

TOWN BOARD  
FEBRUARY 25, 2009

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 6:00 p.m.

PRESENT: John H. Cunningham, Supervisor  
Samuel Messina, Councilman  
Kyle Kotary, Councilman  
Joann V. Dawson, Councilman  
Mark Hennessey, Councilman  
Kathleen A. Newkirk, Town Clerk  
James T. Potter, Esq., Town Attorney

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Supervisor Cunningham 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 were any public comments on agenda items. Mr. William Kelleher said he is just testifying in favor of having the study made of the sewage treatment plant. He said he would like to add one thing; they had better study the dikes, the dikes that are deteriorating away because the person that will go will be the outfall sewer. He said the whole sewage treatment plant is protected by a dam that was put there in 1814 by the State of New York. He said the engineering firm that the Board is hiring for the study should also study, in particular, the confluence of the Hudson River and the Vlomans Kill because that is the first thing that is going to be wiped away. Supervisor Cunningham thanked Mr. Kelleher.

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The Supervisor asked if there were any other comments on agenda items. There were none.

HEARING BEGAN: 6:10 p.m.

SUPERVISOR CUNNINGHAM: Next we will start the public hearing. We are having a public hearing tonight on amendments to the Stormwater Management Local Laws. We will start.

The reading of the call of the hearing was waived with direction to indent the Notice of Public Hearing, Affidavit of Publication and Affidavit of Posting on the minutes of the meeting was made by Mr. Hennessey and seconded by Mr. Messina. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mrs. Dawson, Mr. Hennessey.  
Noes: None.  
Absent: None.

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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 25<sup>th</sup> day of February 2009 at 6:00 p.m. to consider a proposed Local Law Amending the Code of the Town of Bethlehem, Chapter 98, Stormwater Management.

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 at 439-4955, Ext. 1183. Advanced notice is requested.

BY ORDER OF THE TOWN BOARD

TOWN OF BETHLEHEM  
KATHLEEN A. NEWKIRK, MMC, RMC  
TOWN CLERK

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**STATE OF NEW YORK) SS:**  
COUNTY OF ALBANY)

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 the attached Legal Notice was published in the Town's legal newspaper, The Spotlight, on February 4, 2009 and that I posted the Notice of Public Hearing on February 4, 2009 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

25th day of February 2009.

/s/ Julie McNeil

Notary Public

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SUPERVISOR CUNNINGHAM: Thank you. Erik, you are up to talk about the amendments to the stormwater.

MR. DEYOE: It's the Erik show tonight, unfortunately for everyone in the crowd. As the Town Board is aware, the Town was forced to put together a stormwater management program based on the requirements of the Clean Water Act and DEC. In 2007 the Board had adopted 2 local laws, one for illicit discharges into our storm sewer, one for stormwater practices on construction sites and after construction. Those laws became effective in 2008, January 1<sup>st</sup>, 2008. Basically, as we starting working through some of these projects, we recognized that somewhere along the way DEC created a separate model law from the one that we had adopted. They shifted gears and modified it and we had never gotten the up to date one. So, what we are doing tonight, proposing to do tonight, is to adopt amendments to our existing local laws that get us in line with the latest and greatest model DEC had proposed.

In summary, there is really kind of 3 things that we are asking to be addressed in the modifications. Number 1, being that we align the penalty requirements in both the illicit discharge law and the stormwater management law with the existing requirements of our zoning laws. So, we are going to make some minor changes with respect to the compounding fines. They'll be on a daily basis as opposed to a weekly basis that was originally proposed and change the imprisonment requirement from up to 6 months to up to 15 days.

Secondly, we are going to address some grammatical issues that are pretty minor in nature and the last thing is creating an ability for the Town to grant waivers and variances from the existing standards. Basically as the law is written now, if a project or an applicant doesn't strictly comply with the stormwater design manual, we have to send them to DEC for a 60 day review of their project regardless of whether we agree with the concept or not. So, what we are trying to do is create a variance process where we can grant, at a local level, variances from the technical standards as long as they meet the equivalent standards of DEC design manual.

So, that's basically what we are trying to do tonight.

SUPERVISOR CUNNINGHAM: Good. Don't leave yet. Does the Board have any questions for Erik on the amendments to the stormwater management local law Chapter 98?

COUNCILMAN DAWSON: Erik, on the last point you mentioned, would there be a time limit or a... some kind of replacement of the 60 day review at DEC? What would we have?

MR. DEYOE: Basically, it would allow us to grant changes in a design. Say for instance, someone is required to have a certain volume of water stored in a pond but we agree in concept that they are taking care of it in a different way on the site - right now if doesn't meet the standard explicitly, we have to send them to DEC. This would basically allow us to use our own professional judgment to say it doesn't meet exactly but it meets the intent of the design manual and we would then be able to grant approval of that project locally.

COUNCILMAN DAWSON: And, we would have the final say?

MR. DEYOE: We would have the final say. We have the final say on most everything else in the local law. It's really a pass down and local administration of these regulations. So, this is... if you are going to have local administration, you should have the ability to variance the waivers too. So, this allows us to do that.

COUNCILMAN DAWSON: Thanks.

COUNCILMAN KOTARY: I do have a question, Erik, the fees changing, the penalties... the violation penalties from a per week to per day basis, is that going to be \$50 for the lowest one per day? It's \$350 per week. I mean... so, in other words, it would still be \$350 per week or is it \$350 per day?

MR. DEYOE: No, that is not correct. We're... the current stormwater local law compounds on a weekly basis, all the rest of the requirements in the zoning law compound on a daily basis. So, we're going to align with the penalty clause in the zoning law. So, the quantity of the fines in dollars is the same but it compounds daily as opposed to weekly.

COUNCILMAN KOTARY: Gotcha, thanks, Erik.

SUPERVISOR CUNNINGHAM: Questions? Thank you, Erik. And, I will open this up to the public. Are there public comments on the proposed amendment to the stormwater management local law, Chapter 98. Going once, going twice. Okay, can I have a motion to close the public hearing.

The motion was made by Mr. Messina and seconded by Mr. Kotary to close the public hearing at 6:15 p.m. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mrs. Dawson, Mr. Hennessey.

