

TOWN BOARD
MARCH 8, 2006

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

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

- - -

Supervisor Egan welcomed everyone to a regular meeting of the Bethlehem Town Board and invited them to join in the pledge of allegiance.

The Supervisor asked if there was any public comment on any agenda item. There were none.

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

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.

Noes: None.

Absent: None.

Supervisor Egan said second from the bottom, the presentation by KKS Properties, LLC of draft design feasibility study for Slingerlands Bypass (NYS Route 85) will be done at this time. She introduced Bill Hebert from BBL as a developer of the VISTA Technology Campus and Connie Kontogiannis as representative for KKS who owns about 32 acres contiguous to the VISTA site. She said the last time this came to the Board, they were considering a traffic feasibility analysis for an entrance to the VISTA site that was down around the LaGrange Road area. She said KKS has come in and talked about some development plans for their parcel and the more it was discussed, it seemed to make sense to look at a potential one access for both sites so it did not end up having to consider 2 additional roundabouts in an area that was a fairly short distance from each other. On behalf of the Town and the Town staff, she thanked both Mr. Hebert and Mr. Kontogiannis for their time and energy spent talking and making concessions and figuring out how this will work. She told the Town Board Members the materials provided are probably not relevant any more.

Mr. Hebert thanked the Board noting he was speaking first because he gave the original presentation on the original roundabout design location and wanted to try and give a reference as to how things have changed. He noted the changes made are actually improvements to the overall scheme and will allow the bypass to function as efficiently as possible. He gave a brief overview of the area and location of the roadways. He said this new proposal will further improve the traffic flow by a boulevard for access to both projects.

Mr. Hebert said subtle point; there is a deceleration and acceleration lane that are indicated at both the KKS right in/right out and VISTA. He said he would not be requiring those at the VISTA right in/right out, noting it simply is the effect of traffic design that we have the roundabout that creates no need for those acceleration and deceleration lanes. He said that is just a minor engineering point that he wanted to clarify because it is still kind of shown in that fashion.

Mr. Hebert said fundamentally they are talking about a shift in the roundabout and keep it to 1 roundabout but add the 2 right in/right outs that are shown on the new design. He said they will be presenting this to DOT and thinks

they will look favorably on it as the best solution overall for what is proposed to be done with the bypass. He asked Mr. Kontogiannis to give a quick explanation of how the traffic circulation from the main entrance point would go through the other park and it should cover everything.

Mr. Kontogiannis said basically what Mr. Hebert showed was that the access and circulation for the property would be through an area of the project site. He said people wanting to make a left hand turn from Bethlehem would be going through the roundabout, exiting there, up in through the property. He said in the evening, he thinks most of their traffic will be coincident with regular traffic movements. He said they are quite pleased that this solution was engineered by BBL and they appreciate it.

Supervisor Egan asked if anyone had any questions. Councilman Plummer said he thought the right in/right out makes sense but how do they encourage the right in/right out at certain times. Mr. Kontogiannis said they believe the right in/right out will serve as a relief valve for the roundabouts. Supervisor Egan said like LaGrange Road, right in/right out, people coming home at night from VISTA as opposed to going through the roundabout can just use the other way.

Councilman Plummer asked about the KKS property being part of the scoping document or was it a new introduction to the VISTA project. Mr. Leveille said that would be a different project. He said the scoping that is being looked at is for the VISTA only. Mr. Leveille said they have encouraged them to plan together and that's why BBL has done this. He said they took a look at access issues up and down and concluded one central entrance would serve both properties better and maintain the quality of the road. He said they are pleased that this alternative has emerged.

Councilman Plummer asked when the KKS parcel will catch up with VISTA. Mr. Leveille said that is tied to the application submission. Mr. Kontogiannis said they are in the process and had gone for sketch plan approval back in December and received notification to submit on the major subdivision. He said they are going to subdivide into 3 parcels. He said now that this is in place, they can proceed with the major subdivision application and anticipate within a month or 2 that documentation will be fairly completed.

Councilman Plummer said from what he read, they are looking at all commercial related, asking if this was correct. Mr. Kontogiannis said this is a commercial hamlet zone and they would stay consistent with the zoning.

Supervisor Egan thanked Mr. Kontogiannis. She asked Mr. Leveille and Mr. Deyoe if there was still a need for a betterment placeholder for KKS. Mr. Leveille suggested that the previous be revised to account for this central location at the property line and indicate the interest in the potential for betterment. Mr. Deyoe said they may need the betterment to develop their driveway as far as DOT is concerned. Mr. Leveille said the question is whether they have the placeholders. Mr. Deyoe said it was previously approved for VISTA. Mr. Leveille said it could be very general to, to accommodate access.

Supervisor Egan said to outline the issue, the last presentation the Board considered and adopted a resolution basically authorizing the Town to place a betterment placeholder in the document that is due to DOT by the end of March. The question has come up, according to the Supervisor, does the same thing need to be done or something similar for the KKS property since there is a single means of access. She said what Mr. Kontogiannis is raising is because not only is there a single means of access in the roundabout but also 2 right ins/right outs that are being considered. She said there is a question as to whether the betterment placeholder is still needed.

Mr. Deyoe said the question came up as to what the difference is between a betterment and a work permit under DOT's work requirements. He said a work permit was generally speaking about anyone who works within DOT's right-of-way. He said it is administered regionally so for instance, here, it is administered

by the Region I permitting authorities under DOT. He said since the Slingerlands bypass is a capital project that DOT is constructing, the municipality has the opportunity to enter into a municipal betterment agreement where the Town would pay DOT for whatever incremental additional costs are incurred for the things added to their project.

