

TOWN BOARD
JULY 26, 2000

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 Supervisor Fuller at 7:30 p.m.

PRESENT: Sheila Fuller, Supervisor
George Lenhardt, Councilman, Deputy Supervisor
Doris M. Davis, Councilman
Daniel G. Plummer, Councilman
Susan Burns, Councilman
Catherine T. Picarazzi, Deputy Town Clerk
Bernard Kaplowitz, Esq., Town Attorney

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SUPERVISOR FULLER: Good evening and welcome to a regular meeting of the Bethlehem Town Board. Please join us in the pledge of allegiance.

The first item on tonight's agenda is a public hearing to consider proposed Local Law amending the Code of the Town of Bethlehem, -- I almost forgot the name of the town -- Stop Intersections, to add a stop sign at Cherryvale Boulevard at McCormack Road, North, direction of travel North. Ask the Clerk to read the call of the hearing.

DEPUTY TOWN CLERK PICARAZZI:
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, Albany County, New York on the 26th day of July, 2000 at 7:30 p.m. to consider proposed Local Law Amending the Code of the Town of Bethlehem as follows:

AMEND VEHICLE AND TRAFFIC ARTICLE VI, Section 119-33, Schedule VII, Stop Intersections as follows:

ADD: Stop intersections as follows:

Cherryvale Boulevard at intersection of McCormack Road North, direction of travel North.

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, CMC/AAE
TOWN CLERK

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State of New York)
County of Albany)

ELIZABETH BRADT of the Town of Bethlehem, being duly sworn, says that she is the RECEPTIONIST for 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 12th day of July 2000.

/s/ Elizabeth Bradt

Sworn to before me this 12th day of 2000.
/s/ Mary P. Lee
Notary Public, Albany County

For an official copy of the minutes, please visit the Town Hall, 445 Delaware Avenue, Delmar, NY or call 439-4955, extension 158.

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

KATHLEEN A. NEWKIRK, being duly sworn, deposes and says that she is the Town Clerk of the Town of Bethlehem, Albany County, New York and that I posted on July 12, 2000, 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
17th day July of 2000.
/s/ Catherine T. Picarazzi
Notary Public

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The motion was made by Mrs. Davis 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. Lenhardt, Mrs. Davis, Ms. Burns,
Mr. Plummer.
Noes: None.

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SUPERVISOR FULLER: Lieutenant Beebe.

LT. BEEBE: I got a phone call from the Superintendent of Highways requesting I take a look at that intersection and make the following recommendation which I did and it's just primarily to establish a clear right-of-way in that new development, as well as, control traffic – that's the long and short of it.

SUPERVISOR FULLER: Okay.

LT. BEEBE: As those streets become developed, there will probably be additional requests once those streets come through but for now this is the only one.

SUPERVISOR FULLER: Thank you, Tim. Is there anyone here wishing to speak in favor? Is there anyone wishing to speak in opposition?

May I have a motion to close the public hearing?

The motion was made by Ms. Burns and seconded by Mrs. Davis to close the public hearing at 7:34 p.m. The motion was passed by the following vote:

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

Town Clerk

The Supervisor convened the regular meeting of the Bethlehem Town Board following the close of the public hearing. She asked for a motion to approve the adoption of a Local Law amending the Code of the Town of Bethlehem, Vehicle and Traffic, Stop Intersections, to add a stop sign at Cherryvale Boulevard at McCormack Road North, direction of travel North, Slingerlands.

The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to adopt Local Law No. 8 of 2000 amending the Code of the Town of Bethlehem, Vehicle and Traffic, Stop Intersections, to add a stop sign at Cherryvale Boulevard at McCormack Road North, direction of travel north, Slingerlands. The motion was passed by the following vote:

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

The next item was to adopt the resolution approving Republican Election Inspectors and Poll Clerks for the period July 15, 2000 through July 14, 2001.

Motion was made by Mr. Lenhardt and seconded by Mrs. Davis to approve the adoption of the resolution approving Republican Election Inspectors and Poll Clerks for the period July 15, 2000 through July 14, 2001 as recommended by the Republican Committee of the Town of Bethlehem. The motion was carried by the following votes:

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

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Councilman Davis asked if the Democratic appointments are anticipated to be received soon. Deputy Town Clerk Picarazzi noted calls have been made and the list has not been supplied. Councilman Plummer said he spoke with Chairman Clyne earlier in the day and he is working on the list and hopes to have it here shortly.

The next item was to adopt the resolution setting election fees for the year 2000.

