develop some type of what we call commercial development but we are looking at really at a some type of a recreation complex as well as a day care complex in this area.

Mr. Behan continued up in this area opposite Route 85 we are looking to develop approximately forty single family clustered homes, developed around courts and finally on the other side of the ridge, what we call the south parcel, we are labeling that conservation estate homes and approximately nineteen have been sited really quite carefully in and along these different areas. Just to give you an idea of what kind of development density this is the entire property is one hundred and thirty acres, plus or minus, and there are nineteen homes here and an average lot size of approximately three point two five acres per dwelling here and this is about fifty to sixty acres about half the site and the other half of the site includes these forty homes and these commercial buildings so we are really well below any of the maximum density requirements and so the density really wasn't an issue in our planning and we have done several schemes and we did some higher density. We did two hundred fifty, three hundred town homes planned on this site and quite frankly it is a market based and a land based decision that you see here in terms of what the plan is and we have done extensive work. We have identified, flagged and surveyed all of the wetlands, there are no State designated wetlands here, but there are ones that would fall under the general criteria for wetlands and those are shaded beige on this sketch and please feel free to interrupt if you have questions or he will just keep going, and we have really minimized impact to those except where we had to cross a property and the concept here is to provide some real meaningful open space within the project and use that, we have some trails that would link and these

open spaces of ridge, trail here which would run around the back a trail near this corridor which eventually will head toward the Normanskill here and we tried to work within the topography of the site and separating these land uses here and here and he should add that this dash line represents the outgrowth of some of the early Vollmer Associates who did some traffic planning for the Town and trying to look for some type of a connection from the interior of the community Kenwood Avenue and out Delaware Avenue to connect in this direction from the center of town or another way around that district, and this is a suggested location, a potential connection to deal with what we call the east west connector road and this is an outgrowth of the first meeting we had with the Town.

Mr. Behan continued recognizing that adding a road through property obviously has an impact and we tried to site it in such a manner that it would fit within the land uses and with the terrain. The other thing is we were just trying to look at some of the significant pieces and the other piece that we tried to set aside some significant pieces of open space, you will see that we are trying to preserve these corridors for small wildlife movements recognizing that deer will probably have impact, but we think that there should be some habitat preserved here and along in here and these significant pieces have been set aside some maybe even deer can live at the edge of this so that they would not be totally forced off of the sites, so we tried to be sensitive to all of those issues in planning the land, and as he said sensitive to the market. The amount of density on this site is very closely matched to the cost of development and hopefully a reasonable profit margin and so what we tried to do is work all of those factors together into a formula that really works. He indicated that this was basically the presentation that he has.

Councilwoman, M. Sheila Galvin, indicated that she noticed from the material that you presented that your initial application is for fifty-nine units is that correct? Mr. Behan responded that this was correct. Councilwoman Galvin asked which fifty-nine units have you designated. Mr. Behan replied that this would be the entire thing, this is the whole thing. Councilwoman Galvin indicated that is the whole thing, you are not counting the - Mr. Behan stated well there are forty homes here and nineteen here - and Councilwoman Galvin asked again well you are not counting that area as a unit and Mr. Behan responded not as a unit right. It would be these additional buildings and Councilwoman Galvin asked as a separate project that you are not proposing? Mr. Behan replied that it was part of this project but it is not part of the residential part. Councilwoman Galvin indicated OK and that is not included at all in this presentation and also according to our current standards you are only actually looking for twenty five if you were required to cut down to twenty five what would it be. Donna Wardlaw asked if she could answer that, she thought that Sheila was talking about your interim law in terms of building but the way she reads our law though we have to go for preliminary approval for the whole project and then once we get to that part where we have to designate and frankly she thought that probably after talking to your Planning Board we will be better able to do that, and we are aware of your requirements. Councilwoman Galvin stated that her confusion was about that other end with the day care center and the club house, is that going to have any rental units or anything of that sort proposed in it? Donna Wardlaw responded "No" and Supervisor Ringler indicated that there were no dwelling units in that and Councilwoman Galvin asked nothing at all?

Jeffrey Lipnicky, Town Planner, asked John Behan if he could elaborate on the nature of that. Is that intended as a site for an outside use or just for the use of residents on the site, or is it intended as a commercial enterprise. Mr. Behan responded, "Yes it is" it would be town and area wide use and there would be internal day care facilities and outdoor play area for that activity and a club building and interior tennis courts and racquetball courts, that type of thing. We have not programmed all of the uses in fact this has not been totally programmed out, so that would be the activities that would take place there. Councilwoman Galvin asked who would be operating that, would it be operated by a separate corporation or would it be operated by the land owners, who would be operating that, or would it be sold as a commercial enterprise? Mr. Behan replied that the operator would be selected and that has not been done yet, that would be part of the

entire project but actually the owner would be looking for proposals from folks who would be interested in doing this and looking at their qualifications etc. Councilwoman Galvin stated that the reason she asked is there have been reasons in the recent past clubhouses that have been turned into residential units and they have been laid out for the purpose of becoming apartments. Mr. Behan indicated to Councilwoman Galvin that there was no thinking like that along those lines. Councilwoman Galvin stated that was what we always hear at this stage. Mr. Behan indicated that the intent really is to address really a piece of the property that is somewhat removed from the rest and residential did not seem to work here and they really struggled with this he thought for quite a while, what this should be, this part should be and this is what we arrived at as being something that could work. Councilwoman Galvin indicated that this was why she was unclear about it as it had the look that it could be an apartment unit.

Mr. Lipnicky indicated that there was some question in his mind though, knowing now that it is intended as a commercial enterprise, whether or not it is even allowed in this project. Supervisor Ringler stated that it was going to be reviewed, there is as he recalls in the PRD any other use that the Town Board sees suitable, which whether or not the Town Board would see a recreational facility with some commercial activity suitable in a PRD or whether or not they would have to come in and get a rezone for that, but he would suggest that we let the Planning Board look at that and let them come back with their recommendation.

Supervisor Ringler asked if there were any other questions. No other questions were asked.

The Supervisor indicated OK then in that case it would be appropriate number one to pass the resolution that Jeff prepared declaring the Town Board as the Lead Agency for SEQR purposes.