Noes: None.

Absent: None.

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Town Clerk

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Supervisor Cunningham asked if the Board was ready to vote on this. Councilman Kotary indicated yes. The Supervisor said next he had a request from the Deputy Commissioner of Public Works to issue a negative declaration, pursuant to the requirements of SEQR for the proposed amendments to the Town Stormwater Local Law, Chapter 98 of the Code of the Town of Bethlehem.

The following resolution was presented for adoption:

Resolution No. 9

TOWN BOARD  
TOWN OF BETHLEHEM  
**SEQR RESOLUTION**

PROPOSED LOCAL LAW 3 OF THE YEAR 2009  
AMENDMENTS STORMWATER MANAGEMENT

WHEREAS, the Town Board of the Town of Bethlehem as mandated by the NYSDEC Phase II SPDES General Permit for Stormwater Discharge from Municipal Separate Storm Sewer Systems (MS4)

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

has enacted, as a condition of the MS4 permit, a local law which prohibits illicit discharges and requires the development and implementation of erosion and sedimentation controls for land development within the Town, which includes construction site and post-construction stormwater runoff control regulatory mechanisms.

WHEREAS, the Town Board adopted on November 28, 2007, Local Law No. 7 of the year 2007, Chapter 98 of the Code of the Town of Bethlehem, with an effective date of January 1, 2008 and,

WHEREAS, Chapter 98 of the Code of the Town of Bethlehem, known as the Stormwater Management Local Law, provides a regulatory mechanism for dealing with stormwater management within the entire municipal boundary of the Town and,

WHEREAS, the Town Board is considering amendments to the Stormwater Management Local Law to satisfy the current requirements of the NYSDEC MS4 permit and,

WHEREAS, the Town Board has received a short Environmental Assessment Form ("EAF") for the proposed action completed by the Town Engineering Division; and,

WHEREAS, the Town Board has received a Negative Declaration Form for the proposed action completed by the Town Engineering Division; and,

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

WHEREAS, 6 NYCRR 617.6(a) requires that when an agency receives an application for approval of an action it must: (1) determine whether the action is subject to SEQRA, (2) determine whether the action involves a federal agency, (3) determine whether other agencies are involved, (4) make a preliminary classification of the action, (5) determine whether a short or full EAF will be used to determine the significance of the action, and (6) determine whether the action is located in an Agricultural District; and,

WHEREAS, 6 NYCRR 617.6(b)(1) indicates that when a single agency is involved, that agency will be the lead agency when it proposes to undertake, fund, or approve a Type I or Unlisted action; and,

WHEREAS, the Town Board declared it is lead agency with respect to SEQRA review of the proposed action, and;

NOW, THEREFORE, BE IT RESOLVED,

that the Town Board hereby determines that:

- 1) the adoption of the proposed amendments to the Stormwater Management Local Law constitutes an Type 1 action which is subject to SEQRA,
- 2) the proposed action does not involve a federal agency or any other agency,
- 3) the proposed action is not located in, or within 500 feet of, an Agricultural District and, therefore, is not subject to the provisions of the Agriculture and Markets Law,
- 4) there is no coordinated review with respect to SEQRA of this action; and
- 5) a short EAF is adequate for determining the significance of the proposed action, and;

BE IT FURTHER RESOLVED,

that this Determination of Significance shall be considered a Negative Declaration made pursuant to Article 8 of the Environmental Conservation Law; and,

BE IT FURTHER RESOLVED,

that the Town of Bethlehem Town Clerk is hereby authorized to file any and all appropriate notices so that the intent of this Resolution is carried out.

On a motion by Mr. Hennessey, seconded by Mrs. Dawson, and by a vote of 5 for, 0 against, 0 abstention, and 0 absent, this RESOLUTION was adopted

on February 25, 2009 .

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The following item was a request from Deputy Commissioner of Public Works, Erik Deyoe, to approve the adoption of the Local Law amending the Code of the Town of Bethlehem, Chapter 98, Stormwater Management. Supervisor Cunningham asked for a motion to adopt Local Law No. 3 of 2009 Amending the Code of the Town of Bethlehem, Chapter 98, Stormwater Management.

The motion was made by Mr. Messina and seconded by Mr. Kotary to approve the adoption of Local Law No. 3 of 2009 amending Chapter 98, Stormwater Management. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mrs. Dawson, Mr. Hennessey.  
Noes: None.  
Absent: None.

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The next item was a request from Deputy Commissioner of Public Works, Erik Deyoe, to reject all bids received for the Elm Avenue Park Pool Filter Replacement, Contract 2G. Supervisor Cunningham noted they have talked at length regarding the Elm Avenue pool filter upgrade project. He said the project was put out to bid and 2 bids were received noting the subcontractor for both companies was the same subcontractor and they did not feel the bids were good so they are choosing to rebid this item at a later date. He said this project will be postponed until the fall and believe the filters will make it through this pool year and so at this point, he requested all bids be rejected.

The motion was made by Mr. Kotary and seconded by Mr. Hennessey to reject all bids for the Elm Avenue Park Pool Filter Replacement, Contract 2G as requested by Deputy Commissioner of Public Works, Erik Deyoe.

Councilman Kotary said just a quick comment. He said he wanted to point out that he wanted to thank the staff for going through and providing the analysis which was very helpful but it is a great example of us taking a look at every opportunity and in this case the bids did come in at a level to the Board's satisfaction. He said rather than incurring the cost, now if he understands correctly, the equipment price is still going to be there but they are looking at perhaps down the road maybe soliciting some lower bids and essentially it is another opportunity to make fiscally prudent decisions. He wanted to commend the staff and thank them for taking the time that it took to go through and look at this as we are doing with every financial decision they are making noting it's very important in these times.

Supervisor Cunningham asked if there were other comments. Councilman Hennessey asked if we anticipate these materials will cost less in the fall. He asked if they have any way of knowing that. Deputy Commissioner of Public Works Deyoe said we have no way of knowing that, noting he cannot make those guarantees. He said the thought is that we are going to spend some time this spring looking at opportunities to change the scope of the project a bit. He said potentially take some of the parts of the project -- noting it is a bare bones project as it is -- but look at some ways they can evaluate the engineer and maybe reduce the scope of the project thereby reducing the cost a bit. He said secondly they are bidding right now at a time when pool contractors tend to be busier than they are later in the year so the thought is that perhaps in the fall they are less busy and maybe be a little bit more competitive. He said unfortunately the general contractors that bid on this project didn't see a lot of competition in any of the subcontractor categories so as much as they hear a lot about how everyone is hurting, there was not a lot of competition on this project. He said they are hoping it gets better.

