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TOWN BOARD
NOVEMBER 10, 1992

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

PRESENT: Frederick C. Webster, Deputy Supervisor
M. Sheila Galvin, Councilwoman
Charles Gunner, Councilman
Bernard Kaplowitz, Esq., Town Attorney
Kathleen A. Newkirk, Town Clerk

ABSENT: Kenneth J. Ringler, Jr., Supervisor
Sheila Fuller, Councilwoman

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DEPUTY SUPERVISOR WEBSTER: This is a regular meeting of the Bethlehem Town Board. Apologize on behalf of the Supervisor who went home ill this afternoon and couldn't be in attendance this evening. But, we do have a quorum so we will go to work. The first item on the agenda is the consideration of resolutions regarding the Kruger Contract. The Board has already given the Supervisor permission to execute this agreement as long as we could terminate the contract if we were ever to withdraw from ANSWERS. We now have a letter agreeing to this and the closing is set for 11/17. Are there any questions from any members of the Board? Mike Smith is in attendance.

Discussion
Kruger
Contract

COUNCILMAN GUNNER: Yes.

DEPUTY SUPERVISOR WEBSTER: Okay, Charlie.

COUNCILMAN GUNNER: Mike, was this always just for paper?

MR. SMITH: I am sorry.

COUNCILMAN GUNNER: Was this contract always just for paper?

MR. SMITH: Yes, paper is the primary basis for it.

COUNCILMAN GUNNER: I wasn't under that impression when I first heard it.

MR. SMITH: That has been my impression all the time, Charlie.

COUNCILMAN GUNNER: That it was all paper?

MR. SMITH: But, I am not involved with the technical details to the extent that Bruce or Gregg will be. That has been my...

DEPUTY SUPERVISOR WEBSTER: Gregg do you know?

MR. SAGENDORPH: Yes, it is the same building, Charlie, on South Pearl Street but they are two different companies. Kruger is the paper and New Options on Waste is the comingled glass, tin and plastic recycler. They are two different entities in the same building.

COUNCILWOMAN GALVIN: But, we are only contracting for the paper portion and we don't have any contract for the balance.

MR. SMITH: That is correct.

COUNCILWOMAN GALVIN: I thought we were contracting, like Charlie did for the whole shot.

COUNCILMAN GUNNER: That was my impression.

MR. SAGENDORPH: There are two separate contracts. We have just received, late last week the contract from New Option on Waste. Their first contract was very generic, if you remember and Roemer and Featherstonhaugh, P.C. did a study of it and saw some problems with

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it. They have come out with a new contract which still has to be reviewed by the lawyers.

MR. SMITH: I have not seen them yet.

COUNCILWOMAN GALVIN: Well, is it in our best interests to enter into a contract for only part of the recyclable materials when you might end up looking down the line to having to negotiate for everything?

MR. SAGENDORPH: But, you are still looking at 2 separate companies.

COUNCILMAN GUNNER: In the same building.

MR. SAGENDORPH: In the same building, yes.

DEPUTY SUPERVISOR WEBSTER: No connection whatsoever.

MR. SAGENDORPH: No.

DEPUTY SUPERVISOR WEBSTER: And, that contract is in your hands now, Mike, or it isn't?

MR. SAGENDORPH: I have copies of it here.

MR. SMITH: I have not seen the contract.

COUNCILMAN GUNNER: Which one are we talking about you have now?

MR. SAGENDORPH: New Options.

DEPUTY SUPERVISOR WEBSTER: The second contract, New Options.

COUNCILMAN GUNNER: New Options, okay. I am sorry, but I just thought that that... during the initial discussion when we had that very badly written contract, I thought that included all of them and I guess I was either wrong or misled. Somebody's misspeak, all right.

COUNCILWOMAN GALVIN: I had exactly the same impression, Charlie. I thought we were talking about everything as opposed to paper originally.

COUNCILMAN GUNNER: Yes. Okay, so then what we are talking on now is just the paper one and if that is the case, we still have to go up to Syracuse for our other recyclables?

MR. SAGENDORPH: No, we are taking it to New Options on Waste right now...

COUNCILMAN GUNNER: Oh, we are.

MR. SAGENDORPH: ... at \$40. a ton. Yes and this contract... the new contract we just received late last week is for the same price, \$40. per ton.

COUNCILMAN GUNNER: And was that the contract that we received that was so badly written originally?

MR. SAGENDORPH: Yes.

COUNCILMAN GUNNER: Okay and then this paper one is a separate one.

MR. SAGENDORPH: Yes. The paper one is the 100 page contract.

COUNCILMAN GUNNER: I don't think I ever saw that one.

COUNCILWOMAN GALVIN: No, I don't recall seeing that either.

DEPUTY SUPERVISOR WEBSTER: Which one is that now?

MR. SAGENDORPH: This is the Kruger contract.

DEPUTY SUPERVISOR WEBSTER: I don't have a copy of that one.

MR. SAGENDORPH: This was back in August.

TOWN CLERK NEWKIRK: That was on before.

