

TOWN BOARD
MAY 27, 1992

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

PRESENT: Kenneth J. Ringler, Supervisor
Frederick C. Webster, Councilman
M. Sheila Galvin, Councilwoman
Sheila Fuller, Councilwoman
Bernard Kaplowitz, Esq., Town Attorney
Catherine T. Picarazzi, Deputy Town Clerk

ABSENT: Charles Gunner, Councilman

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Supervisor Ringler welcomed the students from the Participation in Government class of Bethlehem Central School District and the Boy Scout who is in attendance to obtain his citizenship badge after this evening. He said the first item on the agenda was a public hearing to consider amending the Traffic Ordinance regarding no parking on the east and west side of Elm Avenue in front of the Elm Avenue Town Park. He asked the Deputy Town Clerk to read the call of the hearing.

NOTICE OF PUBLIC HEARING
ON PROPOSED AMENDMENT TO THE
TRAFFIC ORDINANCE OF THE TOWN OF BETHLEHEM

Public Hearing
Amend Traffic
Ordinance
No Standing
Signs -
East & West
Side of
Elm Ave Park

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Bethlehem on the 11th day of March 1992 at 7:30 p.m. to consider amending the Traffic Ordinance of the Town of Bethlehem in the following respect:

1. Add Number 3 to Section 3, Article IV, Parking, to read as follows:
3. On the east and west side of Elm Avenue in front of the Elm Avenue Park.

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

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

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STATE OF NEW YORK)
COUNTY OF ALBANY)

KATHRYN OLSEN of the Town of Bethlehem, being duly sworn, says that she is the bookkeeper of THE SPOTLIGHT, a weekly newspaper published in the Town of Bethlehem, County of Albany, and that the notice of which the annexed is a true copy, has been regularly published in said THE SPOTLIGHT ONCE A WEEK FOR 1 WEEK consecutively, commencing on the 20th day of May, 1992.

/s/ Kathryn Olsen

Sworn to before me this
21st day of May, 1992.
/s/ Bruce A. Neyerlin
Notary Public, Albany County

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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 that I posted on May 20, 1992, 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
21st day of May 1992.
/s/ Caroline G. Wirth
Notary Public, Albany County

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Supervisor Ringler thanked the Deputy Town Clerk. The motion was made by Ms. Galvin and seconded by Mrs. Fuller that the Notice of Hearing, Affidavit of Publication and Affidavit of Posting Notice be indented on the minutes of the public hearing. The motion was passed by the following vote:

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

- - -

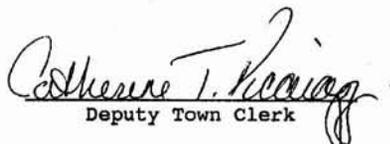
Supervisor Ringler indicated this public hearing is regarding the placement of no standing signs on the east and west side of Elm Avenue in front of the Town Park. He said it is at the request of the Director of Parks and Recreation and on a recommendation from the Traffic Safety Committee. He said they have received some letters pointing out the dangers that exist in this area as a result of people parking and going to games, soccer and so forth on this high speed road. He said people were doing "u" turns and so forth after the games and there is a potential hazard. The Supervisor indicated further there is plenty of parking within the Town Park and one might have to walk a little further to get there but for safety purposes, it has been recommended that the no parking signs/no standing signs in this area. He noted the procedure for the hearing is to ask if anyone has any questions and then anyone who wishes to speak in favor may speak in favor and anyone who wishes to speak in opposition may do so. The only thing that is asked, according to the Supervisor, is that you stand and state your name for the record. He indicated you do not have to come up to the front, that microphone can pick you up from where you are in the chairs.

Supervisor Ringler asked if there were any questions. Ms. Chris Malone ask if there have been any major accidents or how many near misses in this area. Supervisor Ringler asked Mr. Austin if he had any statistics. Mr. Austin said he does not think there have been any accidents right along that stretch. He has observed some near misses. He said the accidents that are stated by the Traffic Safety Committee are up at the intersection of Elm Avenue and near the park entrance. He does not think parking along Route 32 is related to those accidents. Supervisor Ringler stated this is a case of preventing an accident before it happens, noting as Mr. Austin said there have been some near misses that have been noticed along there with people trying to do "u" turns and so forth.