Councilman Hennessey said the one thing he noted in the Memorandum that was sent around was that we expected to get a lot more bids and only a small number came in. Mr. Deyoe said there were 22 plan holders on this project which is pretty good for this size project noting it was a pretty diverse mix of general

contractors, mechanical contractors, pool contractors and it was out to all the clearing houses that most contractors are members of so they knew that it was out on the street. He said why they only had 2 bidders he cannot say, he did not know.

Councilman Hennessey asked if there is a possibility of purchasing the materials off of State contract. Mr. Deyoe said they have previously awarded a contract for the filter purchase, Neptune Benson who are under contract now has committed to delay delivery of those without any penalty. He said that is the large equipment that would be available under State contract. He said there is no real significant equipment otherwise, it is basically pipe and some tanks and so forth. He said they are looking at ways to try and reduce the cost.

Supervisor Cunningham asked if there were any other questions. Councilman Messina said he noticed in the Memo that there was an expectation that our filter system would last through the summer. He said when they first looked at this project, the notion was to move it out early spring or February/March when it got going because they wanted to do this before the summertime came. He is asking the downside of what happens if there is failure between now and summer when it certainly is a service provider and a revenue generator. He asked what they go to then -- would it be an emergency acquisition or some sort of interim patch to get it through. Deputy Commissioner Deyoe said he thinks it depends somewhat on the level of failure if we were to have a failure. He said they were going to do some preventative work this spring, talked to the pool operator, Jim Reagan, to talk about things that can be done. He said there is some pump improvements that are pretty minor in nature that he wants to do. He said they do have to take care of issues. He said part of the scope of this project was to address a main drain regulatory compliance issue and they will have to deal with that as a separate project this spring. But, again, Mr. Deyoe said in terms of what might happen, it is tough to speculate. He said the hope is that anything that does happen they can address. He said the most critical thing would be the tanks. He said the existing filter tanks are remaining intact but they are 35 years old. He said the hope is that if anything goes wrong with them, they can just patch them up and keep them running. He said he cannot make guarantees on 35 year old equipment. He said they will watch it.

Supervisor Cunningham asked for a vote on the motion. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mrs. Dawson, Mr. Hennessey.  
Noes: None.  
Absent: None.

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The next item was a request from Human Resource Manager, Mary Tremblay-Glassman for approval of an amendment to the Voluntary Reduction in Work Schedule Program. Supervisor Cunningham noted this was approved at the last Board meeting saying that there was as stipulation if the employee took advantage of this and reduced their work hours that their vacation and sick time accruals would be reduced also. He said this has become a disincentive for many Town employees because they accrue for the next year and so some of the Town employees contacted him to say this does not work because I am penalized twice -- they lose pay this year and lose vacation time next year. The Supervisor said he worked with Human Resource Manager and they are requesting the Board to waive those 2 accrual changes so that employees would continue to accrue for next year sick time and vacation time at the same level even though they are taking a Voluntary Work Reduction and voluntary pay cut in this year's time frame.

The motion was made by Mr. Kotary and seconded by Mr. Hennessey to approve the amendment to the Voluntary Reduction in Work Schedule Program to permit the accrual of sick time and vacation time as regularly accrued for those individuals participating in the Voluntary Reduction in Work Schedule Program as requested by Mary Tremblay-Glassman, Human Resource Manager.

Supervisor Cunningham asked if there were any questions. Councilman

Messina said as he mentioned, he wanted to do a reality check on this one. He said 2 points, from an employee equity point of view, those that do not go for the voluntary reduction and work effort, does she see any downsides to morale in that issue for people who are basically working full time, getting full time sick and holiday and vacation and saying it does not work that way all across the Board. He also asked if there was knowledge of any other local governments who have experience in this. Mrs. Tremblay-Glassman said she did reach out to other local governments and none have done a program like this although they were interested in taking a look at ours after we have done it which is normally the case. She said someone has an idea, they move forward and other local governments kind of follow suit. She noted we are kind of on the cutting edge with that.

Mrs. Tremblay-Glassman said they did model ours from New York State so that is where a lot of the ideas came from. She said as far as a morale issue it is really hard to comment on that other than the employees will have to take a reduction in compensation to participate in this. She said that in and of itself is a personal choice and she thinks if someone is able to make that choice they will as long as the managers of the division and departments of the Town monitor it closely and make sure that all requests for time off are treated fairly, I don't see it is a problem.

Councilman Dawson wanted to follow-up on something just mentioned -- that this was modeled after the State's program. She said the policy for vacation and sick leave accruals are different than the State's program and so the accrual is different from the State's VRWS. She said if you work 80 percent time, you accrue at 80 percent vacation and sick time. Mrs. Tremblay-Glassman said that was correct, noting that is how the State plan is modeled. She said you will be accruing 100 percent based on whatever you work. She said they used it as a model and they went from reducing it to be a mere percentage to having it so that employees would still earn their accruals for the following year. She said that was a break.

Councilman Dawson said something she did not understand before this is that staff accrue time this year for next year. Mrs. Tremblay-Glassman said that was correct for personal and vacation, noting for vacation it is weekly. She said you are still accruing it but you accrue it on a bi-weekly pay period basis but it would be originally sick time would have been reduced as well as personal vacation and now it won't. Mrs. Dawson asked if that was because accruals are not based on whether you work full or part time. Mrs. Tremblay-Glassman said very few part time employees earn accruals for the following year at all. She said there is a handful that do and the reason why they do is because they are working almost a full time basis without benefits. She said last year they amended the accrual policy to include this small group in the interest of equity. She said only full time employees accrue time for the following year.