Councilman Plummer made a comment regarding this proposed resolution, indicating he proposes an increase in the fees for the Inspectors and Poll Clerks. He said right now the fees are \$80 for Primary and \$100 for General Election and \$75 for the Poll Clerks. He thinks that on Election Day, in particular since it is a long day, 15 hours, this amount should be raised. Supervisor Fuller agreed noting it is a difficult day. Mr. Plummer said he thinks it is important to keep people involved in this process and feels if the fees were increased it will help to do that. He said he proposes increasing the Inspector fee for Primary Day from \$80 to \$100 and the Inspector fee for the General Election from \$100 to \$150 and the Poll Clerk from \$75 to \$125. He said that increase would result in an increase of \$11,400, noting the total amount the Town spends at this time is \$26,100. He said he does not think this is a lot of money for what has to be done. He said he believes it is important and fair to do that. Councilman Plummer noted the Town Clerk, Kathleen Newkirk, has complete information about this and asked that the Board table this until the next meeting. Councilman Davis noted maybe this can be compared with other communities as well. She said she does not know or have any idea about this.

Supervisor Fuller said she will have Town Clerk Newkirk compile the information from other years, including when the last increase occurred. Councilman Lenhardt noted it will also give time to take a look at the budget. Supervisor Fuller noted for the year 2000 these are figures that were already set by last year's budget. Councilman Davis noted she believed that was true. The Comptroller noted the proposed rate increase would impact this year which would require a budget transfer. Deputy

Town Clerk Picarazzi noted the rates run part of this year and part of 2001. Comptroller Kehoe noted these rates were set on the prior approved fees.

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to table the resolution setting election fees for the year 2000 until the next Town Board meeting. The motion was carried by the following votes:

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

The next item was from the Comptroller to approve a Budget Modification, Budget Transfer and Expenditure from Capital Reserve Account for phase 1 of the Upgrade to the Town's Computer System. Supervisor Fuller asked Comptroller Kehoe to give a brief overview of this request. Mrs. Kehoe gave a brief review of the status of the Upgrade to the Town's computer system.

The motion was made by Mrs. Davis and seconded by Ms. Burns to approve a transfer of \$15,000 from Account A-8160.4, Recycling to Account A-9901.9, Interfund Transfer, to continue phase two of the upgrade of the Town's computer system to connect Parks and Recreation Department and Highway Department to the network. The motion was passed by the following vote:

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

Motion was made by Mrs. Davis and seconded by Ms. Burns to approve the transfer of \$15,000 from account A-9901.9, Interfund Transfer, to the General Fund Capital Reserve account HA-1680. The motion was passed by the following vote:

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

The following resolution was presented for adoption:

RESOLUTOIN AND PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Bethlehem in the County of Albany, State of New York has on the 26th day of July 2000, duly adopted, subject to a permissive referendum, a resolution as follows:

WHEREAS, the Town Board of the Town of Bethlehem has determined that it is necessary to perform the next phase of the upgrade of the Town's computer system, expanding it to the Parks and Highway Departments, and

WHEREAS, it is estimated that the costs of said work will not exceed \$50,000; and

WHEREAS, in recognition of these needs, funds for such purpose are in the General Fund Capital Reserve; and,

NOW, THEREFORE, BE IT RESOLVED that it is in the public interest to complete this system upgrade; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the expenditure of the reserve moneys to fund this project up to a maximum amount of \$50,000 and,

BE IT FURTHER RESOLVED, that the Town Comptroller is authorized to expend from the General Fund Capital Reserve the funds necessary up to \$50,000 in said reserve fund; and

This resolution shall be subject to a permissive referendum, as permitted by law.

The motion to adopt the resolution was made by Councilman Burns, was seconded by Councilman Plummer and duly adopted by the following vote:

Ayes: Mrs. Fuller, Ms. Burns, Mr. Plummer, Mr. Lenhardt and Mrs. Davis.

Noes: None.

Absent: None.

The next item was a recommendation from Engineering Services Administrator, Michael Cirillo, for acceptance of deeds for Dowerskill Village PRD, Section 3. Supervisor Fuller noted it is parcels of lands conveyed in the entire development, a total of 2,777.71 feet of new highway and an easement containing 8.2354 acres along the Dowerskill Creek for passive recreation and open space purposes and 0.629 acres for a portion of right-of-way of the future east/west collector road.