Mr. Deyoe said in this case if the Board chose to enter into a betterment agreement with DOT for these access improvements, we would pay the incremental costs of the construction of those access points at the unit prices awarded under their construction contract. Mr. Deyoe said it would be paid for by the contractor and the developers. Supervisor Egan noted this is not a Town expense because they would in turn contract with BBL and KKS. Mr. Leveille said this retains the option that if the Town wanted to go the betterment route, they could. The other option, according to Mr. Leveille, was that the developer would apply for a work permit and do the work on their own with a DOT permit in hand, which is probably the way it will happen. Mr. Deyoe said but the Town passing a resolution to enter into a betterment agreement on behalf of both developers leaves all options open for access.

Supervisor Egan asked if there were any other questions.

The motion was made by Mr. Plummer to authorize the Town to enter into a betterment agreement with the Town of Bethlehem on behalf of KKS and BBL for the 2 respective properties adjoining the Route 85 project for access to their particular properties. The motion was seconded by Mr. Kotary and passed by the following vote:

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

Public hearing began: 5:45 p.m.

SUPERVISOR EGAN: To consider Water District 1 Extension for Carriage Hill Subdivision in Selkirk.

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

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

TOWN CLERK NEWKIRK:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Bethlehem, Albany County, New York will hold a public hearing on March 8, 2006 at 5:45 p.m. at the Town Hall, 445 Delaware Avenue, Delmar, NY to consider an extension of Water District No. 1. The proposed Carriage Hill extension will provide water service to the lots within the subdivision, and to adjoining lots along Jericho Road and Elm Avenue East. The maximum amount proposed to be expended for the improvement is not to exceed \$2,500.00 per year; cost of the proposed district to the typical residence will be \$0.93 per thousand dollars of assessed valuation per year, and a \$1,000 hook-up fee will be required.

Description of Proposed
Carriage Hill

Extension to Water District No. 1

All that certain piece or parcel of land situate, lying and being in the Town of Bethlehem, County of Albany, State of New York, being bounded and described as follows:

Beginning at a point, said point being the southwesterly corner of the Dowerskill Extension to Water District No.1, being a point in the northerly line of

Elm Avenue East, said point also being the southeasterly corner of the Elm Avenue East/Wildwood Lane and Dowerskill PRD #4, Section 3 Extension to Water District No. 1; thence, southeasterly 1,439.47 feet, more or less, along the southerly line of aforesaid Dowerskill Extension to Water District No.1 to a point; thence, northerly along said extension 576.47 feet, more or less, to a point; thence, southeasterly still continuing along said Water District Extension 349 feet, more or less, to a point in the westerly line of the Selkirk Extension to aforesaid Water District No.1; thence, southerly along the westerly line of said Selkirk Extension to the Water District 691 feet, more or less, to a point in the northerly line of Elm Avenue East; thence, southeasterly along said Selkirk Extension to the Water District 692 feet, more or less, to a point; thence, southwesterly continuing along said Selkirk Extension, parallel to and east of Jericho Road 1,404 feet, more or less, to a point in the westerly line of lands of Niagara Mohawk Power Corporation; thence, southerly, continuing along the westerly line of aforesaid Selkirk Extension 234 feet, more or less, to its intersection with the easterly prolongation of the southerly line of Tax Map Parcel No. 109.00-2-29, being lands of one Adams; thence, westerly along said prolongation and said lands of Adams and the southerly line of aforesaid Carriage Hill Subdivision 1, 752 feet, more or less, to a point; thence, northerly continuing along the southerly portion of aforesaid subdivision 157.08 feet, more or less, to a point; thence, westerly continuing along aforesaid Carriage Hill Subdivision 700.18 feet, more or less, to its southwesterly corner; thence, northerly along the westerly line of Carriage Hill Subdivision and the easterly line of lands, now or formerly, of Niagara Mohawk Power Corporation 898.45 feet, more or less, to the northwesterly corner of aforesaid Carriage Hill Subdivision; thence, easterly along the northerly line of said subdivision 1,935.33 feet, more or less, to a point; thence, northwesterly along the southwesterly line of lands of the Town of Bethlehem (Tax Map Parcel No. 109.00-2-14) 1,568 feet, more or less, to a point in the southerly line of aforesaid Elm Avenue East/Wildwood Lane and Dowerskill PRD #4, Section 3 Extension to the Bethlehem Water District; thence, easterly along said Extension to the Water District 100 feet, more or less, to the point and place of beginning. Containing 122 acres, more or less.

The above described parcel is more fully shown on a map entitled: "Proposed Carriage Hill Water District Extension, Map of Water District Boundaries", dated January 31, 2006, prepared by J. Kenneth Fraser and Associates, PE, LS, LA, P .C.

All parties in interest and citizens will have an opportunity to be heard at the said hearing.

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

BY ORDER OF THE TOWN BOARD

TOWN OF BETHLEHEM

Kathleen A. Newkirk, MMC, RMC

TOWN CLERK

- - -

State of New York)
County of Albany)

CHRISTINE MC NAMARA 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 22nd day of February 2006.

/s/ Christine McNamara

Sworn to before me this 22nd day of February 2006.

/s/ Sharon A. Doldo
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.

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 February 22, 2006, 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
8th day of March 2006.
/s/ Julie McNeil
Notary Public

The motion was made by Mr. Messina and seconded by Mr. Kotary 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: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.
Noes: None.
Absent: None.