Councilman Dawson said maybe this is an area to look at in the context of the bigger picture. She said she understands this is a pilot and they want to see how this works, indicating they want it to be successful. She said this is just for this year's VRWS offer, if you will, asking if that was correct. Mrs. Tremblay-Glassman said that was correct and they will take a look at it at the end of 2009 and see how well it is received and how well it works for employees and departments. She said they will also see what kind of cost savings there is for the Town and make a recommendation for 2010. Councilman Dawson said she can imagine if we demonstrated this year where if a person opted to say work 9 out of 10 days or 8 out of 10 days but still accruing at the 100 percent level, that is going to be tough to reduce next year if you decide to continue the VRWS then that is going to be an expectation that people are going to have that accruals will be at 100 percent. Mrs. Tremblay-Glassman said sure and it is always difficult when you extend a benefit to reduce that benefit but depending on if they are able to entice that many more employees to participate in it and we get that much more savings and compensation, it will then really be a win/win for employees and a win/win for the Town. Councilman Dawson thanked Mrs. Tremblay-Glassman.

Councilman Kotary asked if this change actually makes our VRWS more consistent with the State's VRWS. Councilman Dawson said it does not. Mrs.

Tremblay-Glassman said it does not make it more consistent with the State because they will be earning 100 percent of their accruals for the following year. She said currently an employee can go on no pay status and their accruals are reduced and sometimes this happens if someone is out on Worker's Comp and they run out of sick and vacation time or a disability. She said the following year they have less time to use for vacation, personal and sick. She said with this program in order to entice employees to be on it, they will be able to earn their accruals for the following year at 100 percent of the benefit. She said with the State's plan, if they work at 80 percent schedule, then the following year they get an 80 percent accrual schedule which is where we were originally. She said again they are trying to entice people to come over to the plan but trying to save compensation dollars.

Councilman Kotary said he would emphasize then that this in fact an incentive and he thinks they should focus on that. Mr. Kotary said as Mrs. Tremblay-Glassman has said, this puts the Town out front as a leader, we should try it. He said anything that can be done, allowing employees to retain their vacation days does not have a direct cost to the Town but yet creates a little bit more of an incentive. He asked if that was correct. Mrs. Tremblay-Glassman said that is right, those dollars are what has been budgeted in originally anyway. She said the dollars are there. She said it would only be more of an enticement for employees to participate and reduce those compensation dollars in 2009.

Councilman Kotary said he was under the impression that this was actually making us more consistent but either way, he thinks it is a good incentive and he supports it.

Councilman Hennessey asked how many employees have so far volunteered or indicated their volunteerism for this program. Mrs. Tremblay-Glassman said she probably has had maybe 5 or 6 but because the program doesn't begin until May 1<sup>st</sup>, her expectation is that she probably will not get a real feel for the number until April. She noted someone in her office said they were definitely going to do it for the summer. She said she thinks as we get toward the spring and the summer weather comes, that will be when they will get a real feel for how many people would like to participate.

Councilman Hennessey said so there has been 5 or 6 and how many have said that they do not want to lose their accrual hours. Mrs. Tremblay-Glassman said probably 4 out of 5. Mr. Hennessey said if we do not enact this change, the possibility exists that... Mrs. Tremblay-Glassman said they were still considering it but that was one of the things that was leaning them to possibly not do it. Supervisor Cunningham said as he indicated earlier, it has been a disincentive as he has talked to employees. He said that is one of the disincentives. He said there are 2 disincentives -- one being they do not get paid which they cannot change -- and the other one was this. He said because there is no actual dollar cost to the Town because the vacation is part of their salary which they budgeted, it is not an additional dollar cost to the Town and because this program was designed to try and address some budget issues for 2009, he would like to encourage employees to participate in and eliminate this disincentive in 2009 so we can get more employees to take a look at it.

Councilman Dawson asked how much can the employee reduce their time by under the VRWS. Mrs. Tremblay-Glassman said up to 40 percent, 2 days in a 10 day work cycle, 2 days per week. Mrs. Dawson said 2 days per week and that means 4 days out of a 10 day work period. She said they could work 3 days a week and still accrue 100 percent of your assets. Mrs. Tremblay-Glassman said exactly, 4 days in the 10 days. Mrs. Dawson said this means when you say benefits, they are only talking about vacation and sick time. Mrs. Tremblay-Glassman noted this was right. Mrs. Dawson said this is not talking about all of the other parts of the package. Mrs. Tremblay-Glassman said this was correct.

Councilman Messina said he will support this but he thinks on this program as he remembers how it worked in the State of New York and it is not modeled exactly like that, it works well when managers are really looking at their work load, their work force, the impact of VWRS on the rest of the staff and making the right

calls along the way and communicating with Mrs. Tremblay-Glassman or HR when there is an issue. He said as long as the management side of it goes well, he thinks the incentive could work well. Mrs. Tremblay-Glassman thanked Councilman Messina and said she could not agree more and that is why we initially rolled out with the program and went to department heads first and said hey what do you think, is this going to work for you or not work for you and what should we change or not change. She said they had to get buy-in from them initially or it would not be successful. Supervisor Cunningham said all the employees have to go to their supervisor and get approval for that and there is also an appeal process if the supervisor says no. He said there is an appeal process that goes through Mrs. Tremblay-Glassman and himself so they review it and make sure it is appropriate to not award it if the schedules are too tight or the person is critical and can't afford it.

Supervisor Cunningham asked if there were any other questions for Mrs. Tremblay-Glassman. There were none.

The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mr. Hennessey.

Noes: Mrs. Dawson.

Absent: None.

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The next item was a request from Deputy Commissioner of Public Works, Erik Deyoe, to engage CHA, Inc. to complete Phase I of a master planning study to upgrade the Dinmore Road Wastewater Treatment Plant. Supervisor Cunningham asked Mr. Deyoe to give an overview on this item.

Deputy Commissioner Deyoe said as has been talked about, the Town is actively looking at its assets and infrastructure and trying to progressively and proactively look at the future of what those assets need in terms of reinvestment. He said last year there was a request for proposals to 11 different engineering firms to look at a long term needs and develop a capital plan for the wastewater plant. He said there were 8 responses back, put together as required by the procurement regulations in Town a team to evaluate those proposals and to conduct interviews with the consultants. He said ultimately the team selected 3 firms to come in and do interviews. He said as they went through the evaluation, each firm had a great deal of experience but the team itself felt the team of CDM and CHA brought to the table a lot more value than the other 2 firms did. He said they liked their proposal better and they liked their approach a lot better. He said they began negotiating with those firms on scoping fee.