Supervisor Ringler asked if there were any other questions. There were none. He asked if anyone wished to speak in favor of the proposal. There were none. He further asked if anyone wished to speak in opposition to the proposal. There were none.

The motion was made by Mr. Webster and seconded by Ms. Galvin to close the public hearing at 7:35 p.m. The motion was passed by the following vote:

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


Deputy Town Clerk

Supervisor Ringler convened the regular meeting following the close of the public hearing.

The Supervisor asked if the Town Board wished to take action on the previous public hearing.

At a regular meeting
of the Town Board of the
Town of Bethlehem,
Albany County, NY held
on the 27th day of May,
1992 at the Town Hall,
445 Delaware Avenue,
Delmar, NY

PRESENT: Mr. Ringler, Mr. Webster, Ms. Galvin, Mrs. Fuller.
ABSENT: Mr. Gunner.

The Town Board of the Town of Bethlehem, Albany County, NY does hereby amend the Traffic Ordinance adopted on the 17th day of July, 1968 and last amended on the 11th day of March, 1992 as follows:

I. Add Number 3 to Section 3, Article IV, Parking, to read as follows:

3. On the east and west side of Elm Avenue in front of the Elm Avenue Park.

The foregoing amendment to the Traffic Ordinance will take effect ten days after publication.

The foregoing amendment to the Traffic Ordinance was presented for adoption by Mr. Webster and seconded by Ms. Galvin and was duly adopted by the following vote:

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

WHEREAS, the Town Board has adopted an amendment to the Traffic Ordinance of the Town of Bethlehem and it is necessary that the said amendment be published, according to law,

NOW, THEREFORE, BE IT RESOLVED, that the said amendment be published in THE SPOTLIGHT, a newspaper published in the County of Albany and having a circulation in the Town of Bethlehem on the 3rd day of May, 1992.

The foregoing resolution was presented for adoption by Ms. Galvin, was seconded by Mrs. Fuller and was duly adopted by the following vote:

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

Supervisor Ringler said the next item was approval of the Town Board minutes of March 27, April 22 and April 30, 1992.

The motion was made by Mr. Webster and seconded by Ms. Galvin that the minutes of March 27 and April 30, 1992 be approved. The motion was passed by the following vote:

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

Approve
Minutes
3/27 & 4/30

The motion was made by Mr. Webster and seconded by Ms. Galvin that the minutes of April 22, 1992 be approved. The motion was passed by the following vote:

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

Noes: None.

Abstain: Mrs. Fuller.

Absent: Mr. Gunner.

Following was a request from Gregg Sagendorph, Superintendent of Highways, to dispose of vehicles at auction.

Request from
Superintendent
of Highways
To dispose of
Vehicles at
Auction

The motion was made by Mr. Webster and seconded by Ms. Galvin that the vehicles as listed on the Memorandum from Mr. Sagendorph dated May 21, 1992 and on file in the Town Clerk's office be and they hereby are authorized to be sold at auction held by Northway Auto Exchange, Inc. of Clifton Park, NY. The motion was passed by the following vote:

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

Noes: None.

Absent: Mr. Gunner.

Supervisor Ringler said next was a request from Gregg Sagendorph, Highway Superintendent, for approval of Sharon Fisher, Recycling Coordinator, to attend a recycling expert workshop.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller that Sharon Fisher, Recycling Coordinator, be and she hereby is authorized to attend a Recycling Experts Workshop to be held June 3 and 4, 1992 in Syracuse, NY with registration fee paid. The motion was passed by the following vote:

Authorize
Recycling
Coordinator
To Attend
Recycling
Workshop

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

Noes: None.

Absent: Mr. Gunner.

The next item on the agenda, according to Supervisor Ringler is a recommendation from David Austin, Administrator, Parks & Recreation Department, for approval of seasonal personnel.

Approve
Seasonal
Personnel
Parks &
Rec. Dept.