SUPERVISOR EGAN: Okay, we will open the public hearing. Is there any testimony in regard to the water extension for the Carriage Hill Subdivision? John, you just need to state your name for the record, please.

MR. GEURTZE: I'm John Geurtze. I live in Selkirk. Nice looking Board. I have a question for the Town Attorney.

TOWN ATTORNEY POTTER: Yes, sir.

MR. GEURTZE: Why weren't the property owners notified of this?

SUPERVISOR EGAN: Is Terry Ritz here?

MR. DEYOE: No, I can try to...

SUPERVISOR EGAN: Okay.

TOWN ENGINEER DEYOE: My understanding is that the property owners within the boundaries and immediately adjacent to the boundaries of the water district were notified and it was publicly noticed in the Spotlight.

MR. GEURTZE: Well, I realize there is a public notice in the paper but not everybody reads the paper. I think it could be, common courtesy that the Town Attorney or somebody notify the people.

SUPERVISOR EGAN: It wouldn't be an obligation of the Town Attorney but we certainly can look into it but I think there is statutory requirements for notice and my best guess would be that those statutory requirements were met on the notice.

MR. GEURTZE: Can we talk about the extension now?

SUPERVISOR EGAN: Sure.

MR. GEURTZE: Okay. As I understand it they are going to come from 9W on the east side of Jericho Road...

TOWN CLERK NEWKIRK: He's got the wrong development, this is Carriage Hill in Slingerlands.

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

SUPERVISOR EGAN: This is Carriage Hill in Slingerlands.

MR. GEURTZE: Oh, I'm sorry.

MR. DEYOE: It is actually in Selkirk, he is correct.

SUPERVISOR EGAN: There is a misprint on the agenda.

MR. LEVEILLE: It is in Selkirk.

TOWN ENGINEER DEYOE: It is a misprint on the agenda. I will try to describe where the water line goes.

SUPERVISOR EGAN: Okay, there we go.

MR. DEYOE: The water line connects at 9W near the Jericho Drive-in. Would follow Jericho Road to the Carriage Hill development which is immediately to the south of the intersection with Jericho Road and Elm Avenue East. Obviously the water line would go inside the development for purposes of the Water District extension initially and also would continue down Elm Avenue East to connect to an existing water main that terminates in front of the Highway garage on Elm Avenue East.

MR. GEURTZE: I understand in the plan that they are coming down, as he said, on the east side of 9W along Mr. Jasinski's property and my property. They are going to cross to Beacon Road and connect into an existing dead end line, excuse me, East Elm Avenue. They are going to cross the road again to go into Carriage Hill. My only recommendation is once they cross East Elm Avenue, why they don't come down the west hand side of the road all the way. People say, well what's your interest. My interest is in all the pine trees along the road and I am sure when they dig for the water line they're not going to put all the soil out on Jericho Road before they fill the hole in. Thank you.

SUPERVISOR EGAN: Thank you, John.

MS. JASINSKI: Linda Jasinski. I too wonder why it is not going down on the other side of the road on Jericho Road because there are a couple of houses on that side that you will probably have to... if they want to tap into the water will also have to cross under the road or however else you do it. So, it does seem that it might be a better idea to go on the other side of the road.

SUPERVISOR EGAN: Okay.

MR. DEYOE: Just so I understand, you're referring to the water line being relocated to the east side of the road or to the west. I am not super familiar with the area.

MS. JASINSKI: The Jericho Drive-in side.

MR. DEYOE: The Jericho Drive-in side.

MS. JASINSKI: Yes because there are houses on... couple houses on that side. The house that is right on the corner of Jericho and 9W, that one actually has the water going in front on the old 9W road there.

MR. DEYOE: Okay.

MS. JASINSKI: So, you know, that's... that wouldn't be tapping in from Jericho Road probably at this point.

MR. DEYOE: Okay. Well we certainly can work with the developer and see if there is, perhaps, a better location for the line in that area.

SUPERVISOR EGAN: And, again there might be a reason for that that we are just not aware of but we'll certainly...

MR. DEYOE: That wouldn't necessarily affect the boundaries of the district as we've described it here in the notice.

SUPERVISOR EGAN: Okay, so the district would stay the same, it is just the placement of the line.

MR. DEYOE: Yes.

SUPERVISOR EGAN: Okay. Anybody else want to be heard in regard to this public hearing? Okay, do I have a motion to close?

The motion was made by Mr. Plummer and seconded by Mr. Gordon to close the public hearing at 5:55 p.m. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.

Noes: None.

Absent: None.

Town Clerk

Supervisor Egan said the question does not change the boundaries of the district and asked if there was a resolution to approve Water District Extension, to the proposed Carriage Hill subdivision as set forth in the deed description in the information.

Councilman Gordon said he was comfortable with it and have Town Engineer Deyoe take a look at location of the line on either the west side or east side to attempt to save the pine trees.