Mr. Deyoe said basically the effort here is to take a phased approach in the interest of reducing our immediate term cost. He said they talk a lot about how much expensive things are and how tough the times are. He said they are looking at this in a way that they can try to phase the approach but also get themselves positioned for any kind of economic stimulus money that might be out there both right now and in the immediate future as these things roll forward. He said basically the scope of the work is to 1. The team will come in and take a look at the existing data that is available, start with drawings of the original plant, modifications to the plant, all the historic performance data for the plant, energy efficiency, energy consumption, demand charges, so forth, wet weather flows that run through the plant. He said they will take from that and do a conditions assessment of all the facilities and the plants. He said they are going to walk through and evaluate pumps and motors, look at expected and useful life for all the equipment, take a look at the structural condition of the tanks and the other pipe infrastructure that is down at the facility that can be seen.

Mr. Deyoe said they are going to look at long term growth projections and flow and loading at the plant. He said he thinks this is a really important thing for the Town to look at as they go forward so they fully understand how the zoning laws, sewer ordinances, and all the work that is happening in economic development and planning is going to impact the plant. He said ultimately

whatever ends up getting flushed down a toilet or is run through a process or facility of some kind ends up down at our facility. He said we have to make sure we are planning ahead for that. He said they are going to take a good hard look at what is projected for it in terms of growth both from a flow standpoint and biological loading standpoint because both of those matter for a plant.

Mr. Deyoe noted they are going to take a look at alternatives for portions of the plan. This is where they are scaling back, according to Mr. Deyoe, to a phased approach rather than looking at the entire plant as a whole, they are look at certain unit processes that they know there are problems with right now and make provisions to look forward at the other ones in phase 2, hopefully next year. He said basically they are looking at the head works facility which is the first facility down at the wastewater plant basically that is the consistent bar screens, grit removal systems to take out sand. He said they have some issues with redundancy in old equipment that they need to look at, some limitations in capacity, the pumps and motors primarily look at useful age and find ways to make that process more efficient both from an operating standpoint and from an energy standpoint. He said look at ways that they can control flow better on the effluent side of the plant. He said right now they have 3 clarifiers which basically are large settling tanks that they cannot really control the level between them. He said ultimately they should be balanced and they cannot control that right now, it is a manual operation. He said it needs more controls. He said they will look at that part of the process.

Mr. Deyoe said they need to find out what they need to do to comply with the 2008 initiative for the safe swimmable Hudson requirements that were initiated a while ago. He said basically they have to disinfect seasonally from May to September to comply with those regulations. He said fortunately we have a disinfection system but it is probably not optimal for long term use. He said they will have to look at that as part of this proposal.

Mr. Deyoe said beyond that they are going to have a report in the end and that is basically the scope of the work of the consultant right now. He said in the future they are going to look at some additional parts of the facility, particularly the buildings looking at the energy consumption side and the how useful the equipment in the buildings are and what they have to do to plan ahead for those. He said take a look at potential for primary clarification which would take out some more of the sands and grits that right now somewhat make it through the head works facility and into our secondary part of the process. He said looking for ways to reduce loading and become more efficient plant overall, as well as, at capacity.

Mr. Deyoe said beyond that, they are looking at potential as spoke about at the Selkirk Yard meeting, for biogas generation, combined heat and power. He said looking at those opportunities with these being future phases of work. He said for the interest of trying to reduce costs and trying to get our foot in the door on some of the stimulus opportunities that are out there both now and what is envisioned in the next year or two where they are trying to move some of this study forward. He said in general that is what the scope covers. He said the consultant team figures they can get done with the work within 5 months which will align pretty well with the timing of the State SRF which is going to be ultimately a funding mechanism for us to cover some costs not only on future studies but also for the capital improvements.

Supervisor Cunningham asked Deputy Commissioner Deyoe to comment on Mr. Kelleher's question regarding the dikes and the outflow sewers. Mr. Deyoe said he can talk about the part of the study is going to include -- noting it is actually a different consultant -- a look at the effluent pipe itself, do a visual inspection of the pipe that takes the clean water out to the river. He said they are going to inspect that all the way from the plant out to the fuser which is out near the middle of the channel to make sure everything is intact. He said there are some seasonable issues with effluent flow from the plant we need to look at. He said originally it was going to be part of the scope but it is something that can be pulled out to reduce the cost overall so there are no markups to this project. He said they will do it with their own. Supervisor Cunningham said we are going to do that as a separate project unto itself. Mr. Deyoe said it will be a separate project and it is relatively

small effort but it involves someone going out with both a closed circuit and a visual inspection of the pipe.

Supervisor Cunningham asked if there were questions on the project or the study. Councilman Messina said just one point in the past memorandum the proposals were a process of negotiation. He asked the price for CDM and CHA was \$75,000, price is a subject that is negotiated there as well, asking if that was correct. Mr. Deyoe said yes, the negotiations are for price and scope of work. He said ultimately when you are selecting a consultant you are looking for value in what the team can bring in terms of professional services to the project, as well as, looking at basically their expertise both in terms of technical skills of the firm and as individuals. He said they felt the team of CDM and CHA brought a lot to the table. He said their approach was good and they have a really solid team. He said CDM is arguably one of the top environmental firms in the country and Clough Harbour is not far behind them.

Councilman Messina asked if the 3 brought in for these discussions if the prices were relatively close or is there a big span there or what. Mr. Deyoe said the prices between Malcolm Pirnie and the CDM and Clough team were basically the same. He said the O'Brien and Gere and Barton Laguidice team were somewhat lower but, again, you are paying for someone's time so they were committing less resources to the effort than they thought was appropriate for the work. Mr. Messina said we are not talking \$75,000 to \$150,000 or something like that, looking at the cost of things, asking if it was closer. Mr. Deyoe said again, there was a pretty big spread between B and L, wanting to say there was maybe \$70,000 between them overall but we have taken the original proposal that CHA and CDM put together and rescoped it basically split it into 2 projects and negotiated with them. He said the negotiated the scope and fee based on that smaller project. Mr. Messina thanked Mr. Deyoe.