The motion was made by Mr. Webster and seconded by Mrs. Fuller that those persons listed on the Memorandum regarding Seasonal Personnel dated May 27, 1992 from David Austin, Administrator of Parks and Recreation Department be and they hereby are approved as listed. The motion was passed by the following vote:

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

Noes: None.

Absent: Mr. Gunner.

Supervisor Ringler indicated the following item was a recommendation from Michael Cirillo, Department of Public Works, for acceptance of a deed for storm drainage easement purposes for the Town Squire Shopping Center.

Deed
Acceptance
Town Squire
Shopping Ctr.
From Robert &
Donald Wiggand

The motion was made by Ms. Galvin, indicating with approval of the Town Attorney, and seconded by Mr. Webster that the deed from Robert and Donald Wiggand, Glenmont, NY for storm drainage easement purposes at the Town Squire Shopping Center be and it hereby is accepted. The Supervisor noted the Town Attorney had approved this prior to this time. The motion was passed by the following vote:

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

Noes: None.

Absent: Mr. Gunner.

Supervisor Ringler said the next item was a request from Bruce Secor, Commissioner of Public Works, for approval of one employee to attend the Basic Wastewater Laboratory Procedures course.

Approve Public
Works
Employee's
Attendance
at Basic
Wastewater
Laboratory
Procedures
Course

The motion was made by Ms. Galvin and seconded by Mrs. Fuller that one employee of the Department of Public Works, be and he hereby is approved to attend the Operator Training, Basic Wastewater Laboratory Procedures course to be held June 1 through 5, 1992 at Morrisville College with expenses paid. The motion was passed by the following vote:

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

Approve
Construction
Trailer at
Beverwyck PRD
Development
Krumkill Road

The next item, Mr. Ringler noted was a request from John Flanigan, Building Inspector, for approval of construction trailer at the Beverwyck PRD development on Krumkill Road.

The motion was made by Mr. Webster and seconded by Ms. Galvin that approval be given to Beverwyck Planned Development District for location of construction trailer at the development site on Krumkill Road, North Bethlehem. The motion was passed by the following vote:

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

Supervisor Ringler said the next item was a request from Bruce Secor, Commissioner of Public Works for the establishment of the title Engineering Division Administrator. This request was submitted to allow the reorganization of the Public Works Department. Supervisor Ringler indicated Mr. Secor will forward the job description to Albany County Civil Service Commission upon approval of the establishment of this position for their review. Councilman Webster asked Comptroller Kehoe if this was approved at a grade 22/23. Supervisor Ringler said that was correct.

Approve
Establishment
of Engineering
Division
Administrator
Title
Dept. of Public
Works

The motion was made by Mrs. Fuller and seconded by Ms. Galvin to approve the establishment of the title of Engineering Division Administrator, Department of Public Works, at a grade 22/23 in connection with a reorganization of the Public Works Department. The motion was passed by the following vote:

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

Supervisor Ringler said the next item was a request for the appointment of a member to the Board of Appeals.

Appoint
Marjory C.
O'Brien as
Member of
Board of
Appeals

The motion was made by Ms. Galvin and seconded by Mr. Webster that Marjory C. O'Brien be and she hereby is appointed Member of the Board of Appeals to fill the position vacated by Orrin J. Barr and expiring on December 31, 1995 at an annual salary of \$2,918.00. The motion was passed by the following vote:

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

Supervisor Ringler congratulated Mrs. O'Brien who was in attendance at the meeting and thanked her for taking the position.

The following item on the agenda, Supervisor Ringler asked to have removed from the agenda. He said the resolution in regard to the Negative Declaration in pertaining to SEQRA for the Terramere PRD No. 2 and No. 7 of the Goldman-Bethlehem Partnership has to be completed before any action be taken.