The following resolution was presented for adoption:

RESOLUTION NO. 13

In the Matter of

Extending WATER
DISTRICT NO. 1
Of the TOWN OF BETHLEHEM,
PURSUANT TO article 12-A of the
Town Law

RESOLUTION APPROVING
CARRIAGE HILL EXTENSION
ALBANY COUNTY, NEW YORK,
UNDER ARTICLE 12, TOWN LAW

WHEREAS, a petition dated the 1st day of February, 2006, has been duly presented to the Town Board of the Town of Bethlehem, County of Albany, State of New York, with the necessary map and plan attached thereto according to law, requesting that there be an extension of Water District No. 1, as hereinafter described, to be established in the Town of Bethlehem and,

WHEREAS said Town Board duly adopted on the 8th day of February, 2006, an order reciting in general terms the filing of said petition, the boundaries of said water district extension, the improvements proposed, the maximum amount proposed to be expended for said district extension, and specifying that the said Town Board shall meet at the Bethlehem Town Hall, 445 Delaware Avenue, Delmar, N. Y., on the 8th day of March, 2006, at 5:45 o'clock P.M., to consider said petition and hear all persons interested in the subject thereof concerning the same, and

WHEREAS, certified copies of said order were duly published and posted according to law, and the Town Board did, at the time and place specified in said order, duly meet and consider the matters of the extension of said water district, and heard all persons interested in the subject, who appeared at such time and place, concerning the same and,

WHEREAS, the evidence afforded at such time and place requires that the Town Board make the determinations hereinafter made:

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Bethlehem, County of Albany, and State of New York that it be and hereby is determined as follows:

1. The aforesaid petition is signed and acknowledged as provided by law and is otherwise sufficient.
2. That all of the property and property owners within the proposed water district extension are benefited thereby.
3. That all of the property and property owners benefited are included within the proposed water district extension.
4. It is in the public interest to establish the proposed water district extension as hereinafter described it, and be it

FURTHER RESOLVED, that the Town Board does hereby approve the creation of the CARRIAGE HILL EXTENSION TO WATER DISTRICT NO. 1, as hereinafter described:

All that certain piece or parcel of land situate, lying and being in the Town of Bethlehem, County of Albany, State of New York, being bounded and described as follows:

Beginning at a point, said point being the southwesterly corner of the Dowerskill Extension to Water District No.1, being a point in the northerly line of Elm Avenue East, said point also being the southeasterly corner of the Elm Avenue East/Wildwood Lane and Dowerskill PRD #4, Section 3 Extension to Water District No. 1; thence, southeasterly 1,439.47 feet, more or less, along the southerly line of aforesaid Dowerskill Extension to Water District No.1 to a point; thence, northerly along said extension 576.47 feet, more or less, to a point; thence, southeasterly still continuing along said Water District Extension 349 feet, more or less, to a point in the westerly line of the Selkirk Extension to aforesaid Water District No.1; thence, southerly along the westerly line of said Selkirk Extension to the Water District 691 feet, more or less, to a point in the northerly line of Elm Avenue East; thence, southeasterly along said Selkirk Extension to the Water District 692 feet, more or less, to a point; thence, southwesterly continuing along said Selkirk Extension, parallel to and east of Jericho Road 1,404 feet, more or less, to a point in the westerly line of lands of Niagara Mohawk Power Corporation; thence, southerly, continuing along the westerly line of aforesaid Selkirk Extension 234 feet, more or less, to its intersection with the easterly prolongation of the southerly line of Tax Map Parcel No. 109.00-2-29, being lands of one Adams; thence, westerly along said prolongation and said lands of Adams and the southerly line of aforesaid Carriage Hill Subdivision 1, 752 feet, more or less, to a point; thence, northerly continuing along the southerly portion of aforesaid subdivision 157.08 feet, more or less, to a point; thence, westerly continuing along aforesaid Carriage Hill Subdivision 700.18 feet, more or less, to its southwesterly corner; thence, northerly along the westerly line of Carriage Hill Subdivision and the easterly line of lands, now or formerly, of Niagara Mohawk Power Corporation 898.45 feet, more or less, to the northwesterly corner of aforesaid Carriage Hill Subdivision; thence, easterly along the northerly line of said subdivision 1,935.33 feet, more or less, to a point; thence, northwesterly along the southwesterly line of lands of the Town of Bethlehem (Tax Map Parcel No. 109.00-2-14) 1,568 feet, more or less, to a point in the southerly line of aforesaid Elm Avenue East/Wildwood Lane and Dowerskill PRD #4, Section 3 Extension to the Bethlehem Water District; thence, easterly along said Extension to the Water District 100 feet, more or less, to the point and place of beginning. Containing 122 acres, more or less.

The above described parcel is more fully shown on a map entitled: "Proposed Carriage Hill Water District Extension, Map of Water District Boundaries", dated January 31, 2006, prepared by J. Kenneth Fraser and Associates, PE, LS, LA, P .C.

AND BE IT FURTHER RESOLVED, that the Town Clerk be and she hereby is authorize and directed to file a certified copy of this resolution in duplicate in the Office of the State Department of Audit and Control at Albany, N.Y., together with an application in duplicate for permission to so create said Extension in the manner and form prescribed by Section 194 of the Town Law of the State of New York within ten (10) days after the adoption of this resolution.

The foregoing resolution was presented for adoption by Mr. Gordon, seconded by Mr. Plummer, and was duly adopted by the following vote:

AYES: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.
NAYS: None.
ABSENT: None.

- - -

Councilman Plummer said he was following along and would like an explanation about why the line is crossing the road twice. He said he thinks Mr. Geurtze brings up a good statement and let's find the answer. He said as long as what is voted on does not create a problem, this can be done tonight. Town Engineer Deyoe said he will take a look at it as to whether the resolution would have to be amended and come back to the Town Board at the next meeting. Councilman Plummer requested that Town Engineer Deyoe report back to the Town Board at the next meeting.

The next item was to approve issuance of Trailer Camp Permit for Breckenridge Village and Shady Grove West, Old Town Road and Route 9W, Selkirk.