Approved  
Lead Agency  
Status -  
Town Board -  
Goldman  
Albany  
Partnership

WHEREAS, the Town Board of the Town of Bethlehem has received an application from Goldman Albany Partnership for Building Project Approval to develop Planned Residential Districts (PRD) Number 2 and 7 for use as 19 single family estate homes and 40 clustered single family homes; and,

WHEREAS, the development parcel consists of 132.7+/ acres of land generally bounded by Cherry Avenue Extension, New Scotland Road, the Normanskill, and McCormack Road, and is presently zoned Planned Residence District; and,

WHEREAS, Article V of the Code of the Town of Bethlehem provides the Town Board with the authority to establish Building Projects within Planned Residence Districts (PRD's), and further provides that the Town Board shall refer all applications for establishment of a Building Project to the Town Planning Board; and,

WHEREAS, The State Environmental Quality Review Act regulations found at 6 NYCRR Part 617.3(a) require that no agency shall carry out, fund or approve an action until it has complied with the requirements of SEQR; and,

WHEREAS, 6 NYCRR 617.5(a) requires that as soon as an agency receives an application for approval of an action it shall determine: (1) whether the action is subject to SEQR; (2) whether other agencies are involved; (3) the appropriate classification of the action; and, (4) whether a full or short environmental assessment form is necessary; and,

WHEREAS, 6 NYCRR 617.6 establishes procedures for coordinated review of unlisted actions:

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Bethlehem hereby determines that the proposal by Goldman Albany Partnership for Building Project Approval on PRD's Number 2 and 7 constitute an Unlisted action subject to SEQR; and,

BE IT FURTHER RESOLVED, that the Town Board determines that the short Environmental Assessment Form (EAF) would not provide sufficient

information for determining significance and therefore requires that a full EAF be used; and,

BE IT FURTHER RESOLVED, that the Town Board hereby determines that involved agencies with respect to this action include: (1) New York State Department of Transportation; (2) Albany County Health Department; (3) New York State Department of Environmental Conservation; and, (4) the Planning Board of the Town of Bethlehem; and,

BE IT FURTHER RESOLVED, that coordinated SEQR review will be undertaken in accordance with 6 NYCRR Part 617.6(b) and the Memorandum of Understanding for Planned Development Districts approved by the Town Board on February 27, 1991; and,

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Town Supervisor to initiate coordinated review by filing a copy of the Building Project application and appropriate notice with involved agencies, and notifying said agencies that a Lead Agency must be agreed upon within thirty (30) calendar days of the date of mailing said notice; and,

BE IT FURTHER RESOLVED, that the Town Board as an involved agency with the broadest governmental powers for investigation of the environmental impacts of the proposed action, hereby declares its desire to assume Lead Agency status for the purpose of SEQR review; and,

BE IT FURTHER RESOLVED, that having notified the involved agencies of the Town Board's desire to be Lead Agency, the Town Board hereby declares it shall be Lead Agency for SEQR review of the proposed action unless objection to such designation is received from any involved agency within the above specified thirty day (30) time period.

On a motion by Ms. Galvin, seconded by Mr. Gunner and a vote of 5 for and 0 against, this RESOLUTION was adopted on July 24, 1991.

Next the Supervisor indicated that he would entertain a motion to refer this to the Planning Board for their consideration.

The motion was made by Mr. Webster and seconded by Ms. Galvin that the Proposed Building Project for Planned Residence Districts No. 2 and No. 7 for Goldman Bethlehem be referred to the Planning Board for review and recommendation. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Ms. Galvin, Mr. Gunner, Mrs. Fuller.  
Noes: None.

PRD 2 and 7  
Referred to  
Pl. Bd. for  
review &  
recommendation

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The Supervisor indicated that the next item on the agenda was consideration of a similar resolution regarding Lead Agency coordination for Dowerskill Village Section 3. When this was referred to the Planning Board it was prior to us having the Memorandum of Understanding and we have to take the same action on this.

WHEREAS, the Town Board of the Town of Bethlehem has received an application from Slingerlands Development Corporation for Building Project Approval for Phase I, of Section e, of Planned Residential District (PRD) Number 4, for use as 25 single family homes; and,

Lead Agency  
Status -  
Dowerskill  
Village Sec.  
#3 - Town  
Board

WHEREAS, the application indicates that ultimate development of Section 3 will include 184 single family homes and 118 townhouse units on 181 +/- acres of land located on the north side of Elm Avenue East; and,

WHEREAS, Article V of the Code of the Town of Bethlehem provides the Town Board with the authority to establish Building Projects within Planned Residence Districts (PRD's), and further provides that the Town Board shall refer all applications for establishment of a Building Project to the Town Planning Board; and,

WHEREAS, The State Environmental Quality Review Act regulations found at 6 NYCRR Part 617.3(a) require that no agency shall carry out, fund or approve an action until it has complied with the requirements of SEQR; and,

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WHEREAS, 6 NYCRR 617.5(a) requires that as soon as an agency receives an application for approval of an action it shall determine: (1) whether the action is subject to SEQOR; (2) whether other agencies are involved; (3) the appropriate classification of the action; and (4) whether a full or short environmental assessment form is necessary; and,

WHEREAS, 6 NYCRR 617.6 establishes procedures for coordinated review of Type I actions; and,

the cumulative impacts of an action in determining environmental significance, and such cumulative impacts include long-range plans of which the action is a part;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Bethlehem hereby determines that the proposal by Slingerlands Development Corporation for Building Project Approval on PRD Number 4 constitutes a Type I action subject to SEQOR: and,

BE IT FURTHER RESOLVED, that the Town Board determines that the short Environmental Assessment Form (EAF) would not provide sufficient information for determining significance and therefore requires that a full EAF be used; and,

BE IT FURTHER RESOLVED, that the Town Board hereby determines that involved agencies with respect to this action include; (1) Albany County Health Department; and, (2) the Planning Board of the Town of Bethlehem; and,

BE IT FURTHER RESOLVED, that coordinated SEQOR review will be undertaken in accordance with 6 NYCRR 617.6(b) and the Memorandum of Understanding for Planned Development Districts approved by the Town Board on February 27, 1991; and,

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Town Supervisor to initiate coordinated review by filing a copy of the Building Project application and appropriate notice with involved agencies, and notifying said agencies that a Lead Agency must be agreed upon within thirty (30) calendar days of the date of mailing said notice; and,

BE IT FURTHER RESOLVED, that the Town Board as an involved agency with the broadest governmental powers for investigation of the environmental impacts of the proposed action, hereby declares its desire to assume Lead Agency status for the purpose of SEQOR review; and,

BE IT FURTHER RESOLVED, that having notified the involved agencies of the Town board's desire to be Lead Agency, the Town Board hereby declares it shall be Lead Agency for SEQOR review of the proposed action unless objection to such designation is received from any involved agency within the above specified thirty day (30) time period.

On a motion by Ms. Galvin, seconded by Mr. Webster and a vote of 5 for and 0 against, this RESOLUTION was adopted on July 24, 1991.

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Acceptance of Report and Establishment of Guidelines with regard to Capital Improvement Expenditures

Supervisor Ringler stated that next we have Mr. Maher here for a discussion regarding a report of the Capital Improvements Committee. The Town Board had been sent this information. This was as the result of a Committee he had put together and over the past year have been looking at putting together a plan for our long-term capital improvements so that when the Board is making individual decisions on projects we know what the big picture is, and perhaps Philip Maher could just give some background as the Board knows about this but perhaps some of the people here may not.