Remove from
Agenda -
Neg. Dec.
SEQRA -
Terramere
PRD 2 & 7

Supervisor Ringler noted the next item was a letter from Bruce H. Secor, P.E., Commissioner of Public Works, pertaining to the water conservation matters in the Town. The following letter was read into the record:

MEMORANDUM

TO: Members of the Town Board
FROM: Bruce H. Secor, Commissioner D.P.W.
DATE: May 22, 1992
SUBJECT: Water Conservation Measures

This is my yearly update to the Town Board on proposed water conservation measures and my yearly reminder that the Town of Bethlehem water system is a municipal water system not an irrigation system. Each year, conservation measures are put in place to both conserve water and also to spread the hydraulic load on our water system to "off peak hours".

At the current time, the water restrictions that are in effect prohibits the sprinkling of lawns between the hours of 10:00 a.m. and 8:00 p.m. The reasons for this are that it makes little sense to pour water on a lawn at high noon and see it evaporate and secondly, to help balance hydraulic demands on our water system. It is important to have periods during the day when we can refill tanks and even out the water flows. By prohibiting lawn sprinkling until after 8:00 p.m., it allows sprinkling to occur after the evening peak hours.

Water
Sprinkling
Hours
10:00 a.m. -
8:00 p.m.

No new action is required by the Town Board, it's simply a reminder to the community that the current restrictions of 10:00 a.m. to 8:00 p.m. are in effect. Notices will be put in the newspaper reminding residents of this water conservation measure.

Please contact me if you have any questions or need any further information.

Next on the agenda, Supervisor Ringer stated was a request from Gregg Sagendorph, Superintendent of Highways, to implement late charges on all commercial users of the Rupert Road Transfer Station and C&D Landfill and the Material Recovery Facility and the haulers tipping fees at ANSWERS under permit #2304 and the approval of a fee for returned checks effective June 1, 1992. Mr. Sagendorph was quoted by Supervisor Ringler, "I respectfully request the permission of the Town Board to implement the following late charges for all commercial users of the Rupert Road Transfer Station and the C&D Landfill, the Material Reprocessing Facility and the haulers tipping and ANSWERS under the Town Permit. The initial charges would be due in full by the end of the month following usage. A 1 1/2 percent late fee compounded monthly would be imposed on all overdue bills with a minimum late charge of \$2.00. Any account over 30 days past due would be on a cash basis only. Any account over 60 day past due (Supervisor Ringler stated he wanted to change the wording to will to may) may have their dumping privileges rescinded and their permit revoked until further payment is received. I also request a \$20.00 fee for returned checks to be imposed to any individual, commercial business, using one of these facilities. These policies should go into effect June 1, 1992.

Implement
Late Charges
Commercial
Users
Rupert Road
Landfill

Supervisor Ringler wanted everyone to know, the reason why he recommended the change was, when Gregg wrote this he had not discussed this with counsel and when he reviewed it, he reminded him that we had due process in our Solid Waste permitting, that requires

a hearing before the Supervisor, before a permit can be revoked. He doesn't have the authority just to revoke an individuals permit. So "may" is the word. Gregg is not here tonight, he had to go to an event at the Middle School tonight. He said if there was a problem we could table it, but he saw no reason that they could not go ahead with this.

Attorney Galvin said her only question was in regard to timing of implementation, a notice going out to people giving them an opportunity to be aware of this. She said she thought the effective date of June 1, 1992 seemed a little short. Supervisor Ringler said there are not that many people involved. Ms. Galvin further asked if they are all aware of this. Supervisor Ringler further said he did not know if they are but they will be after this is approved because they are on the mailing list and so forth and on the billing list. He asked if there were any other questions.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller that late charges be implemented with regard to all commercial users of the Rupert Road transfer station and C & D landfill, the materials reprocessing facility and the haulers tipping at ANSWERS under Town Permit No. 2304; approved accounts 60 days past due may have their dumping privileges rescinded or their permit revoked until full payment is received and approved a \$20.00 fee for returned checks on any individual or commercial business using the said facilities. The motion was passed by the following vote:

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

Accept
Resignation
of Oliver
Palmer

Supervisor Ringler said the following item was to accept the resignation of Oliver Palmer from his position of laborer with the Town of Bethlehem Sanitation Department. The Supervisor noted Mr. Palmer has retired.