The motion was made by Mr. Plummer and seconded by Mr. Gordon to approve the issuance of Trailer Camp Permits for Breckenridge Village and Shady Grove West, Old Town Road and Route 9W, Selkirk. The motion was passed by the following vote:

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

The following item was a request from Highway Superintendent, Gregg Sagendorph, for approval of proposed local law amending the Code of the Town of Bethlehem, Stop Intersections in Milltowne Plaza Subdivision and Dowerskill Village PRD. Could set public hearing for April 12, 2006 at 5:45 p.m.

The motion was made by Mr. Plummer and seconded by Mr. Messina to approve setting a public hearing for April 12, 2006 at 5:45 p.m. to consider proposed local law amending the Code of the Town of Bethlehem, Vehicle and Traffic, Section 119-33, Schedule VII, Stop Intersections, in Milltowne Plaza and Dowerskill Village PRD.

Councilman Kotary asked if this is the typical process for new construction and how does it differ from a request for a stop sign on an existing street. Supervisor Egan said applications for stop signs come in by different people at any given point in time. She said they are handled somewhat differently depending on how they come in. She said they usually get referred to the Highway Department and the Patrol Division at the Police Department with discussion and decisions made. She said it depends on whether there is a need for one and whether a consultant should look at it and then ultimately a decision is made. She said if there is a recommendation for the sign it would then come to the Town Board to approve it. She said in regard to new subdivisions, one of the things they are looking at is doing a traffic feasibility before they get a final approval.

The Supervisor said in this particular case, as it has been in Hasgate and other Dowerskill places, they have routinely engaged a consultant to go in and do an analysis and give a recommendation to the Town Board in an overall picture for the development. Councilman Kotary said that was great and asked if there was a review process for the new developments to see if the traffic pattern is as predicted. Supervisor Egan asked Highway Superintendent Sagendorph if there was a follow-up. Mr. Sagendorph said there is and they have done that in the past in the Haswell Farms subdivision. He said Haswell Farms was one of the few subdivisions that

they did the process before the homes were built and occupied. He said they went back in on 2 different occasions since the houses were built and reviewed different intersections within the subdivision. He said the Enclave and Dutch Mills off of Elm Avenue East that connect to Haswell Farms were done after all the homes were built. He said what they have now with Milltowne Plaza is a new subdivision connecting to an existing subdivision in Dowerskill and all the complaints came from the Dowerskill residents once this connection was made.

Mr. Sagendorph said they hired CME to come in and do a review of the new subdivision and also a few existing intersections in the Dowerskill PRD. Councilman Kotary thanked Mr. Sagendorph for the background. Councilman Messina said he has looked at this from a couple different perspectives and he thinks the notion of looking at a new development and trying to size that up is a reasonable one to get the signs in there. He said he sees a proposal for 9 locations where stop signs are proposed but there is no data included. Mr. Sagendorph said the only data they received on this proposal was from the intersection of Amsterdam Avenue and Rotterdam Road. He said once again that is in the Dowerskill PRD where there are existing homes and that is where this cut through traffic was coming from. He said CME recommended an all way stop intersection at that location. He said the Highway Department did the traffic counts and did the study of the morning rush hour and afternoon rush hour traffic on a couple different occasions. Supervisor Egan thanked Mr. Sagendorph.

The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.

Noes: None.

Absent: None.

Hearing Began: 6:00 p.m.

SUPERVISOR EGAN: We'll go to the second public hearing for this evening. Do I have a motion to waive the reading of the call of the hearing and indent the notice of public hearing, affidavit of publication and affidavit of posting.

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

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.

Noes: None.

Absent: None.

TOWN CLERK NEWKIRK:

NOTICE OF PUBLIC HEARING
TOWN OF BETHLEHEM

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Bethlehem on the 8th day of March, 2006 at 6:00 p.m. to consider a proposed Local Law Amending the Code of the Town of Bethlehem as follows:

AMEND VEHICLE AND TRAFFIC ARTICLE VI, Section 119-36, Parking Prohibited at All Times as follows:

Southwest side of Adams Street between Delaware Avenue and Adams Place, Delmar.

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 are in need of assistance in order to participate should contact the Town Clerk's office at 439-4955, ext. 183. Advanced notice is requested.

BY ORDER OF THE TOWN BOARD
TOWN OF BETHLEHEM
KATHLEEN A. NEWKIRK, MMC,RMC

TOWN CLERK

Dated: February 8, 2006

State of New York)
County of Albany)

CHRISTINE MC NAMARA 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 22nd day of February 2006.

/s/ Christine McNamara

Sworn to before me this 22nd day of February 2006.

/s/ Sharon Doldo
Notary Public, Albany County

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

KATHLEEN A. NEWKIRK, being duly sworn, deposes and says that she is the Town Clerk of the Town of Bethlehem, Albany County, New York and that I posted on February 22, 2006, 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
8th day of March 2006.

/s/ Julie McNeil
Notary Public

The motion was made by Mr. Messina and seconded by Mr. Kotary 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: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.
Noes: None.
Absent: None.

SUPERVISOR EGAN: Great. Do we have anybody here this evening that would like to give testimony in regard to the proposal to amend the Town traffic code to put Parking Prohibited signs on the southwest side of Adams Street between Delaware Avenue and Adams Pl. Nobody. Kids, anybody want to talk about that?

Okay, do I have a motion to close the hearing?