Mr. Philip Maher indicated that back when Kenneth Ringler first took office, as he had said, he thought that it was a necessity to develop a more comprehensive plan for the future of the Town's capital needs. Now that is not to imply that the Town has not been planning for their capital needs at all, because many of the departments on an individual basis do that -- for example, the Water Department has a thirty year water study plan and Sewer has a plan, the Parks has a plan and there are a few other departments that do that as well -- but we

feel that there was a need for a more centralized and controlled approach. So basically as he has said there was a committee of department heads that were established and a Town Board Member, Fred Webster was on the committee, and Ken and basically what our task was to do is we wanted to find what a capital project was, develop a method for ID'ing capital projects, develop a method to prioritize the capital projects and develop methods for ID'ing funding sources, and then we also wanted to establish a system for the future to make recommendations regarding projects that were being considered.

Mr. Maher continued now as the Committee met they came up with a definition of a capital project which they defined as any major improvement whether original construction or reconstruction of a building or other asset, acquisition of land, equipment or machinery, having a useful life of greater than ten years as defined by New York State Local Finance Law, and/or a total estimated project cost of greater than \$50,000.00. What the Committee then did is they felt that it was necessary to develop request forms which we did include in your package, we also worked on developing rating forms, which are also included in your package, what the Committee then did was they sent out the request forms to their various departments to solicit the different capital projects needs that they foresaw in the near future. These were returned and you have copies of all of the projects that we have received and there were a few others at the time but those have since been begun and finished, one was the MURF and the other was the Salt Storage Shed for the Highway Department, but those have since been completed and those have not been included in this package.

Mr. Maher continued after reviewing all of these and the Committee met later on and, oh by the way, we did receive an additional request after this report was being compared which he passed out to the Town Board regarding Proposed Project Improvements to Delmar-Elsmere-Sewer District Main Pumping Station on Rockefeller Road, indicating that he was sorry about that, but it happens. This project was basically rated as well by the Committee. This project is basically rated very highly and would replace not completely, but would replace partly the first top rated project which was the Delmar-Elsmere Sewer District sewer main and pump station project and this would replace that as we felt this was a more urgent need and did rate higher than all of the other projects. After reviewing all of those and we had made the list of prioritized projects as you have in your packet, and the Committee would basically like to recommend the following to the Board.

First of all he would like to see the establishment of Capital Reserves and Repair Reserves for General Fund, Water Funds, Sewer Funds and the establishment of the Capital Reserve Highway Fund. Basically the concepts in this are really quite simple, basically what you are looking at is projects that are major in nature you are looking at that are lasting a great length of time say twenty years or longer, you are looking at as any one would, for example if you are buying your house, you look at long term debt type of situations and that is what this does. The reserve portion of this idea and this plan basically deals with the number of projects that you see that come on a regular basis for example the pool refinishing. That happens on a relatively regular basis and is quite a costly project and rather than trying to bond that kind of a project it is their feeling that there should be money set aside every year as it becomes available either through appropriation or surplus monies to capital reserve accounts or repair reserve accounts so that the money is available when it is needed rather than waiting and not have the money and have to bond that kind of a repair.

Mr. Maher stated as you can see in these basically after we reviewed and prioritized all of the projects, since there is a limited amount of funds that are normally available and we don't want to burn the Town dramatically as far as that is concerned, we recommended some of the projects and not all of the projects that were listed. The projects that we were recommending whether the financing of the Sewage Treatment Plant through Serial Bonds which was already in progress depending upon what the rates are going to be and that might be more appropriate but we will have to wait and see. We have also recommending turning all the B.A.N. into Serial Bonds and again that will depend upon what the rates are that are available. We have recommended bonding reconstruction of the tennis courts and bonding improvements to the fire training tower. The financing of improvements one of the ones that

was there and did not rate high is the North and South Bethlehem parks and that was recommended to finance through budget appropriations on an annual basis. The other recommendations were to finance the water replacement and emergency power generator and the plant sludge drying lagoon through appropriations and transfers to capital reserves until sufficient funds are available. In addition to that the Committee wanted to address any of the future needs of the Town so what the Committee then felt was necessary was that this Committee should continue on a regular basis meeting at least two times a year and the reason for doing that was to solicit additional capital programs from the individual departments, update the Board on progress of the current projects that have already passed, and prioritize and recommend future projects, research and study additional methods of improving the forms that we have put into place and the systems that we are trying to adopt here. The final recommendation out of the Committee basically which would be the development of a capital budget that would be included in the Town's budget on an annual budget and that would be looked at each year. Mr. Maher indicated that he felt that this covers everything that is basically in the report outside of the individual projects. If the Town Board has any questions he would be happy to try and answer them.

Supervisor Ringler asked if there were questions.

Councilman Gunner indicated that he had read through the report pretty carefully and asked if this is a tentative report or you want us to - what are we doing here? Supervisor Ringler responded that he thought that this report would be something that would serve to us as a guideline for our future decision making, anything that we are going to spend money on requires individual action on the Board's part, OK, the passage of this report would not say go ahead start spending money, it would say go ahead and start putting together these proposals to come back here, for example put together the proposals, get the numbers on those items that are being recommended for this year, the tennis courts, looking down at the fire tower and tearing that down a bit because as Fred has said there are lots of things there that he doesn't feel have to be done immediately, but there are other things that should be, and then coming back with them as part of an approval process. The same with establishing the funds when we go through the budget process this year depending on what the situation looks like, if based upon the Board saying that this is a guideline to work with he would be trying very hard to set appropriations aside to set up capital reserve funds and so forth and also looking at the end of the year for surpluses. He was not so sure that we would be looking at surpluses this year. Laughter, but in years when there are surpluses possibly recommending to the Board that we transfer those surpluses to the various reserve accounts so that on these projects that he has pointed out for example that are on an ongoing basis that we know are coming up things that are financed through bonding we have saved the money and were able to do it through our reserve funds.

Councilman Gunner stated that he commended Phil's department for getting this through with the department people, however, he does have many questions from what he has just said which he had already discussed with some of the people, because if it is a guideline he wanted to make sure that he knew what the guidelines are and if he is interpreting them properly. First of all on a number of projects with the one you just passed out, although there are thirteen listed in the priority average thing, there are really sixteen because the Sewer that we already passed is part of it, there is a soccer one that is presented that isn't mentioned in the report and then you just gave one tonight. Mr. Maher indicated that this was correct and that the soccer portion of that basically received a lower priority first of all and secondly because the soccer club is looking at additional spaces and they are looking at developing their own spaces, that was basically left off for the time being. Councilman Gunner continued the other part is that the total package comes to well over six million dollars and that would be done over six years but the dates here, or in other words your plans in the legislation that enables this type of set aside funds and that calls for a six year plan, correct? Mr. Maher responded that this was an initial phase and he thought that there was some misunderstanding among the department heads as to how far out we wanted to go and we were talking about going out at least five years and the requests that we got back did not go out that far and he thought that ultimately that would be the goal. Right now he did not think that we

were in a position, at least at this point to do that. Now as an ongoing basis we will get to that point.