The motion was made by Mr. Lenhardt and seconded by Ms. Burns to approve the acceptance of deeds for Dowerskill Village PRD 4, Section 3 from Charlew Construction Company, Schenectady, New York, as recommended by Engineering Services Administrator, Michael Cirillo. The motion was passed by the following vote:

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

Noes: None.

Absent: None.

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Councilman Davis asked Mr. Lipnicky to highlight what the passive recreational uses of land might be. Mr. Lipnicky said at this point in time it is undetermined. He noted what they have been trying to do on the Planning Board level with developments along the Dowerskill – noting it started with Haswell Farms development and the information out of the Planning Reference Resource – is to try to get easements along the Dowerskill or conveyances to basically in the future maybe 20 years from now or longer, be able to make a greenway section. He noted developers so far have been very cooperative. Councilman Davis said she remembered this being discussed a long time ago.

The following recommendation was from Michael Cirillo, Engineering Services Administrator, for acceptance of deeds for Terramere. Supervisor Fuller said 6 deeds have been received for this Planned Development District, noting 2 of the documents are for street rights-of-way and 4 for easements.

Motion was made by Mr. Lenhardt and seconded by Mrs. Davis to approve the acceptance of deeds for PRD-Terramere from Terramere, L.L.C., Madison, New Jersey, as recommended by Michael Cirillo, Engineering Services Administrator. Motion was carried by the following votes:

Ayes: Mrs. Fuller, Mrs. Davis, Ms. Burns, Mr. Lenhardt and Mr. Plummer.

Noes: None.

Absent: None.

The next agenda item was a recommendation from Engineering Services Administrator, Michael Cirillo, for approval of release of bonding and reduction of bonding for PRD-Terramere. Supervisor Fuller said a request was received from the attorney for this to be done.

Motion was made by Mrs. Davis and seconded by Ms. Burns to approve the recommendation from Engineering Services Administrator, Michael Cirillo, for approval of the release of bonding, Letter of Credit in the amount of \$38,405, for Keats Commons and the reduction in bonding for the Letter of Credit in the amount of \$151,330 to a new amount of \$89,230 for PRD-Terramere. Motion was carried by the following votes:

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

The following item was a request from the Director of MIS, Jeffrey Dammeyer, to award the bid for surplus equipment to Information Technology Trading, Oklahoma.

The motion to approve the award of bid for surplus equipment to Information Technology Trading, Oklahoma at a bid price of \$3,001 as recommended by Jeffrey Dammeyer, Director of Management Information Services, was made by Mr. Plummer and seconded by Ms. Burns. The motion was carried by the following votes:

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

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Supervisor Fuller noted Information Technology Trading will remove the used equipment from the Town Hall.

The next item was a request from Superintendent of Highways, Gregg Sagendorph, to go to bid for the purchase of a diesel powered leaf vacuum machine. Could advertise on August 2, 2000 and open bids on August 14, 2000 at 3:00 p.m.

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

WHEREAS, the Town desires to advertise for bids for the purchase of one (1) diesel powered leaf vacuum machine for use by the Highway Department, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 2nd day of August, 2000 and that bids be received up to 3:00 p.m. on the 14th day of August, 2000 at which time said bids will be publicly opened and read.

The resolution was adopted by the following vote:

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

The next item was a request from Superintendent of Highways, Gregg Sagendorph, to go to the bid for repairs to the stream banks at two locations along the Onesquethaw Creek in South Bethlehem. Could advertise on August 2, 2000 and open bids on August 21, 2000 at 3:00 p.m. Supervisor Fuller noted this was damage done back in hurricane Floyd and FEMA did send in \$17,000 as of this date. Mr. Sagendorph said they submitted that for damage along Willowbrook Avenue where it encroaches on the Town highway. Mr. Secor also had a memorandum from FEMA indicating they have approved funding for the trestle site in the amount of \$165,000.

Mr. Secor, Commissioner of Public Works, displayed a map indicating the location of the creek. He noted there were 2 wash outs and FEMA has determined it can only be replaced to pre-storm conditions. He said they are putting back rock. He said similarly there is another twist in the stream and they are going to do the same at that location. He said they expect the final approval in a couple weeks and want to go ahead with the bid document. Mention was made of land purchased by the Town in the vicinity of this location.

A resident raised a question regarding the adjustment of the creek previously as stated by Mr. Secor, and if there is a way FEMA could help eliminate the problem completely. Mr. Secor said there have been a number of inspections. The resident agreed with Mr. Secor and believes a more permanent solution would be more feasible. Mr. Secor said, however, this is all that has been approved.