DEPUTY SUPERVISOR WEBSTER: That was the one that was on before.

MR. SAGENDORPH: Yes.

DEPUTY SUPERVISOR WEBSTER: Oh, okay.

COUNCILWOMAN GALVIN: I thought the one that was on before was the New Options on Waste that was so poorly written. Then we haven't seen New Options on Waste.

DEPUTY SUPERVISOR WEBSTER: That hasn't come to us yet, has it?

MR. SMITH: The only one I have spoken to is the Kruger contract.

COUNCILWOMAN GALVIN: Well, what was this prior draft of a contract on the other recyclables that we are talking about now?

MR. SMITH: I haven't seen that. I wondered if that was done when Mike Greco and I was on vacation.

MR. SAGENDORPH: It could have been.

COUNCILMAN GUNNER: Well, I remember distinctly that one contract was a Kruger contract.

COUNCILWOMAN GALVIN: Yes, I do too.

COUNCILMAN GUNNER: It was a Kruger contract.

MR. SMITH: The one that we analyzed was a Kruger contract.

COUNCILMAN GUNNER: And, it was bad.

MR. SMITH: I did...

COUNCILMAN GUNNER: I mean it was badly written. I don't mean it was necessarily bad.

MR. SMITH: Yes, I have not seen the New Options on Waste contract. Now whether Mike Greco from our office analyzed it when I was on vacation, I haven't seen it.

MR. SAGENDORPH: He may very well could have. I know the note that came from your office came from Mike Greco.

MR. SMITH: Because I know his comments...

DEPUTY SUPERVISOR WEBSTER: Well, what you are saying then, the New Options contract has not been before us. We have not seen that contract, is that correct?

MR. SMITH: No, not to my knowledge.

DEPUTY SUPERVISOR WEBSTER: All we have seen is the Kruger contract and that is all we are looking at this evening for... and that is strictly for paper.

MR. SMITH: That is correct.

DEPUTY SUPERVISOR WEBSTER: Okay.

COUNCILWOMAN GALVIN: And, this is based on a bid that was taken through ANSWERS.

MR. SMITH: Yes, to the Planning... to the City of Albany as the lead designated agency, although we never designated them as agent.

COUNCILWOMAN GALVIN: That was my next question.

COUNCILMAN GUNNER: Yes.

MR. SMITH: And, that is reflected in the resolution by the language.

COUNCILWOMAN GALVIN: Where we have not designated them as lead -- can we rely on their RFP, legally?

MR. SMITH: I believe we can, Sheila, for 2 reasons. Number 1 is they have acted as our lead in terms of the defacto as opposed to the dejure agency. They have acted as our agent number one. Number 2 is that in the event there are any oppositions to that status, the publication of the 120W6 notice will carry. We will deal with that there. We did not designate them as an agent, very specifically and the reason was that we are not going to become immersed any more in the ANSWERS issues than we absolutely have to. But, they are acting -- there is no question that they acted as a matter of fact as our agent in this proceeding.

COUNCILWOMAN GALVIN: That is part of where I had my problem and that was in looking at the proposed resolution. The proposed resolution refers to marketing of recyclables in general and it refers to that in relation to the 120W award, whereas this is only specifically limited to paper.

MR. SMITH: I believe that these are the terms... this language -- a good 90 percent of it is language that was actually submitted to us by the city. The use of the term marketing recyclables there, is my understanding, is just the use of the generic term. I don't think that the reference to recyclables, vis a vis, paper, Sheila, in any way affects the validity of the ordinance or the award.

COUNCILWOMAN GALVIN: What was the 120W proposal? What was the proposal submitted on?

MR. SMITH: My understanding was specific to Kruger and paper.

DEPUTY SUPERVISOR WEBSTER: Yes, I have... Kathy just got the original contract that we had in September and it is for the delivery and processing of recyclable paper.

COUNCILWOMAN GALVIN: Fred, what was the RFP for on it?

DEPUTY SUPERVISOR WEBSTER: I don't think it is even here.

COUNCILWOMAN GALVIN: Was it for all recyclables?

MR. SMITH: No.

DEPUTY SUPERVISOR WEBSTER: No.

TOWN CLERK NEWKIRK: It reads up here.

DEPUTY SUPERVISOR WEBSTER: It is delivery of recyclable paper, processing of recyclable paper and disposal of rejects and residue.

COUNCILWOMAN GALVIN: Well, that is what their proposal is but what was the notice? What was the request? The RFP.

MR. SMITH: My understanding, Sheila, is it was specific to paper.

COUNCILWOMAN GALVIN: Do we have anything showing that, Fred?

DEPUTY SUPERVISOR WEBSTER: Everything is paper grade specifications...

COUNCILWOMAN GALVIN: But, that is just in Kruger's proposal.

DEPUTY SUPERVISOR WEBSTER: Yes.

COUNCILWOMAN GALVIN: Do we have anything showing that the city, in fact, did the RFP for just paper and not for everything?