Councilman Gunner indicated that he guessed his concern is if that is the law we would have to live within it. Mr. Maher stated correct and Councilman Gunner stated and we would have to get to that point that was what he was trying to say. Mr. Maher stated that he did not see any difficulty in doing it and Councilman Gunner indicated that he was sure that we will be adding other things as we go along and Mr. Maher responded "Oh sure". Councilman Gunner continued that he did not know since it was the first time that he has been through this, or he guessed any of us have been through this, that he wanted to make sure do we have to have it when we go in with the plan, this was what he was saying. Supervisor Ringler indicated that he thought that Charlie's question and if he understood what he was trying to say to establish the reserve accounts and so forth it has to be part of a six year plan so when we actually set them up we are going to have to be looking at that six year period.

Councilman Gunner stated that if anybody else has a question he would yield to them for the time being. Supervisor Ringler asked if anyone else had questions. He asked Councilman Webster, Councilwoman Galvin and Councilwoman Fuller and they all indicated No.

The Supervisor indicated to Councilman Gunner, Charlie back to you and he indicated that he liked the flow chart that we have in here and he followed that pretty closely but there are some things that to this point we haven't done and he would assume that in the guidelines in the future as we move along we will do them, for example where we have information meetings, keep the Board and the civic people involved, and also just have general interest participation as with my talks with you this afternoon and said yes you would be doing this. Mr. Maher stated that he thought that it would be very important to get some public input as far as what they feel the capital needs of the community are and he thought that this was something that we would like to try to do. Councilman Gunner indicated and somewhere along in there and he forgot the section, you did say that the Board would be involved in its own prioritization. Mr. Maher stated that he thought that generally speaking as you will see everything as it comes through and when it does become part of the budget document, you in fact, will be able to prioritize them yourself. Councilman Gunner indicated that he was glad that he had brought this up as this was because this was really an outgrowth of last year's budget when we had asked whether there was any capital outlay money and you said "No" there is a plan to be coming forth.

Councilman Gunner asked again if anyone else had any questions? Councilwoman Fuller indicated that she would save them for budget time. Councilman Gunner indicated that he was glad to see that the State government had some good things for us to follow and we took advantage of those opportunities. The Capital Improvement Request Form had some interesting things on it that he did not see on some of the Applications or at least they did not fill it out and he thought that in the budget process it was very critical and that was on page 40 number 20, operating cost impact, and that is the part that says what was the result of change of existing personnel, in other words all it is asking is what it is going to cost in operation after we get it done because once you build it that is one price then you have to keep it operating for that many years and that is another whole price. Mr. Maher indicated that when he read the stuff from the State that was one of the things that was a major concern of theirs is to also look at the operating costs of any facilities request. Councilman Gunner indicated that he saw it on his questionnaire, the Request sheet, but he also saw that some of the people did not fill it out, there are some there that wasn't probably going to require it. Mr. Maher stated that in some cases it probably was not appropriate. Councilman Gunner responded there were a few cases where he felt that it was very appropriate and Mr. Maher agreed and Councilman Gunner continued that he guessed what he was saying is that once we get this as a guideline he would like to see that all spelled out and that that does not come before us without that information. Mr. Maher indicated again what we are trying to do here is to try to get something in the process here which is basically what you have to have, some kind of a process to get started with and he thought as we go along we will refine it further and it will become

much better and you know when projects come up if there are portions that are missing, they won't even be looked at until they are complete. He thought that this would be the only way to go. Councilman Gunner indicated that this was what he was saying now before we get it for approval, he wanted to see that, OK, because he would not want to be buying a pig in a poke, which he did not think anybody else would either. Councilwoman Fuller asked if each individual project will come before the Town Board? Councilman Gunner stated, right. Councilman Webster stated so you are going to be getting that information as each individual project arrives anyway.

Councilman Gunner indicated that he would like to ask a specific question about, he did realize and it was sort of interesting, to just break down what the totals in the plan involved and wanted to do it by department and that because that sometimes affects the way that people say it, the largest, by far the largest amount deals with sewer and water which certainly are community needs without a doubt, and probably the next largest is recreation which was about a million and a half dollars and deals with the pools and the parks and things like that and then we went to the general work to be done here in Town Hall which went to a half million and then it went down from there. While he was interested in this presentation tonight, are we planning to follow this for the immediate future, suppose the Town Board has or wanted to maybe change just one number to the other. Supervisor Ringler indicated that that was not a problem and Councilman Gunner continued in priority but when would we get a chance to do this? The Supervisor indicated well I think that if any member of the Town Board felt that we could change a priority and make a presentation on a particular project, that can be done at any point in time, or a department head, if a department head says I realize where I am on the priority list, however, I disagree with that because of a,b,c,d and e and I want to make a presentation to the Town Board, it could be done. Councilman Gunner stated well I tried to add one or two little things, basically he agreed with the whole thing, but he guessed his point is, that he knew there were four hundred and fifty available points and he did not know how they did them. Supervisor Ringler indicated that it was not set in stone, OK, this is a guideline and it is going to be for his purposes as somebody is going to be submitting things to you, for example if you agree conceptually with what we have here as a guideline, he was going to try his darnedest every year to work with Dave to ensure that we can put some money aside for particular projects that we will be working continually on and he would not come before this Board with a recommendation on bonding the total building of the North Bethlehem park, if the Board agrees as the guidelines, the guidelines says we are going to do that little by little and do it through appropriations as we have the money to do it, OK, that is what he is saying, it is a plan and a framework within which to work but it is not set in stone, it does not mean that automatically this is what is going to happen every year. A plan like this is fluid, it is going to change with times. Councilman Gunner stated that he realized that, but what he was saying as it changes, he was trying to make some of the points that they should look at for changes, OK, that he feels uncomfortable with, and he would just like to see and that would improve it, and he thought that most of the things they agree with.

Mr. Maher indicated that actually he thought any changes that do occur, again if there is another project that comes in just like with this one, we rank it and look at the priority and submit it that way, that is the kind of thing that will change, as a matter of fact he would not be surprised if it does change and change regularly. Councilman Gunner stated that at least while the committee he would imagine and there should be some Board action yearly, before you go to your next budget. Supervisor Ringler indicated that this plan should be updated and Councilman Gunner stated yearly at least and Supervisor Ringler stated absolutely and he thought that it said that in there, doesn't it? Councilman Webster stated that they were looking at a semi-annual looksee, but at least this gives us, Charlie, as Board Members a long range look at what the department heads are looking at, and Councilman Gunner indicated that he has said this in the beginning, he realized that and he thought that it was commendable and he said that right at the beginning of the presentation.