The motion was made by Mr. Plummer and seconded by Mr. Kotary to close the public hearing at 6:02 p.m. The motion was passed by the following vote:

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

Town Clerk

Supervisor Egan asked if the Board wished to take action on the previous public hearing. Councilman Messina asked with regard to 2 reports from the Police

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

Department regarding the need to do something at this location, under the theory you do not apply no parking areas or zones unless you have to. He said you look at the time involved, it looks like there is a recommendation for particular time periods when there could be a problem when the church is in use. He said he was wondering if it is reasonable to not have the no parking applied to particular times rather than all of the time. Supervisor Egan said she did not agree that it is only when the church is in use. She said she thinks the problem is that during the day time hours when several programs are run at the church, not church affiliated -- mentioning HILL classes and other groups that meet there -- it is not just Sunday mornings. She said it is various times of the day and week when functions are operating there that causes overflow onto the street area.

Councilman Gordon said he spoke with Mr. Sagendorph and Supervisor Egan, noting the Delmar Reformed Church has been great about community groups using their facilities, indicating the demand on Town Hall is great, but the EPA had their hearing there and BPAC met their several times. He said they have been very good about the use of their facility. He said the fact that it is right in the 4 corners district adjacent to Delaware Avenue there is some potential to do a cut away similar to the parking area on the opposite side of Delaware Avenue by the Delmar Fire Department to allow for some more parking. He said he thinks the no parking should be approved now so emergency vehicles can get through but there might be a consideration in the future to take a look and see what it would take to bring some additional parking spots along the church's property. Supervisor Egan noted the church was provided 2 notices of the hearing. She said they would be sensitive to any request that comes to the Town.

The motion was made by Mr. Plummer and seconded by Mr. Kotary to approve the adoption of Local Law No. 2 of 2006 amending the Code of the Town of Bethlehem, Vehicle and Traffic, Parking Prohibited at All Times for the southwest side of Adams Street between Delaware Avenue and Adams Place, Delmar. The motion was passed by the following vote:

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

The next item was to approve a resolution setting fees for the conduct of 2006 Elections. Supervisor Egan said this has been a subject of prior Board meetings and as a result of the HAVA Act, technically the function of elections was supposed to be the responsibility of the Albany County Board of Elections. She noted at this time, the elections are being considered handled as has been previously done.

The following resolution was presented for adoption:

RESOLUTION NO. 14

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

RESOLVED, that in accordance with Election Law, Section 3-420, and Town Law Section 27, Subdivision 2, the following shall be the fees for the election officials for 2006:

| | |
|--|---|
| Inspector (presidential year when 2 days are required) | Primary \$100.00 Registration Day \$30.00 Registration Day \$60.00 Election Day \$130.00 Instructions \$10.00 |
| Chairman | Return of Supplies to Town Clerk's Office \$8.00 Mileage for above returns and instructions per mile \$.30 |
| Poll Clerks | Election Day \$125.00 |

| | |
|---|---------------------|
| Janitors Primary Day and Election Day - | \$25.00 |
| Custodians | Per Machine \$20.00 |
| Technicians | Per Day \$32.00 |
| Party Representatives | \$10.00 per hour |

The resolution was adopted by the following vote:

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

The following item was to approve a resolution designating Polling Places for conduct of 2006 Elections.

The following resolution was presented for adoption:

RESOLUTION NO. 15

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

RESOLVED, that in accordance with Election Law, Article 4, Subdivision 4-104, the Town Board of the Town of Bethlehem, hereby designates the attached named locations as polling places (on file in the Town Clerk's office) for any election to be held in the Town of Bethlehem effective May 1, 2006 through April 30, 2007.

The resolution was adopted by the following vote:

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

The next item was to acknowledge receipt of Surplus Dog Monies for 2005 from the Albany County Finance Department. Supervisor Egan asked Town Clerk Newkirk to explain. Town Clerk Newkirk explained that fees are collected for dog licensing for Albany County and if the monies are not expended by the County within the calendar year, the surplus money is returned to the municipality. She said this is money the County is graciously giving back to the Town in the amount of \$2,275.07.

The following item was a request from Commissioner of Public Works, Oliver Holmes, for approval of award of bid for Chlorine. Supervisor Egan said this was chlorine in 150 pound cylinders to go to Slack Chemical.

The motion was made by Mr. Plummer and seconded by Mr. Messina to approve the award of bid for Chlorine to Slack Chemical, Carthage, New York at the bid price submitted and recommended by Commissioner of Public Works, Oliver Holmes. The motion was passed by the following vote:

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

The next item was a request from Louis Corsi, Chief of Police, for acceptance of DARE donation.

The motion was made by Mr. Plummer and seconded by Mr. Kotary to accept a donation of \$5.00 from Nancy Farr for DARE as requested by Chief of Police, Louis Corsi. The motion was passed by the following vote:

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

- - -

Councilman Gordon commented that Mrs. Farr makes a number of contributions and they must be adding up. Supervisor Egan said she would be more than willing to ask her if she would like to come. She said Mrs. Farr feels very strongly about the DARE program and she would happy to invite her to come to a meeting. Councilman Gordon said he thought she should be invited.

The next item was a request from George Leveille, Director of Economic Development, to task the Citizen's Advisory Committee on Conservation (CACC). Supervisor Egan said both Mr. Leveille and Mr. Smolinsky were in attendance. She said when the CACC was formed and envisioned in the comp plan that was adopted last year, it was determined that this advisory committee to the Town Board would be exactly that. She said they were to be tasked as the Town Board presents. She said this is an outline of the initial tasks for the committee. She said they would like to get going because of a tentative meeting. She asked if there were any questions regarding this.

Councilman Plummer commented that this is great. He said he thinks -- not to add a task but -- something he has mentioned to Mr. Leveille and Supervisor Egan is that when the network is being looked at it should include the rail line. He said it has been out there a long time and somehow it just seems important to hook up, in his opinion, and the County should be pushed a little harder.