Question was raised pertaining to the amount of money received and whether this is enough to do the work. Mr. Secor said he did not know because a lot of the contractors are busy right now with storm repair and he hopes they will get competitive bids.

Supervisor Fuller noted the request is for approval to go to bid.

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

WHEREAS, the Town desires to advertise for bids for the repair to stream banks at two locations along the Onesquethaw Creek in South Bethlehem, pursuant to law,
NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 2nd day of August, 2000 and that bids be received up to 3:00 p.m. on the 21st day of August, 2000 at which time said bids will be publicly opened and read.

The resolution was adopted by the following vote:

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

Noes: None.

Absent: None.

The next item was a request from Bruce Secor, Commissioner of Public Works, for a new connector road in North Bethlehem at the intersection of Schoolhouse Road and Krumkill Road to Blessing Road. Supervisor Fuller asked Mr. Secor to give the background on this item.

Mr. Secor said a 4 page Memorandum was distributed to give the background and the program to be done. He exhibited maps to show where the connector road is proposed. Mr. Secor said this is a very heavily traveled route and they had made some sight distance changes, however, this will improve the flow of traffic and improve the safety of traffic. He said the proposal is the best plan they could come up with which minimizes the impact on Federally protected wetlands and still gives a safe roadway alignment. According to Mr. Secor, the developer of the surrounding lands will have to work to create some additional wetlands to make up for the small amount of impacted wetlands.

Mr. Secor noted the developer is willing to work both with the plans and construction of the roadway. Question was raised as to how traffic control will be accomplished at this new 4-way intersection. Mr. Secor said in the preliminary discussions with Albany County, it was proposed to place stop signs on each side of Krumkill and Schoolhouse Road would be the through road. He also noted the traffic study has not been done at this time. Lt. Beebe noted by realigning the intersection it will increase the sight distance and the traffic flow will be from Blessing to Schoolhouse Road. Mr. Secor noted a recommendation would be brought back to the Board if necessary.

Mr. Lipnicky gave information regarding the Land Use Planning Reference Resource recommendations. He said traffic was reviewed at the time of the study. He discussed the previous items reviewed during the preparation of the Reference Resource. Out of all the alternatives for this area, Mr. Lipnicky said the best alternative is this proposal.

Mr. Secor said in his packet there is a map and a resolution is prepared and noted this is a request to start the project. He said they have to have some kind of status in order to begin applying for permits. He said he cannot give a good cost estimate of the work until he knows what the conditions of the permits are. He said the resolution basically says it is an important transportation corridor and something should be done about it and noted it is consistent with the Land Use Planning Reference Resource. He said they are not asking for the Board to authorize the construction, however, they need this beginning step.

RESOLUTION BY THE TOWN BOARD OF THE TOWN OF
BETHLEHEM TO OBTAIN THE NECESSARY APPROVALS
TO CONSTRUCT A NEW TOWN CONNECTOR ROAD ACROSS
THE QUADRINI PROPERTY

WHEREAS, “Quadrini LLC” owns property (the “Quadrini Property”) in the Town of Bethlehem (“Town”); and

WHEREAS, the property is generally bordered by and is accessed by Krumkill Road to the north and Blessing Road to the east in the Town; and

WHEREAS, the Town desires to provide a new direct connection to improve traffic flows to and from Schoolhouse Road, at the intersection with Krumkill Road, to Blessing Road (the “Town Connector Road”); and

WHEREAS, Schoolhouse Road serves as a major route for Town residents to access the Northway (Route 87) and Western Avenue; and

WHEREAS, Blessing Road serves as an important link from the Slingerlands Bypass to several residential areas and on to Schoolhouse Road via Krumkill Road;

WHEREAS, the road network connecting Blessing Road to Schoolhouse Road via Krumkill Road is viewed as an inefficient configuration, especially in the area of the intersection of Russell Road and Krumkill Road; and

WHEREAS, the Town views the reconfiguration of Blessing Road across the Quadrini Property to connect directly with Schoolhouse Road as the intersection with Krumkill Road as an important improvement to the Town’s road network and in the best interests of the Town’s residents and their health, safety and welfare; and

WHEREAS, the Town Planning Office, Engineering Department and Highway Department have met numerous times with Quadrini to review various road plan alternatives; and

WHEREAS, on or about April 2000, the Town Engineer determined that the attached subdivision map identifies the most favorable location of the Town connector Road; and

WHEREAS, the alignment of the own Connector Road through the Quadrini Property permits traffic-flow through the property and leaves potentially developable remaining lands; and