Supervisor Cunningham asked if there were other questions for Mr. Deyoe. Councilman Hennessey said this is phase 1 and other phases are out there, asking if we have a bigger idea of what all the other phases are going to approximately cost. Mr. Deyoe said the first phase is \$75,000 as we discussed in the Memo. He said the overall project that CDM and CHA put together was \$225,000 of which some is reimbursable through flextex study with NYSERDA. He said there is a lot of energy opportunities at the plant both from efficiency and generation perspective. He said it does not fit very well with the first phase of the project but there will be an opportunity for reimbursement through that program at a later date. He said he thinks the out-of-pocket costs for the Town would be roughly \$190,000 or \$200,000 when all is said and done between the 2 phases. He said again, you are planning a significant reinvestment in the plant and it is not inappropriate to spend that much money on a plant upgrade that could arguably be between \$10 and \$20 million. He said it is in the right ballpark from planning perspective.

Councilman Hennessey noted this has been talked about a bunch of times and asked if Mr. Deyoe is adequately staffed to do this stuff. He said we contract and contract and contract for these engineering tasks, asking if we should be looking at some different structure, some different way of doing this. Mr. Deyoe said he thinks they have to be careful about what they choose to do in-house and what they choose to do with outside expertise. He said a project like this hits a lot of different disciplines involved in it both structural engineers to environmental engineers to wastewater engineers, electrical, mechanical, saying we do not have the capacity in Town to manage all that staff and frankly, we don't have a need for it on a day-to-day basis. Mr. Deyoe said a project like this it really is in the Town's interest to hire an outside expert who is nationally recognized and this is what they do. He said it would not be in the Town's interest, he does not think, to house a staff of 30 engineers to have individual disciplined specific specialties like this. He said it is just not in our interest to do that. He said we are better suited and tooled to manage projects than we are to do this type of specialty work in-house.

Supervisor Cunningham asked if there were any other questions. There were none and he thanked Deputy Commissioner of Public Works Deyoe.

The Supervisor said this is a 2 step process. He said the first is to approve the awarding the contract for the study and the second will be to fund that through permissive referendum using the Sewer Fund Capital Reserve to pay for this project. He said this is not out of the operating funds.

The motion was made by Mrs. Dawson and seconded by Mr. Messina to approve the award of Phase 1 of the Master Planning Study to CHA, Inc. to upgrade the Dinmore Road Wastewater Treatment Plant. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mrs. Dawson, Mr. Hennessey.

Noes: None.

Absent: None.

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The following item was a request from Deputy Commissioner of Public Works to approve the use of up to \$85,000 from the Sewer Fund Capital Reserve Fund to support the Phase I of a master planning study at the Dinmore Road Wastewater Treatment Plant, subject to permissive referendum.

The following Resolution was presented for adoption:

#### **RESOLUTION NO. 8**

#### **RESOLUTION 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 25 day of February 2009, 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 fund a Master Planning Study of the Dinmore Road Waste Water Treatment Plant, and

WHEREAS, it is estimated that the costs of said work will not exceed \$85,000; and

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

NOW, THEREFORE, BE IT RESOLVED that it is in the public interest to complete the Master Planning Study of the Dinmore Road Waste Water Treatment Plant as described above; 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 \$85,000 and,

BE IT FURTHER RESOLVED, that the Town Comptroller is authorized to expend from the Sewer Fund Capital Reserve Fund the funds necessary up to \$85,000 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 Joanne Dawson, seconded by Sam Messina and duly adopted by the following vote:

AYES: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mrs. Dawson, Mr. Hennessey

NOES: None

ABSENT: None

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The following item was a request from the Deputy Commissioner of Public Works, Erik Deyoe, to accept maps and reports from the creation of the Elm Avenue East Water District Extension, Elm Avenue East Sewer District Extension, and Elm Avenue East Drainage District and to hold public hearing for the creation of these districts on March 25, 2009 at 6:00 p.m.

The motion was made by Mrs. Dawson and seconded by Mr. Messina to accept maps and reports from the creation of the Elm Avenue East Water District

Extension, Elm Avenue East Sewer District Extension, and Elm Avenue East Drainage District and to hold public hearing for the creation of these districts on March 25, 2009 at 6:00 p.m. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mrs. Dawson, Mr. Hennessey.

Noes: None.

Absent: None.

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The next item was a request from Comptroller, Suzanne Traylor, to authorize the Supervisor to sign the 2009 Administrative Services Contract between the Town of Bethlehem and the Town of Bethlehem IDA.

The motion was made by Mr. Kotary and seconded by Mrs. Dawson to authorize the Supervisor to sign the 2009 Administrative Services Contract between the Town of Bethlehem and the Town of Bethlehem IDA as requested by Comptroller Suzanne Traylor. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Kotary, Mrs. Dawson, Mr. Hennessey.

Noes: None.

Abstain: Mr. Messina

Absent: None.

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Councilman Hennessey asked if anyone was in attendance from the IDA. Supervisor Cunningham noted Councilman Messina was from the IDA but asked what the questions were. Mr. Hennessey said this may be hypothetical but asked if the new Administrative Services Contract with the IDA is a not to exceed verses a flat fees which is how it use to work it. Councilman Messina stated it is modeled after the one that was used last year and noted they we will not exceed it. In fact, Mr. Messina noted they have not generated enough revenue to attain it indicating last year there was a \$50,000 transfer. He said they will not know until there are closings visa-vie any projects that they are working on to make a determination on what fees there will be but there will be a maximum of \$200,000 with a requirement of the IDA to have a balance of \$180,000 balance.

Councilman Hennessey said he understands that part but asked if there were any closings planned within the next six to nine month that are going to help get to the \$200,000 level. Councilman Messina said this sort of economic development picture is so dicey it is really difficult to project out six or eight months to know precisely what is going to happen. He said there are some projects in the works and there are some bigger ones moving but he can't say when things are going to happen.