The motion was made by Mr. Webster and seconded by Ms. Galvin to accept with regret the resignation of Oliver Palmer from the position of Laborer with the Town of Bethlehem Sanitation Department. The motion was passed by the following vote:

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

Approve
Appointment
of Paul Goebel
To Laborer
Beth. Sanitation
Dept.

Supervisor Ringler noted Mr. Sagendorph would like to request the approval of Paul Goebel to the position of laborer for the Town of Bethlehem Sanitation Department.

The motion was made by Ms. Galvin and seconded by Mrs. Fuller to approve the appointment of Paul Goebel to the position of Laborer in the Town of Bethlehem Sanitation Department at a salary of \$20,264.00 effective June 13, 1992. The motion was passed by the following vote:

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

Authorize
Supervisor
To sign
Agreement
With Appraiser
Re: NIMO
Litigation

Supervisor Ringler noted the next item was a request to approve the authorization of the Supervisor to sign the agreement with the Appraiser regarding Niagara Mohawk litigation.

The motion was made by Ms. Galvin and seconded by Mr. Webster that the Supervisor be and he hereby is authorized to sign the agreement with the Appraiser regarding the Niagara Mohawk Power Corporation litigation. The motion was passed by the following vote:

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

Noes: None.
Absent: Mr. Gunner.

Councilwoman Fuller requested that the record reflect that her uncle is Chairman of the Board of Niagara Mohawk. She indicated she would be voting on different things dealing with Niagara Mohawk, noting she does not view it a conflict. She said she is sure he would not think this a conflict either and noted they have promised this will never be discussed.

Supervisor Ringler said he would entertain a motion to conduct an Executive Session following the close of the meeting. The motion was made by Ms. Galvin and seconded by Mrs. Fuller to conduct an Executive Session at the close of the meeting. The motion was passed by the following vote:

Executive
Session

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

Supervisor Ringler asked if there was anything else to come before the Board this evening. There were no other items to come before the Board. The Supervisor indicated the students made out very well at this meeting, since this was a short meeting.

Discussion
Special
Election

Mrs. Liz McCoy asked a couple of questions about the special election. She said her understanding is that under Section 81 there has never been an election done before. Attorney Kaplowitz as far as he knows that is correct. Mrs. McCoy asked if they knew if a special election has been done on the construction of an incinerator in New York State since SEQRA has been put into place. Mr. Kaplowitz said he had no idea.

Mrs. McCoy proceeded to ask a couple of questions about the binding nature of the vote. She said she had spent some time going over the minutes of the last meeting and it was not clear to her when it was said that it was binding, it is subject to some regulatory and legal considerations, what those might be because she said she thinks there is comment in those minutes also that talks about whether this was really just an opportunity to study the incinerator further as opposed to whether it is binding. She said she is trying to get some clarification on... her understanding is that it is a binding decision if it was a yes vote to compel the Town to act subject to some very limited conditions. She said she wanted to get a better handle on what those limited conditions were to be. Mr. Kaplowitz said he thinks it has to be binding in any event, however, there are many things that are going to be beyond the Town's control. He said if, whoever it is -- assuming it passed -- cannot get En Con approval, it certainly is not going to happen without their approval and things of this nature. He further said there would be a lot of negotiating and a lot of permitting and all kinds of things that would have to happen first.

Mrs. McCoy said if it is within the Town's control, she asked if this would require that certain actions be taken as a Town to ensure that the incinerator gets constructed. Mr. Kaplowitz said he personally does not think so, if he understands her question correctly. He asked if she meant how far does the Town go to make it happen. Mrs. McCoy said yes. Mr. Kaplowitz said if it is not there, it is not there. He said he cannot conceive of the Town going -- well, he said he did not know how to answer the question. He said there are so many things that will enter into it that are beyond the Town's control and he thinks, probably have not even anticipated yet. Mrs. McCoy said a comment was made that the Town would have the last word if it was implemented and she is really trying to get at whether the Town has the last word once there is a yes vote or whether the company has the last vote. Mr. Kaplowitz said no, he said he thought certainly the Town does. He said if there is a