WHEREAS, the alignment of the Town Connector Road minimizes the number of likely intersections and driveways along it in order to provide safe and unimpeded traffic flow; and

WHEREAS, the proposed Town Connector Road will be constructed to Town standards and will have a 60 foot wide right-of-way and a speed posting of 30 mph; and

WHEREAS, the alignment of the Town Connector Road minimizes the disturbance of Federal wetlands to the maximum extent practicable given the safety and other transportation issues set forth by Town Engineer, Bruce Secor; and

WHEREAS, the Town concludes that the need for safety and effective traffic flow in the Town in this instance outweighs the desire to completely avoid Federal wetlands; and

WHEREAS, an acceptable wetlands mitigation plan will be developed and implemented by the Town in conjunction with Quadrini LLC involving the use of some the Quadrini Property; and

WHEREAS, the Town believes it is in its best interest for the Town to retain control over the property and to construct the Town Connector Road and obtain all necessary permits to do so; and

WHEREAS, Quadrini LLC has offered to cooperate fully with the Town in obtaining the necessary approvals for the Town Connector Road, and may fund or construct a portion of the Town Connector Road in conjunction with the development of the Quadrini Property.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Bethlehem hereby authorized the Town Engineer to obtain the necessary approvals to construct the Town Connector Road between the Krumkill Road/Schoolhouse Road intersection and Blessing Road;

BE IT FURTHER RESOLVED that the Town Board of the Town of Bethlehem hereby directs the Town Engineer and the Town Highway Superintendent to develop a cost estimate for the construction of the Town Connector Road and related activities.

BE IT FURTHER RESOLVED that the cost allocation between the Town and Quadrini LLC will be addressed upon the completion of the Town connector road design.

The foregoing resolution was presented for adoption by Mrs. Davis and seconded by Mr. Lenhardt. The motion was passed by the following vote:

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

Noes: None.

Absent: None.

The following item was a request from Commissioner of Public Works, Bruce Secor, to approve the proposed water district extension for Elm Avenue East/Wildwood Lane/Dowerskill PRD #4, Section #3. Supervisor Fuller noted the public hearing was held back on June 14, 2000. She said this requires a determination on the SEQR and a vote on the resolution approving the water district extension.

The motion was made by Mrs. Davis and seconded by Ms. Burns to approve a negative declaration in regard to SEQR for the Elm Avenue East/Wildwood Lane/Dowerskill PRD #4, Section #3 Water District Extension. The motion was passed by the following vote:

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

Noes: None.

Absent: None.

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The following resolution was presented for adoption:

ORDER – APPROVING
PROPOSED
ELM AVE EAST/ELM AVE
WILDWOOD LANE AND
DOWERSKILL PLANNED
RESIDENTIAL DISTRICT
#4, SECTION #3

IN THE MATTER OF
EXTENDING WATER DISTRICT NO. 1 OF
THE TOWN OF BETHLEHEM,
ALBANY COUNTY, NEW YORK
PURSUANT TO ARTICLE 12A OF TOWN LAW

WHEREAS, a map, plan and report relating to the proposed extension of Water District No. 1 of the Town of Bethlehem, N.Y. prepared by CT Male and Associates competent engineers duly licensed by the State of New York, in manner and in such detail as has been determined by the Town Board of the Town of Bethlehem, has been duly filed with the Town Clerk of the Town of Bethlehem in accordance with the requirements of Article 12A of the Town Law, and

WHEREAS, an order was duly adopted by the Town Board of the Town of Bethlehem on May 10, 2000, reciting the filing of said map, plan and report; the improvements proposed; the boundaries of the proposed extension; that the said improvements and works will be constructed by Jenkins Management Co., Inc. at their sole expense, under the supervision of the engineers representing Water District No. 1 of the Town of Bethlehem; and said persons having agreed, upon approval and acceptance

of said works, to convey the same, including rights-of-way, to the said Water District, free and clear of all liens and encumbrances, and without cost to said Water District; said persons also having agreed to pay all cost and disbursements, including legal and engineering costs in connection with the proposed extension; that said map, plan and report were on file in the Town Clerk's office for public inspection; and stating all other matters required by law to be stated, and specifying June 14, 2000, at 7:30 p.m., on that day as the time, and the Town Hall as the place, where the said Town Board would meet to consider said map, plan and report, and to hear all persons interested in the subject thereof concerning the same, and to take such action thereon as is required or authorized by law, and

WHEREAS, such order was duly published and posted as required by law, and

WHEREAS, a hearing on said matter was duly held by said Town Board on this 14th day of June, 2000, beginning at 7:30 P.M., at the Town Hall in said Town, and full discussion of the matter having been had, and all persons desiring to be heard having been duly heard,

NOW, upon the evidence given upon such hearing, and upon motion of it is

RESOLVED AND DETERMINED:

(A) That the notice of hearing was published and posted as required by law, and is otherwise sufficient.