Supervisor Cunningham stated there are projects in the pipeline but because of the slowdown in the economy those companies that have been working on these have just slowed down. He said they are just not ready to close, noting one of them is the infrastructure improvements to the Vista Technology Park. He said the issue there is the developer has a substantial amount of money that they need to spend basically that they put into the ground and that they are not anxious put that money into the ground until that they know that they have tenants coming in and, of course, all they tenants are just sitting on the sidelines waiting to see what happens. The Supervisor said there are things like this slowing the process down indicating there is enough money in the pipeline if all these deals close this year they would be able to fund them fully.

Councilman Hennessey said he understands that but what he is trying to get at is that that is not the only egg in the basket. He said there are other possibilities out there and there is a possibility, however remote, that we will get the \$200,000, asking how he characterizes that for his edification. Councilman Messina stated there is a possibility however remote. He said, frankly, when this document is developed, the shared benefit for the Town and the IDA and the Town working together to put that connected very closely and benefiting the Town, as well as, the economic development initiatives that he does not think in his 4 or 5 years that we

have ever frankly come to the full budgeted amount but they try to approach it as much as they can.

Councilman Hennessey asked in the 5 years he has been on the Board they have never come to the amount. Councilman Messina said he thinks it has been 4 years and it has been attained 1 time. Mr. Hennessey thanked Mr. Messina.

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The following item was a request from Suzanne Traylor, Comptroller, to approve final budget transfers for 2008.

Comptroller Traylor explained these are the final transfers, booking the payroll accruals and the fringes and all of the items. She said not all of the entries are in for the December 31 year end but the significant entries are. She said they traditionally do final transfers in late January or early February, noting the auditors are here in May. She said this represents the truing up of the accounts in terms of moving monies around where there were shortages. She said for the most part, there were slight adjustments in certain categories noting the Memorandum is in front of the Members. She said a lot of it has to do with the payroll accrual that they had not anticipated this year due to the health in lieu benefit, awarding employees \$2,000 in lieu of the health insurance and we had not accrued that in previous years because it was not significant but this year it is actually a bigger number and you will see in almost every department there is a slight accrual that wasn't anticipated when we went through the budget process. Mrs. Traylor noted these are pretty standard budget transfers made at year end.

Supervisor Cunningham asked if there were any questions. Councilman Messina said he thought it was a related question but one that has been talked about in the past. He said he thought the Comptroller was going to report to the Board on the year end final balance situation of all revenues and costs. He asked if he missed that when he was away 2 weeks ago. Mrs. Traylor said no and she said she checked minutes from last year. She said Mrs. Kehoe made that presentation to the Board mid-March last year. She said the final numbers are not there and there are numerous accruals that are still not booked and that is pretty much what she will be doing all of March. She said that will be finalized and she will give a preliminary report, hopefully, by the end of March in time for the audit the 1<sup>st</sup> of May. Councilman Messina thanked Comptroller Traylor.

The motion was made by Mr. Messina and seconded by Mr. Kotary to approve the final budget transfers for 2008. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mrs. Dawson, Mr. Hennessey.  
Noes: None.  
Absent: None.

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

The motion was made by Mrs. Dawson and seconded by Mr. Kotary to approve the appointment of seasonal personnel as listed in the Memorandum dated February 25, 2009 at the titles and salaries listed and requested by Nan Lanahan, Administrator, Parks and Recreation Department. The motion was passed by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mrs. Dawson, Mr. Hennessey.  
Noes: None.  
Absent: None.

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Supervisor Cunningham asked if there was any new business. There was none.

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The Supervisor made the following announcements:

- Discussion of the bond issue that the Board approved last year to upgrade some of the sewer pump stations and do some upgrade work. He was happy to report that 2 of the substations have been renovated and came on line today. He said they were on John Street and Thatcher Street in Selkirk. He noted Elsmere pump station will come on line tomorrow.
- Today there was a meeting of the Selkirk Yard Industrial District and was very successful. He noted energy for the area was discussed and an update by Creighton Manning was done on the study regarding the feasibility of a Thruway interchange at Clapper Road and the Thruway. He said they are putting the final touches on that and they will be coming to the Board the second meeting in March with a presentation.
- Friday, February 27 there will be a 20/20 meeting at the Elsmere Fire Company at 7:45 a.m. He noted they appreciate them allowing the use of their facility. He said it is open to the public.
- Next meeting will be March 20 at 7:45 a.m. for the 20/20 group.
- March 2<sup>nd</sup> is the Volunteer Recognition Awards at the American Legion Hall on West Poplar Drive. He noted they recognize volunteers in the individual fire companies that have had outstanding performance, as well as, from the Bethlehem Police Department.
- On Wednesday, March 4, National Grid will holding a meeting at the Town Hall with the residents from Slingerlands on Carstead, North Helderberg, South Helderberg and Thorndale areas to talk about power outages in that area and what will be done to improve service in the area. He said other issues may also be brought to National Grid's attention at this meeting.
- Sunday, March 8, daylight saving time starts.
- Saturday, February 28 is Community Kindness Day. He said this is an initiative started in the Town to encourage people to remember to be kind to your neighbors. He noted there was a proclamation on that at the last meeting.

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Supervisor Cunningham asked if there were any comments on non-agenda items. Ms. Edie Abrams, 307 Maple Road, Slingerlands said she lives in Slingerlands but actually lives in the Town of New Scotland and wanted to say thank you to the Supervisor to allow her and some other people from the Town of New Scotland to address the Board and to address the community. She said everyone may have heard that a developer wants to put in the 4<sup>th</sup> largest shopping center in the area and she is confident that most of the residents are against it. She said the zoning code allows it, noting they are trying to change the zoning code. She said they have met opposition from the Planning Board and the Town Board, noting she was here tonight because we are neighbors. She said this development is not only going to affect the Town of New Scotland but also Bethlehem, especially Slingerlands.

Ms. Abrams noted the development is going to be able to support the traffic that is going to be on Route 85. She said there are beautiful homes on Route 85 and she cannot imagine a 4 lane highway. She said the developer has a radius of customers that reach into Rensselaer. She mentioned the Comprehensive Plan and its note of size to be for the immediate use of the area, the zoning code was never changed. She said there are a lot of contradictions and leaves the development open and they are very vulnerable. She noted the other shopping centers in the area

and indicated they are not against development but would rather see it be sized to their community.