Supervisor Egan said for people who do not have this, the tasks are simple.

Councilman Messina noted Mr. Smolinsky was not here when the CACC committee was set-up but he wanted to take the opportunity to personally and on behalf of the Board members to recognize him for the 20 years he has been out there pushing for good planning and to congratulate him on his Chairmanship. He said an important thing to do in conjunction with the tasks that the CACC has been assigned to do is to develop an inventory of open space and land resources. He said he thinks without doing that, you are not going to be able to grapple with the trail and other issues that they will be dealing with. He said his feeling is that is an important piece of it.

Councilman Kotary said he had a recommendation and a comment. He asked on item d, in terms of the periodical report if Mr. Leveille was looking at a quarterly written report to the Board and is this something he wanted to take back and discuss with the committee. Mr. Leveille said he is virtually at every Town Board meeting so he can report at a meeting but he thinks as they achieve milestones, they certainly will want to make more of a presentation. He said he can do this however the Board prefers. Supervisor Egan said officially it can be quarterly and as needed if something comes up. Mr. Leveille said he thinks the first meeting will be to get organized and get the kinks out a little bit and within a quarter they would have some things to begin to feed back. Councilman Kotary said that is excellent and echoed what Councilman Messina said and thanked Mr. Smolinsky and all the members of the CACC for volunteering their time.

Councilman Plummer commented that this comp plan came about because of considerable negotiations, a lot of time and a lot of participation from people in the community. He said he understands when the word inventory comes up you have to be a little bit careful because it is very sensitive and it was a major issue during the negotiations. He said in his judgment the tasks Mr. Leveille have outlined here are somewhat limited but at least gets it going right now. He thinks this should move forward on that and noted this was an explosive issue at one time. He said this is a good product and they want to keep it going forward.

Councilman Messina said he wanted to respond because he looked at the comp plan and realized there were negotiations that many people were involved in

and in good faith that resulted in this document which everyone agreed to. He said he was referring to the comprehensive plan executive summary and his understanding was that there was support for this. He said he is not backing away from anything that there was not full consensus on. He said in this it said working to develop a farmland and open space protection program and developing an inventory of open space and farmland resources. He said he frankly knows that the word inventory sometimes causes some concern and to do this sensitively with the cooperation of everyone and knowing the representation on the CACC, including large landowners, thinking it can move forward cooperatively in this one. He said he does not think they can do their jobs well without looking at the resources.

Councilman Kotary said he can honestly say he agrees with both Councilman Plummer and Councilman Messina. Mr. Leveille said he thinks what has been done here is that opportunities emerged in Slingerlands where willing landowners came forward and were interested in trails and conservation. He said that was expressed to the public and that is why this emerged. He said the community said they want trails where they live not somewhere else. He said there is strong support for that and in order to develop that, they are going to have to take inventory of lands that are available, willing landowners, where there might be gaps so that they can reach out, contact people and see if they are interested. He said the comp plan gives clear direction, work with willing landowners. He said between the VISTA and several other property owners who have already come forward, the Mohawk Hudson Conservancy has the land holdings that are adjacent to this and there is a great opportunity here to put together a system including the Albany County rail system. He said he thinks everyone is right and they will use this with the guidance that willing landowners are being worked with.

Councilman Messina thanked Mr. Leveille, as did Supervisor Egan. She said there needs to be a vote on this.

The motion to resolve that the tasks going to the CACC are:

1. to begin regular meetings; assist in the development of an integrated trail network in Slingerlands, area including the CP rail line;
2. identify funding programs for open space protection programs;
3. to periodically, quarterly, report back to the Town Board with findings and recommendations with regard to activity; and
4. as needed as working through the willing landowner process to evaluate the lands that would be part of the integrated trail network

was made by Mr. Plummer, seconded by Mr. Messina and passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.

Noes: None.

Absent: None.

The next item was a request from Commissioner of Public Works, Oliver Holmes, for approval of going to bid for Generator Service Contract for preventive maintenance of standby generators at various locations for Town Departments. Could advertise March 15, 2006 and open bids on March 29, 2006 at 2:30 p.m.

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

WHEREAS, the Town desires to advertise for bids for Generator Service Contract for preventive maintenance of standby generators at various locations for Town departments, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 15th day of March, 2006 and that bids be received up to 2:30 p.m. on the 29th day of March, 2006 at which time the bids will be publicly opened and read.

The resolution was adopted by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.

Noes: None.

Absent: None.

The following item was a request from Oliver Holmes, Commissioner of Public Works, for approval of acceptance of deeds for a shared driveway. Supervisor Egan said there were 3 deeds – 1. is an easement from the Town of Bethlehem to the Bethlehem Central School District for use of a shared driveway at the public works garage at 308 Kenwood Avenue; 2. is from the Weber Brothers Realty to the Town of Bethlehem and Bethlehem School District for the use of land for a shared driveway by the Town of Bethlehem and Bethlehem Central School District. She said both of these are in conjunction with the new development happening at the middle school and 3. is an old one, from the Bethlehem Central School District to the Town of Bethlehem for the installation of the sanitary sewer line at the Bethlehem Central High School property.

The motion was made by Mr. Gordon and seconded by Mr. Messina for acceptance of 3 deeds for a shared driveway at 308 Kenwood Avenue, Delmar and installation of the sanitary sewer at the Bethlehem Central High School property as requested by Oliver Holmes, Commissioner of Public Works. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.

Noes: None.

Absent: None.