(B) That all property and property owners within the proposed extension are benefited thereby.

(C) That all the property and property owners benefited are included within the limits of the proposed extension.

(D) That it is in the public interest to extend the said Water District, and it is

FURTHER RESOLVED AND DETERMINED, subject to approval by the Department of Environmental Conservation and the construction of the proposed works in a manner acceptable to the Town of Bethlehem and Water District No. 1 and their engineers, payment of all costs and expenses of said improvements by Jenkins Management Co., Inc. and the transfer of title of said improvements to Water District No. 1 of the Town of Bethlehem and to the Town of Bethlehem, free and clear of all liens and encumbrances, that the extension to Water District No. 1 as set forth in said map, plan and report, such extension to include the territory in said Town, bounded and described in Exhibit "A" attached hereto and made part hereof, containing 329 Acres more or less.

The above described area being more fully shown on a map entitled "Water District No. 1, Town of Bethlehem, Albany County, New York, Proposed Water District Extension for Elm Avenue East/Elm Avenue, Wildwood Lane and Dowerskill Planned Residential District #4, Section #3", dated July 15, 1998, revised 3/23/2000, and made by CT Male and Associates, P.C. Consulting Engineers, Latham, New York, and it is

FURTHER RESOLVED that the Supervisor, on behalf of the Town of Bethlehem and its Water District No. 1, be and hereby is authorized to require the developers to deposit any sums of money with the Town Board, which in her opinion, are necessary to insure the completion of the works to be constructed, and it is

FURTHER RESOLVED, that this resolution is subject to permissive referendum as provided by Section 209-E of the Town Law, and the Town Clerk is directed to publish and post a notice which shall set forth the date of the adoption of this resolution and contain an abstract thereof concisely stating the purpose and effect thereof in accordance with the provisions of Sections 90 and 209-E of the Town Law, and it is

FURTHER RESOLVED, that if no petition for a referendum has been filed within the time set by law, that the Supervisor be authorized to sign and execute an application to the Department of Environmental Conservation for the approval of said extension.

The adoption of the foregoing resolution was duly put to a vote, and upon roll call the vote was as follows:

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

Noes: None.

Absent: None.

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

The motion was made by Mr. Plummer and seconded by Ms. Burns to approve the appointment of summer personnel as requested by David Austin, Administrator, Parks and Recreation Department, as listed in the Memorandum dated July 26, 2000 at the titles and salaries indicated. The motion was passed by the following vote:

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

The following item was to approve the Town Board minutes of June 28 and July 12, 2000.

The motion was made by Mr. Plummer and seconded by Ms. Burns to approve the Town Board minutes of June 28, 2000 with one correction. The motion was passed by the following vote:

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

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The motion was made by Mrs. Davis and seconded by Mr. Lenhardt to approve the Town Board minutes of July 12, 2000. The motion was passed by the following vote:

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

The following item was to acknowledge receipt of the Final Plat Approval for the Bannahan Subdivision from the Planning Board for information purposes.

The next item was to acknowledge receipt of the Final Plat for Devonshire Hills, Section 2 Subdivision from the Planning Board for information purposes.

The following item was to acknowledge receipt of the Conditional Approval of Final Plat and Final Plat for the Autumn Woods, Section 2 Subdivision from the Planning Board for information purposes.

The next item was to acknowledge receipt of the Final Plat Approval for the Apple Landing Subdivision from the Planning Board for information purposes.

The next item was to acknowledge receipt of Conditional Approval of Final Plat for 74 Oakwood Road from the Planning Board for information purposes.

Supervisor Fuller asked if anyone wished to address the Board. There were none.

The Supervisor asked for a motion to adjourn to Executive Session to discuss personnel items. The motion was made by Mr. Plummer and seconded by Ms. Burns to discuss personnel items in Executive Session following the close of the regular Town Board meeting.

The motion was passed by the following vote:

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

Noes: None.

Absent: None.

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis to close the regular Town Board meeting at 8:45 p.m. The motion was passed by the following vote:

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

Noes: None.

Absent: None.

Deputy Town Clerk

EXECUTIVE SESSION

There was no formal action taken at the Executive Session.