negotiated contract and the Town does not like the contract, the Town does not have to enter into it. Mrs. McCoy said and going on the question of the contract, she asked if the Town has ever done a contract under 97.11b with another municipality for garbage. Mr. Kaplowitz said not that he is aware of. Mrs. McCoy asked if it is envisioned then that the Town would execute these contracts with other municipalities or are they only talking about the Town's garbage being contracted for. Mr. Kaplowitz said he does not know how that will fall, En Con does not like any of these unless they are inter-municipal and there is more than one municipality involved. He said not just waste-to-energy, landfills or anything else, he said he would think if it is a private company, unless they could contract and be assured of the flow, they would not want to come in anyway.

Mrs. McCoy asked if the Town Board has this responsibility or is it the company that has it. Mr. Kaplowitz said he would think it is the company, indicating he is speaking off the top of his head but he would think it is the company that would have to go out and assure themselves that they have a proper source or whatever. Mrs. McCoy said then the plan is not for the Town to be the one who operates like under the current ANSWERS arrangement. Mr. Kaplowitz said he cannot speak for the Town Board. He said he did not know if we had reached that point. He asked Mr. Secor if he could help in regard to this issue. Mr. Kaplowitz further said he does not know if we know the answer to that yet. He said he thinks we are feeling our way a little bit.

Mrs. McCoy said she does know and stated there are only a couple of weeks before people are going to be asked to vote on something and the more information we have... She asked in regard to the permit standards, she noticed they are not on the Town Board's agenda tonight, asking if there is an update as to where they are at this point. Supervisor Ringler indicated the Board is waiting for the extensive minutes to be completed so the Board can look at that and in addition, then a lot of comments were made that he is asking Mr. Secor to provide answers to the Board on.

Mrs. McCoy said a separate question, how do they arrange for poll watchers on the date of the election. She said Bethlehem Work on Waste has an interest in poll watchers at the election and she does not know how to go about this. Supervisor Ringler said he could not answer the question but the question can be given to the Board of Elections and find out what the rules will be. He indicated Mrs. McCoy should speak with the Town Clerk, Kathleen Newkirk and she can get an answer on that.

Mrs. McCoy next said she understands there have been some discussions with DEC as to whether a facility or two or three incinerators would be built. She asked if it was possible to know what official in DEC the Town has been talking about and if they could also talk with them. Supervisor Ringler indicated the Town has not talked with anyone at DEC. He said they were not official conversations as we have had discussions with people based on articles that DEC has had recently in the paper saying they would not approve on in Broome County because it exceeded 45 percent and he does not remember specifically who he talked to but anybody at Region 4 would be willing to talk to Mrs. McCoy, including Mr. Adamczyk who is the Regional Director. Mrs. McCoy said okay.

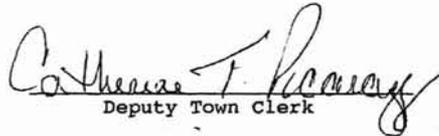
Mrs. McCoy said there is just one other thing. She said she wanted to provide the Members of the Town Board because it sort of fits into the comments that she made two weeks ago. She explained it is a Newsday article from Thursday, May 21st and it is a story about 5 box cars of garbage from Brooklyn that are sitting on a railroad yard in Arkansas. She said she thought it is relevant to some of the issues. Supervisor Ringler said it is relevant because they do not want garbage from Bethlehem sitting on a railroad car in Arkansas. Mrs. McCoy said no, they do not want to have that idea also and that is why they have some different ideas about how a particular issue should be solved but she wanted to make some copies available. Supervisor Ringler thanked Mrs. McCoy.

Supervisor Ringler asked if there was anything else to be brought to the attention of the Board. The motion was made by Mr. Webster and seconded by Ms. Galvin to adjourn the Town Board meeting at 7:49 p.m. The motion was passed by the following vote:

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

Noes: None.

Absent: Mr. Gunner.


Deputy Town Clerk

THERE WAS NO ACTION AT THE EXECUTIVE SESSION.

Executive
Session