The Supervisor asked if there were any other questions.

Mr. Maher indicated that the other thing that you have to remember, too, is that Fred is on this committee at the present time and that could change and it would drastically change. Laughter - and Councilman Webster stated in a matter of months and Councilman Gunner stated let's go on to the next topic. Laughter.

Councilwoman Fuller indicated that it changed immediately and Mr. Maher continued but the departments with a lot of stake in for example what the larger capital needs are, are represented on this committee so that does help a great deal.

Supervisor Ringler indicated that he had initially suggested this, it was more for our own department heads, so that they themselves would start looking at a longer term than they sometimes may have and to be coming in here and saying this is what I want to do and not coming in here and surprising themselves or ourselves with a project. Councilman Gunner stated, well as you know, I supported you on it and prodded you on it to get it going because it was one of the things that he felt was really worthwhile and his points were really not negative, his points are to where he has concerns and Supervisor Ringler indicated absolutely. Mr. Maher stated and at least we have some kind of an idea of where we are going. Supervisor Ringler indicated and we all do it and he was not totally convinced, there was no question that there was room for improvement, there is room for change and it is going to be an ongoing and evolving process, but he thought that it was going to be a good process.

Councilwoman Galvin stated that she felt that Phil and the Committee should be commended on having done an excellent job with a very difficult task and turning it into something that gives us a good starting point to move on from.

The Supervisor indicated that he guessed if the Board would entertain a motion to accept the report from the Committee to be used as a guideline in our future planning, it might be appropriate, and as he said as a guideline for our future planning and decision making.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller that the report of the Capital Improvements Committee be and it hereby is accepted with the understanding that it be used as a guideline for the Town Board for future planning and decision making. Councilman Gunner asked by guideline we mean just that new sentence in the minutes. The Supervisor asked if there was further discussion.

The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Ms. Galvin, Mr. Gunner. Mrs. Fuller.  
Noes: None.

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Supervisor Ringler indicated to David Austin this does not mean that you can go out and start building tennis courts, Dave, Laughter and Councilwoman Fuller indicated it is just a guideline. Councilman Gunner added that he saw all of the trucks out there and he was wondering. Supervisor Ringler stated but this was one of the things that moved to the top because that is a facility as David has point out and he is going to be putting some number together, real numbers, as to what that is going to cost us to do. Councilman Gunner indicated to see whether we have to do the whole project and Supervisor Ringler stated, yes, and to know what our real needs are because that is something that we have put off for several years and we just can't keep putting things off. Councilman Webster indicated, well we got trapped, about three years ago with massive roof problems, down at the park, a roof problem here and had we had capital reserve funds set aside it would not have been a major problem, we would have had the money there. Councilman Gunner indicated that he agreed with him and Councilman Webster indicated that it would have been great.

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The next item was a request for a Yield Sign at Kenwood Avenue and NYS Route 32. Supervisor Ringler asked -- Fred Holligan is on vacation this week, isn't he? He read the following Memorandum.

## M E M O R A N D U M

DATE: JUNE 26, 1991  
 TO: HONORABLE KENNETH J. RINGLER, TOWN SUPERVISOR  
 FROM: F. J. HOLLIGAN, CHAIRMAN, TRAFFIC SAFETY COMMITTEE  
 SUBJECT: REQUEST FOR A YIELD SIGN-KENWOOD AVENUE & NYS ROUTE 32

This committee has reviewed a request from Donald Glastetter, 7 Maewin Drive, Glenmont, for the installation of a yield sign on the off ramp from New York State Route 32 where it intersects with Kenwood Avenue. According to Mr. Glastetter, there had been a yield sign at this location until it was hit about a year ago and never replaced. Mr. Glastetter complains that the absence of the yield sign requires drivers, northbound on the Kenwood avenue section, to look over their shoulder to see if traffic is approaching the intersection from the off ramp.

Discussion  
 of Yield Sign  
 at Kenwood  
 Ave. & NYS  
 Route 32 -  
 no action -  
 accept Traffic  
 Safety  
 Recommendation

After consideration of this request, the Traffic Safety Committee recommends against the installation of a yield sign. This recommendation is based on the following:

1. NYS Vehicle & Traffic Law section 1140 (b) requires vehicle operators to yield to the right. Therefore, northbound vehicles on the Kenwood Avenue section are required to yield the right of way to traffic entering that roadway from the NYS Rte 32 off ramp. To install a yield sign, to control traffic on the ramp, would be contrary to the Vehicle & Traffic Law.
2. There is excellent visibility at the intersection.
3. There is no accident history at the intersection.

It should also be noted here that our research indicates that there has never been a yield sign at this intersection. The Town Clerk indicated that she had double check this.

The Supervisor indicated that he guessed he would ask the Police this, he read this and guessed that he gets confused, it seems to him that ramp as they describe it is coming in to a through street, but as he reads this that ramp has the right-of-way. Lieutenant Richard Vanderbilt indicated, yes it does, and Chief of Police, Paul E. Currie, Sr., stated from the way you have read there it looks that way, he was not familiar with the area or the intersection. Lieutenant Vanderbilt stated from the extent of traffic that comes on what would appear to be the main thoroughfare from traffic coming north on the bypass is very little, the majority of the traffic is traffic that goes south on the bypass going on the Kenwood Avenue, so if a Yield Sign was installed it would be a very, very small amount of the traffic that it would even control. Supervisor Ringler indicated that he guessed from that prospective we are right because not to much traffic would be coming eastbound on the bypass to take a left on to Kenwood Avenue and head back in the same direction again basically. Lieutenant Vanderbilt indicated and as they stated in the Memo there is no accident history to support any need for anything different there.

Supervisor Ringler stated that he guessed that one of his concerns and that he took a chuckle with is that the applicant has suggested that he would not have to look if there was a yield sign, well he thought that the purpose of a yield sign is so you can stop and take a look to see what is coming. Councilman Webster indicated that he would not trust a yield sign to make that turn without looking back over his shoulders. Chief Currie indicated that the concern was and it has been cleared up is that it was off of DOT's right-of-way which it is, because if we put it on DOT's right-of-way it is not enforceable. Supervisor Ringler asked if anyone had any disagreement with the recommendation and then no further action would be necessary.

Councilman Gunner indicated just one other thing that area where you cross the median is quite large and there is room for cars much better than down by Elsmere Avenue where you can only get two cars there, but he used it all of the time and never had any problem.