Supervisor Egan said there were a couple of update items. She said there was a final meeting internally with process management with the Planning and Engineering Departments and a consultant came in. She said she thinks by all accounts, it was very successful and they have some process mapping that was done. She said as a result of that she envisions at the next Board meeting there will be a proposal for a policy of sorts that they would like the Town Board to consider in regard to how processing of projects as they come into the Town is done. She said that is tentatively set for March 22nd or the first meeting in April for Town Board review.

- - -

The Supervisor noted that IMAC is continuing to meet on a weekly basis and have finished reviews on the Tax Department, Justice Department and are finishing on Highway Department and Public Safety. She said the key, the guiding post right now is the direction from the Town Board at the end of last year that in about April of this year, the Board would reconsider the request from the Police Department for an additional police officer. She said that is outstanding so they are gearing up for that. She said they are working through the reports that will be provided to the Board in the next several weeks.

- - -

Supervisor Egan said her final comment regarded the revaluation notices that were mailed last week. She said it has been busy and reiterated for everyone that is still confused as to what the actual process is the revaluation books are available at the Town Hall during business hours and at the Library during regular hours. She said in addition to that there is an informal review process for the months of March and April where an appointment can be made to come in and speak and present proof -- noting she wanted to underline proof – to come in and provide examples of other similarly situated properties that may be valued lower. She said there has to be proof of some sort to support why there is a reason to think the property is valued too high. She said the Assessor is scheduling 15-minute appointments and realizes there have been issues about the phones. She said they are returning calls as quickly as possible and indicated the messages are being received and will be answered. She said approximately 400 informal hearings are scheduled over the next couple months.

Supervisor Egan noted on the bottom of the disclosure notice there is an estimated tax impact. She said those estimated tax impacts have to do and are based on the 2005 tax levies. She said it is not the 2006 levies. She said that means those numbers are based on the already adopted Town budget for 2006, as well as, the budget previously adopted by the school district. She said the school district is currently undergoing its budget process now and the Town will undergo its budget process in the fall. The tax impacts are based on this year's already adopted tax levies.

Supervisor Egan said in general residential properties have gone up and have gone up significantly. She said she knows somebody called and said their property went up 50 percent how could that be. She said the bottom line is residential property on an average went up 60 to 70 percent. She said some went up less and some went up more. She said the taxable base on the assessed value and the combination of properties went from 1.8 billion to 3.1 billion dollars as a base. She said this was before adjustments that will happen over the next couple of months. She said the process is to call and set up an appointment to meet with the Assessor. She said notices will be mailed no later than May 1st regarding any changes. She said if you are still not happy based on the Assessor's recommendation, there is an opportunity to formally grieve the assessment with the start date of May 1st and it runs through the month of May. The Supervisor explained there is another opportunity to bring a small claims proceeding of certiorari an Article 7 to continue to appeal the assessment and that would get it into the legal system.

- - -

Supervisor Egan asked if there were any further comments from the Board. There were none. She asked if there was any public comment on non-agenda items.

Mr. Robert Jasinski said one of his pet peeves and he knows Mr. Leveille has a bad hip so he excused him the first time for not getting up to the mike but people sitting in back cannot hear. He said people need to get up and you have to call attention to have them speak into the microphone. Supervisor Egan noted it was her fault, noting she should ask them to come to the mike. Mr. Jasinski said his voice carries very nicely because he came up to the microphone. He noted Councilman Plummer's voice does not carry. Supervisor Egan said duly noted.

- - -

Mr. Jasinski said secondly he has heard comments from different people that on the revaluation trying to get to the Library and to Town Hall is difficult. He said the computer office has employees and the information could be put on line like the Town of New Scotland. He said it is very easy and there are even pictures of the property. He said this is food for thought.

Mr. Jasinski asked about the mike system. Supervisor Egan asked Commissioner of Public Works, Oliver Holmes, about the research on the mike system. She said they are working on it. Mr. Jasinski thanked the Supervisor.

- - -

Ms. Linda Jasinski thanked Councilman Plummer for bringing up the item on the inventory of the lands. She said it was a very big issue during the comprehensive plan and they have come to an agreement that it involves willing landowners. She said everyone has to keep in mind that willing landowners should not be willing landowners because they are pressured or coerced either which can very easily happen when you are the landowner in the middle and the trail is on both sides of you. She said that is one of the big concerns.

Ms. Jasinski said that she is hoping that the meetings will be posted on the internet as to when, where they will be. Supervisor Egan said they will be. Ms. Jasinski said hopefully the minutes will be posted as well as they go on.

Ms. Jasinski next commended the people in the Assessor's office, noting they have been very cheerful and kept up their good spirits through all of this. She said

she was in the other day and she wonders why it is not on the computer. She said New Scotland has a system and it is absolutely great. She said Guilderland has done this. She said you may have to search through pages, but you can do that at midnight when you have the time. She noted this was her suggestion. Supervisor Egan noted she will check with the MIS Department and get back about that because she was not sure about the answer.

- - -

Supervisor Egan asked if there were any other comments. There were none.

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

The motion was made by Mr. Plummer and seconded by Mr. Messina to approve adjourning to Executive Session to discuss legal conflict issues. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.

Noes: None.

Absent: None.

The motion was made by Mr. Plummer and seconded by Mr. Messina to adjourn the regular Town Board meeting at 6:15 p.m. The motion was carried by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.

Noes: None.

Absent: None.

Town Clerk

EXECUTIVE SESSION

The motion was made by Mr. Plummer and seconded by Mr. Kotary to approve waiving of potential conflicts of interest by the Town for 2 Town Attorney firms. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Gordon, Mr. Messina, Mr. Kotary.

Noes: None.

Absent: None.