Ms. Abrams thanked the Board for listening and said what she hopes is that the word be spread because they need help. She noted Supervisor Cunningham was at a meeting where more than 800 people from the Town of New Scotland came and it was only because of these people that the Town Board passed a moratorium just to look at the zoning code. She said they would not have passed the moratorium if they did not have the 800 people there. Supervisor Cunningham thanked Ms. Abrams.

Ms. Abrams said she would be in the back of the room if anyone had any questions or wanted more information there is a website. Supervisor Cunningham asked for her to tell the website. Ms. Abrams said it is New Scotland Group for Sound Economic Development, indicating you can Google this. She thanked everyone. Councilman Messina asked if the moratorium was extended recently. Ms. Abrams said the moratorium was extended because a committee came up with a law that would cap retail at 50,000 square feet. She said there was a workshop at which residents did not even want a cap; they wanted 10,000, 20,000 or 30,000 square feet stores. She said the Hannaford in Voorheesville is about 30,000 square feet. She said Mr. Olsen at the nursery is about 15,000 and he said he does not envision ever expanding to more than 40,000. Ms. Abrams said the Planning Board Chairman in the Spotlight issue notes he sees no need for a cap.

Ms. Marsha Carlson said she is a Member of New Scotlanders for Sound Economic Development and read a prepared statement. Her comments addressed the issues of size and smaller stores encourages less driving and closer to homes. She noted there are communities in the State that have caps on sizes of buildings. She asked that Bethlehem residents join with them calling for a retail cap of 50,000 square feet by sending letters to the Editor of the local newspapers in support of the cap. She noted people can find out how development in New Scotland will affect Bethlehem by coming to the forums April 1 at the Wyman Osterhout Community Center, Route 85 at the foot of the Helderberg Escarpment going up to Thatcher Park and April 6 American Legion Post in Voorheesville on Voorheesville Avenue. She noted they hope to have the Capital District Planning Commission, faculty at SUNY Planning Department and, many other experts in planning and mixed use. She said they also hope to address the tax issue.

Ms. Carlson noted this will affect Bethlehem noting she is working with Bethlehem Town Historian, Susan Leath, on the application to make Slingerlands a historic district. She said this is in the works and that alone, once that process begins, will cause a SEQR process to kick-in where the whole project will have to be looked at. She said she thinks it is an important factor for Bethlehem to support that effort to see that Slingerlands is put on the National Historic Register and asked for support as she meets with the Town Historian. Supervisor Cunningham said he would be sure to touch base with Mrs. Leath on that. Ms. Carlson noted she loves those houses and the entrance to New Scotland is through that strip and it is quite a gorgeous gateway.

Ms. Carlson said there is a scheduled public hearing for the size cap law to be held April 22, 2009, 6:30 p.m. and asked that they mark their calendars for this one. She said it will be at the Voorheesville High School. She suggested checking the website [www.NS4SED.com](http://www.NS4SED.com) for more information. She thanked the Board and noted they look just as good in person. Supervisor Cunningham thanked Ms. Carlson.

Councilman Hennessey said he has known Ms. Abrams for many years and he was there when Supervisor Cunningham and Councilman Kotary were there. He said they were proud to stand with them. He said from his perspective, he was still proud to stand with them and noted they are trying to preserve the character of the community which is something they have been working on for many years and they are neighbors. He thanked them for coming.

Mr. Saul Abrams said he wanted to add a few minor points. He mentioned

everyone knows what it is like at Crossgates and Glenmont Plaza around Christmas time when you are trying to drive through and you do not want to stop there, the traffic is horrendous. He said try envisioning that on Route 85 and the corner of Route 85A or what would need to be done to our roads to even get it to that level. He said that is the impact this is going to have on Bethlehem as well. He said in addition, the increase in crime is in the newspapers regarding Glenmont. He noted New Scotland does not have a police department, noting they rely on the Sheriff. He said everyone in Albany County pays for the Sheriff so to the extent that there is a greater need for any kind of police presence at our proposed shopping center and everybody in the County of Albany is going to wind up paying for that because it is the Sheriff that will have to do that.

Mr. Abrams said similarly fire protection and all the things that impact communities cost money. He said even if nothing happens, you have to be prepared for the contingency that something might happen. He said these impact all the surrounding communities not just the Town of New Scotland. He thanked the Board for their time.

Supervisor Cunningham asked Mr. Abrams if he knew if that area is part of the Slingerlands Fire District. Mr. Abrams said it is very difficult, noting he lives up the road from Falvo's, directly across from the dirt road where Mr. Taylor's farm is and they are in the New Salem Fire District. He said he is not sure where the border is between Slingerlands and New Salem but their house would be in New Salem Fire District. The Supervisor thanked Mr. Abrams.

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Supervisor Cunningham asked if there were other comments on non-agenda items. Mrs. Marie Capone said off and on he acknowledges people that have done things for the community but you never acknowledge the police officer who did such a big arrest last week. Supervisor Cunningham noted she was absolutely right. Mrs. Capone said at the same time you did not do anything and these are people that we depend upon and they are there when we need it. The Supervisor said he stands corrected and thanked Mrs. Capone for pointing that out. He said Adam Hornick, Detective, has been guarding us all evening was responsible for the largest drug bust we have had in Town of Bethlehem last week. He said Detective Hornick is one of the top guys over in the Police Department and congratulated and thanked him.

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Supervisor Cunningham asked if there was any new business. Mr. William Kelleher said Mr. Hennessey brought up a very good subject and probably have already considered it but with all this bail out money, we have a number of engineering projects and he thinks a good question was asked. He said we should be hiring extra people if necessary to plan for all of these engineering projects. He said let's hope we can get half of them. Supervisor Cunningham thanked Mr. Kelleher.

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The motion was made by Mr. Messina and seconded by Mr. Kotary to adjourn the regular Town Board meeting at 7:15 p.m. The motion was carried by the following vote:

Ayes: Mr. Cunningham, Mr. Messina, Mr. Kotary, Mrs. Dawson, Mr. Hennessey.  
Noes: None.  
Absent: None.

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Town Clerk