Councilman Webster stated that one thing we have calls requesting many times, Paul, is that the median be lined but it never has been and he did not know why, the traffic that comes down going east on the bypass toward 9W makes that turn and the whole median is completely without any designations and they turn in there and the traffic is going across it, there is no designation of which lane you are in if you are coming off of Kenwood you may be way over in the lane and the guy when he makes a left turn has to pass you on the right. Chief Currie indicated that he would speak to Joe Kelly tomorrow and maybe we could get it lined, they normally do line them and they should line them. Councilman Webster indicated that this would be a help at that intersection. Supervisor Ringler indicated speaking of lining, when you are talking with Joe Kelly tomorrow, once again would he ask them to remove that double yellow line at the four corners, he meant, they came in the spring and they splattered some back on it that has all worn off again, and that will actually have to be ground off of there he thought to get that off or people are going to be missing that lane again. Councilman Webster stated and let's see if he will put new sidewalks in while he is there - Laughter.

Councilman Webster indicated so moved and Supervisor Ringler indicated that no action would be necessary.

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Next was a request from the Department of Public Works for acceptance of Correction easement from Karl A. Paulsen as Trustee of the Paulsen Realty Trust in the Quail Hollow Subdivision.

Accept  
Correction  
Easement for  
Quail Hollow  
Subdivision

The motion was made by Ms. Galvin and seconded by Mr. Gunner that the Corrective Easement in the Quail Hollow Subdivision from Karl A. Paulsen, as Trustee under the Paulsen Realty Trust be and it hereby is accepted covering the common division line between the lands of Our Lady Help of Christians Cemetery and the Quail Hollow Subdivision as recommended by the Department of Public Works and will be recorded in the office of the Albany County Clerk. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Ms. Galvin, Mr. Gunner, Mrs. Fuller.  
Noes: None.

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Next was a request from Richard Webster, Deputy Comptroller, for transfer of funds from Contingency to Unemployment Insurance in the amount of \$10,500.00.

Approve  
Transfer of  
Funds from  
Contingency to  
Unemployment  
Insurance

Councilman Gunner asked if he could ask a question. He indicated that he was just curious why this was necessary - he did not fully understand why this was necessary. Supervisor Ringler indicated he would like to go back to one of his old hats when he used to work in the Unemployment Insurance Division, in business, for example in his businesses, he pays his Unemployment Insurance based upon premium basis, in government it does not work that way it is paid as you go, if you don't have any claims and don't pay, when you get claims you pay. In the budget process they attempt to, based upon history, estimate where we are and in this particular situation we have had layoffs as you know and Councilman Gunner indicated that this was his question and that was what has affected it. Thank you.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller that at the request of Richard S. Webster, Deputy Comptroller, \$10,500.00 be transferred from the Contingency Account A1990.448 to the Unemployment Insurance Account A9050.81. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Ms. Galvin, Mr. Gunner, Mrs. Fuller.  
Noes: None.

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Next was a request from David Austin, Administrator of Parks and Recreation Department, for appointment of Seasonal Personnel.

Recreation Instructor I at a rate of \$4.90 per hour

Stacey J. Carson  
162 Murray Avenue  
Delmar, NY 12054

Recreation Instructor I at a rate of \$5.30 per hour.

Kathleen Mausert 498 Kenwood Ave. Delmar, NY 12054	Amy L. Budliger 36 Groesbeck Place Delmar, NY 12054	Kathleen E. Fish 284 Elm Avenue Delmar, NY 12054
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Recreation Instructor III at a rate of \$8.00 per hour.

Julie Francis  
31 Elberon Place  
Albany, NY 12203

Appoint  
Seasonal  
Personnel -  
Parks &  
Recreation  
Dept.

The motion was made by Mr. Webster and seconded by Ms. Galvin that the above-named individuals be and there hereby are appointed to work as Seasonal Personnel for the Parks & Recreation Department and to serve at the pleasure of the Town Board at the recommended rates of pay. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Ms. Galvin, Mr. Gunner, Mrs. Fuller.  
Noes: None.

Next was a request from Paul Currie for transfer of Drug Asset Forfeiture Money to Account A3121.249 that is the Drug Enforcement Fund. This is one of those situations where we are allowed to reappropriate money, it is an unusual situation but under State law if they forfeit drug money and it is given back to us we can reappropriate that to be spent during the current fiscal year. The Supervisor asked Chief Currie if he was correct and Chief Currie indicated that he was. There is \$6,370.00, keep it rolling in guys you are doing great.

Approval  
of Drug  
Asset  
Forfeiture  
Money to  
Account  
Drug  
Enforcement Fund

The motion was made by Mr. Gunner and seconded by Ms. Galvin that at the request of Paul E. Currie, Sr., Chief of Police, \$6,370.00 in drug asset forfeiture monies be transferred to Account A3121.249 Drug Enforcement Fund. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Ms. Galvin, Mr. Gunner, Mrs. Fuller.  
Noes: None.

Next was a request from Chuck Wickham, Engineering Department, for approval of a dumping permit for John Breeze at 1397 New Scotland Road, in Slingerlands. This he added at the last minute because it is a small one and if it is not approved soon the fill is going to be gone. This is from construction work that the State DOT is doing over on New Scotland Road at that intersection and he wanted permission to have them dump it there and the State did not want to drive a great deal of distance, and it is a temporary permit for sixty days.

Approval  
Dumping  
Permit -  
John Breeze,  
New Scotland  
Rd., Slinger-  
lands.

Councilman Webster asked if we had approved this site before and Supervisor Ringler and Councilwoman Galvin indicated that they thought that the other site was down the road from this.

The motion was made by Ms. Galvin and seconded by Mr. Webster that a dumping permit be issued to John H. Breeze, 1397 New Scotland Road, Slingerlands, NY to dump 1,000 cubic yards of earth on his property with the following conditions for a period of sixty days:

1. That no more than 1000 cubic yards of fill be placed.
2. All fill shall consist of dirt and broken pavement. No other construction material will be allowed.
3. All fill shall be placed not to block existing drainage.
4. As soon as any portion of the filling is completed, that area shall be graded and seeded to minimize wind and rain erosion.
5. All material tracked onto the highway shall be cleared immediately or all operations shall cease, it shall also be

the applicant's responsibility to maintain the site in a neat and orderly manner at all times.

The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Ms. Galvin, Mr. Gunner, Mrs. Fuller.  
Noes: None.

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Next the Supervisor indicated that he had received the resignation of Clifton Thompson of Glenmont as the Democratic Voting Machine Custodian.

Accept  
Resignation  
Democratic  
Voting  
Machine  
Custodian

The motion was made by Mr. Gunner and seconded by Mrs. Fuller that the resignation of Clifton B. Thompson, as Democratic Voting Machine Custodian effective immediately, be accepted. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Ms. Galvin, Mr. Gunner, Mrs. Fuller.  
Noes: None.

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Next Supervisor Ringler stated that he would like to consider adoption of the resolution for appointment of the Democratic Election Inspectors and the list was attached.

The following resolution was offered by Ms. Galvin and seconded by Mr. Webster:

RESOLVED, that pursuant to Article 3 of the Election Law, the following persons be and they hereby are appointed Election Inspectors as recommended by the Democratic Committee for the term beginning July 15, 1991 and ending July 14, 1992:

Appoint  
Democratic  
Election  
Inspectors

DISTRICT 1

Muriel Welch  
46 Carstead Drive  
Slingerlands, NY 12159

Elizabeth Gohlke  
34 Surrey Mall  
Slingerlands, NY 12159

DISTRICT 2

Alice Hamill  
482 Huron Road  
Delmar, NY 12054

Robert Lillis  
103 Meadowland Street  
Delmar, NY 12054

DISTRICT 3

Michele Zeno  
21 Adams Place  
Delmar, NY 12054

Kathleen A. Clyne  
64 Adams Place  
Delmar, NY 12054

DISTRICT 4

Rita Mero  
16 Pineridge Place  
Delmar, NY 12054

Susan Garrow  
84 Kenaware Avenue  
Delmar, NY 12054

DISTRICT 5

Bthany Wieczorek  
181 Hague Boulevard  
Glenmont, NY 12077

Pamela Schwartz  
5 Wilson Street  
Albany, NY 12207

DISTRICT 6

Margaret Prime  
29 Thatcher Street  
Selkirk, NY 12158

Marilyn Picarazzi  
14 Thatcher Street  
Selkirk, NY 12158

DISTRICT 7

Velma Snyder  
Spawn Hollow Road  
So. Bethlehem, NY 12161

Florence Derry  
R.D. #2, Box 237-A  
Ravena, NY 12143

DISTRICT 8 Gerri Battle 22 Poplar Drive Delmar, NY 12054	Dennis Battle 22 Poplar Drive Delmar, NY 12054
DISTRICT 9 Carol Benton Box H Hart Terrace Clarksville, NY 12041	Patricia Cooper 69 Adams Place Delmar, NY 12054
DISTRICT 10 Richard Swim 14 Frances Lane Albany, NY 12203	Carl Barney 451-B Russell Road Albany, NY 12203
DISTRICT 11 James Gleason P.O. Box 81 Glenmont, NY 12077	Mary L. Dugas 13 Sussex Road Glenmont, NY 12077
DISTRICT 12 John Costello 73 Longmeadow Drive Delmar, NY 12054	Rose McGarry 17 Mullens Road Slingerlands, NY 12159
DISTRICT 13 Kevin Mahony 61 Adams Place Delmar, NY 12054	Vincenta Caminiti 323 Kenwood Avenue Delmar, NY 12054
DISTRICT 14 Jack Jowett 14 Bellevue Avenue Selkirk, NY 12158	Harriet Jordan 3 Buell Street Albany, NY 12206
DISTRICT 15 Melody Brennan 6 Grove Street Slingerlands, NY 12159	Debra McGurn 5 Edgewood Road Slingerlands, NY 12159
DISTRICT 16 Carol G. Bailey 456-C Kenwood Avenue Delmar, NY 12054	Jean Scully 77 Meadowland Street Delmar, NY 12054
DISTRICT 17 William Burkhard 65 Brookview Avenue Delmar, NY 12054	Mary Lou Burkhard 65 Brookview Avenue Delmar, NY 12054
DISTRICT 18 Richard Blaber 87 Jordan Boulevard Delmar, NY 12054	Dorothy Granier 16-A Cherry Avenue Delmar, NY 12054
DISTRICT 19 Mary Lou Walker Clapper Road Selkirk, NY 12159	Louise Downes P.O. Box 103, Church Street Coeymans, NY 12045
DISTRICT 20 Jane Stein 49 Dover Drive Delmar, NY 12054	Karen B. Bonventre 15 Dover Drive Delmar, NY 12054
DISTRICT 21 Joyce Recene 52 Dumbarton Drive Delmar, NY 12054	George T. Harder 15 Euclid Avenue Delmar, NY 12054
DISTRICT 22 Joan Norton 3 Pinetree Drive Delmar, NY 12054	Sharron Snide 15 Stanwix Street Albany, NY 12209

## DISTRICT 23

Rosemarie McDonough  
2 Walimary Drive  
Delmar, NY 12054

Judith Koretz  
21 Huntersfield Road  
Delmar, NY 12054

## DISTRICT 24

Herbert George  
21-A Oakwood Place  
Delmar, NY 12054

Robert Elfers  
147-B Hague Boulevard  
Glenmont, NY 12077

## DISTRICT 25

Dorothea Williams  
1524 5th Street  
P.O. Box 798  
Coeymans, NY 12045

Jonathan Friedman  
Box 324  
Feura Bush, NY 12067

## DISTRICT 26

Mary Mantaro  
8 Leaf Road  
Delmar, NY 12054

Maurie Flanigan  
1465 New Scotland Road  
Slingerlands, NY 12159

## DISTRICT 27

Albert E. Burkhard  
262 Whitehall Road  
Albany, NY 12209

Timothy A. DeVost  
10 Bryn Mawr Drive  
Glenmont, NY 12054

The resolution was adopted by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Ms. Galvin, Mr. Gunner, Mrs. Fuller.  
Noes: None.

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Next the Supervisor indicated that he would entertain a motion to approve the Democratic Poll Clerks as recommended by the Democratic Committee.

The following resolution was offered by Ms. Galvin and seconded by Mr. Gunner:

Appoint  
Democratic  
Poll  
Clerks

RESOLVED, that in accordance with Election Law, Article 3, the following persons be and they hereby are appointed Poll Clerks for the Town of Bethlehem on Election Day, November 5, 1991, as recommended by the Democratic Committee:

DISTRICT 1	Dorothy Pogue	15 Surrey Mall, Slingerlands, NY
DISTRICT 2	Timothy Dinneen	85 Meadowland Rd., Delmar, NY
DISTRICT 3	Lynn Rhodes	11 Pineview Ave., Delmar, NY
DISTRICT 4	Matthew Williams	18 Groesbeck Pl., Delmar, NY
DISTRICT 5	Patricia Mackey	16 Asprion Rd., Glenmont, NY
DISTRICT 6	Helen P. Brennan	172 Maple Ave., Selkirk, NY
DISTRICT 7	Lyle Snyder, Sr.	P.O. Box 549, So. Bethlehem, NY
DISTRICT 8	Timothy Burke	33 Oakwood Pl., Delmar, NY
DISTRICT 9	Steve Moore	15 Fernbank Ave., Delmar, NY
DISTRICT 10	Elaine Hart	23 Monroe Ave., Albany, NY
DISTRICT 11	Jean Dugan	131 Westchester Dr., No., Delmar, NY
DISTRICT 12	George Kansas	14 Forest Rd., Delmar, NY
DISTRICT 13	Thomas Ireland	84 Elsmere Ave., Delmar, NY
DISTRICT 14	Patricia Biche	22 Ellendale Ave., Selkirk, NY
DISTRICT 15	Karla Skultety	2 Greenwood La., Delmar, NY
DISTRICT 16	Rye Mausert	498 Kenwood Ave., Delmar, NY
DISTRICT 17	Jean Corcoran	65 Dumbarton Dr., Delmar, NY
DISTRICT 18	Monica Vasto	122-A Fairlawn Dr., Selkirk, NY
DISTRICT 19	Michael Mogul	Beaver Dam Rd., Selkirk, NY
DISTRICT 20	Robert Stein	49 Dover Dr., Delmar, NY
DISTRICT 21	Bruce Bushart	15 Holbrook Way, Delmar, NY
DISTRICT 22	Anthony Mazzarello	45 Norwood St., Albany, NY
DISTRICT 23	Maura McSweeney	158 Mt. Hope Dr., Albany, NY
DISTRICT 24	Kristen Derry	R.D. #2, Box 237A, Ravena, NY
DISTRICT 25	Eric Unright	R.D. #2, Box 32, Selkirk, NY
DISTRICT 26	Jack Ryan	58 Cherry Ave., Delmar, NY 12054
DISTRICT 27	Ellen Vita	Bethlehem Terrace Apts., C-121, Slingerlands, NY

The resolution was adopted by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Ms. Galvin, Mr. Gunner, Mrs. Fuller.  
Noes: None.

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At this point in time the Supervisor stated that he would ask for a motion to go into Executive Session but in an unusual manner he was not going to ask for an adjournment at this point in time. He was going to ask to go to Executive Session for recess and for the members of the media that are probably the only people who won't be involved, this is basically to discuss a union contract that we have been working on with our Telecommunicators. The Board is going to review this final draft and if it is acceptable to them, we will come back and most likely in a public session approve it and authorize the Supervisor to sign it, but it still has not been finalized and as it hasn't there may be further negotiation, we would have to go into Executive Session. They were more than welcome to stay and he thought that they would stay right in here though rather than move so if you guys want to go out into the hall or whatever he would entertain a motion to recess for Executive Session to discuss personnel matters.

Recess to  
Executive  
session

The motion was made by Ms. Galvin and seconded by Mr. Webster that the Town Board meeting be recessed and meet in Executive Session to discuss a personnel matter. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Ms. Galvin, Mr. Gunner, Mrs. Fuller.  
Noes:

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The Supervisor stated that he hoped that they would not be too long and the Town Board Meeting was recessed at 8:35 p.m., and he asked Philip Maher, Comptroller, Paul E. Currie, Sr., Chief of Police and Martin Barr to remain.

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The regular Town Board meeting was reconvened at 9:15 p.m.

Supervisor Ringler indicated that they had had some difficult times and they had not been easy negotiations and they were very far apart on many of the financial issues. In spite of these differences the negotiations progressed at a very professional level throughout the process. We were not able to reach an agreement, and an impasse had been declared and a mediator was appointed by the Public Employment Relations Board. Subsequent to that mediation meeting an agreement was reached between the parties and basically the important issues that were resolved and you can have a copy of the contract if you like reading language like that, is that the Telecommunicators for 1991 will receive the same five percent increase that all general town employees have received for the year. In 1992 there will not be a cost of living increase, however, there will be an increase if the financial situation dictates that our general town employees receive any cost of living increase these union members would also receive the same. However, in 1992 they are going to receive a salary grade increase. This position was reviewed as have all town positions been reviewed and many of them are going to be considered for upgrading next year. Councilwoman Fuller asked just the level and Supervisor Ringler responded, yes, the level within the general framework, so they will receive a one grade increase in 1992. In 1993 there is a zero percent cost of living, however, there is a provision that the contract could be reopened for negotiations to discuss salary at that point in time so that if situations fiscally have changed and we can allow something else we would be able to negotiate that.

Supervisor Ringler stated that this was the basic important issue. The union did receive agency shop privileges and there are some other things. Ilaina Jonas the Reporter for the Times Union asked if there were changes in their insurance and Supervisor Ringler and Councilman Webster indicated that there were no changes in that.

The Supervisor asked for a motion to ratify this contract and authorize the Supervisor to sign it.

The motion was made by Mr. Webster and seconded by Ms. Galvin that the 1991 Telecommunicator Contract be and it hereby is ratified and the Supervisor authorized to sign it on behalf of the Town of Bethlehem. The motion was passed by the following vote:

Ratification  
and Author-  
ization of  
Supervisor's  
Signature -  
1991 Tele-  
communicator  
Contract

Ayes: Mr. Ringler, Mr. Webster, Ms. Galvin.

Noes: Mr. Gunner and he indicated that he would like to say that the one issue that he was in contention with was the Agency Shop, otherwise he felt that it was a fairly negotiated contract.

Abstained: Mrs. Fuller indicating that she has just come in time for the vote and was not involved in prior meetings.

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Supervisor Ringler indicated so it passes by a vote of three to one and one abstention.

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The Supervisor asked if there was anything else that anyone would like to bring to the attention of the Board. No other matters were discussed.

Supervisor Ringler indicated that he would entertain a motion to go to Executive Session again as there was another personnel matter but he wanted to not keep people around here all night.

Ilaina Jonas asked if she could ask a question, you have fourteen people involved in this, she thought that was the number in the police department. Supervisor Ringler indicated that there were thirty some employees in the Police Department. Ms. Jonas asked and this involves fourteen people and Supervisor Ringler indicated this was correct but many of them are part time and total staff is what - Chief Currie responded that there were fourteen civilian Telecommunicators and then there are 32 police officers.

Supervisor Ringler indicated that he did want to thank Martin Barr and the Union Representatives and Fred who was on the negotiating team for the fine job, it was a very, very good job, it was a long job and a tedious job. He stated again that he would now entertain a motion to go back to Executive Session upon adjournment of this meeting.

The motion was made by Ms. Galvin and seconded by Mr. Webster that the Town Board meet in Executive Session after the close of the regular meeting to discuss a personnel matter. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Ms. Galvin, Mr. Gunner. Mrs. Fuller.  
Noes: None.

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The motion was made by Ms. Galvin and seconded by Mrs. Fuller to adjourn the regular Town Board meeting at 9:25 p.m. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Ms. Galvin, Mr. Gunner. Mrs. Fuller.  
Noes: None.

  
Town Clerk

No formal action was taken in the Executive Session.

Executive  
Session