MR. SMITH: I don't believe that they sent us actual copies of the RFP. We are relying upon the recitations in the executive summary and also in the proposed resolutions. Gregg, as part of the

committee, did they give you actual copies of the RFP that you have in your file?

MR. SAGENDORPH: Not that I am aware of.

MR. SMITH: Because I don't have them in our file.

COUNCILWOMAN GALVIN: Well, without knowing that the RFP was for paper only and not for all recyclables, I have a problem with this resolution that says that we are relying on that RFP, when I don't know what it says. And, you as counsel, don't know what it says.

MR. SMITH: I don't have a copy of it, Sheila, no.

DEPUTY SUPERVISOR WEBSTER: Charlie.

COUNCILMAN GUNNER: Here they are talking about the... in 3 or 4 paragraphs, first paragraph they talk about the Village of Altamont, Green Island comprise the ANSWERS watershed. It goes to all the people in it, so they are talking for the watershed as well. And, we are involved in it. And, it says on the bottom of the 3rd paragraph, procuring materials recovery services and services regarding the marketing of recyclables for the Planning Unit and its members and then in the 4th paragraph it says...

MR. SMITH: Well, Charlie, that reflects and I think it accurately reflects the fact that the city is doing that on a much broader spectrum than it is reflected in just the Kruger contract.

COUNCILWOMAN GALVIN: See, Mike, what my problem is, is what was the RFP for? Was the RFP for the recyclable paper that the Kruger contract deals with, was it limited to that, what was it for?

MR. SMITH: No, Sheila, my understanding is that there was 2 responses to the RFP. One was limited to paper, which is Kruger and the other is the broader spectrum which is...

MR. SAGENDORPH: Comingled.

MR. SMITH: New Options on Waste. My understanding of it, although I have not seen the New Options, the New Options was submitted in response to the same RFP.

COUNCILWOMAN GALVIN: Well, Mike, I would feel a hell of a lot better if you had at least seen the RFP and could at least advise us as to whether or not Kruger was responsive to it.

MR. SMITH: We can get a copy of it, that is no problem.

COUNCILWOMAN GALVIN: I would feel a lot better.

DEPUTY SUPERVISOR WEBSTER: Well, the closing on this is the 17th.

MR. SMITH: That is not a problem, Fred.

COUNCILWOMAN GALVIN: That is what they would like.

MR. SMITH: We... all the closing is is when the contract would begin in the event that we are signatory to the service agreement.

COUNCILWOMAN GALVIN: Tell Bill Plunkett I am being a pain in the ass, he will recognize that.

DEPUTY SUPERVISOR WEBSTER: Will they close without our adopting the resolution.

MR. SMITH: Oh, absolutely.

DEPUTY SUPERVISOR WEBSTER: Absolutely.

MR. SMITH: Because they will not close with us but there is no crisis atmosphere that we have to close on the 17th and 18th.

DEPUTY SUPERVISOR WEBSTER: Do you feel it is necessary that we have a special meeting prior to that to pass on it?

MR. SMITH: We should. I will get the information that Charlie and Sheila are asking for and then we can have a special meeting.

DEPUTY SUPERVISOR WEBSTER: That only allows us this Monday.

MR. SMITH: That was what my understanding is. But, again, we do not, technically, have to attend the closing on the 17th and 18th, it is just a matter of trading documents at that point.

DEPUTY SUPERVISOR WEBSTER: So your recommendation would be that we go ahead, set a special meeting for next Monday, perhaps...

COUNCILMAN GUNNER: Or before.

DEPUTY SUPERVISOR WEBSTER: I don't know if we can legally get it in before?

TOWN CLERK NEWKIRK: It has to be 48 hours before and we have tomorrow off. Tomorrow is a holiday.

DEPUTY SUPERVISOR WEBSTER: So, you couldn't get it in, you only have 2 days and then the weekend.

MR. SMITH: That would be the other option.

COUNCILMAN GUNNER: I would also like a copy, again, of the original contract that came from Kruger.

DEPUTY SUPERVISOR WEBSTER: I think this is it, Charlie.

COUNCILMAN GUNNER: No, that is the second one.

MR. SAGENDORPH: I can get that for you.

COUNCILMAN GUNNER: Do you know which one we are talking about?

MR. SAGENDORPH: Right, that is the thick one.

COUNCILMAN GUNNER: We already got that one.

DEPUTY SUPERVISOR WEBSTER: If everyone is in agreement, do you want to set a special meeting for Monday?

COUNCILMAN GUNNER: There was one before that.

DEPUTY SUPERVISOR WEBSTER: What time would you like? How is your calendar, Charlie? Afternoon be better than evening?

COUNCILWOMAN GALVIN: I have no way of knowing, but I'll check in my office.

ATTORNEY KAPLOWITZ: You don't have to do it 48 hours in advance. You should try to but if you feel it is an emergency meeting, you can get away with it.

DEPUTY SUPERVISOR WEBSTER: It doesn't make any difference, it is still... how would 4 on Monday be?

COUNCILMAN GUNNER: Okay by me. Sheila should be back from Florida, I think.

TOWN CLERK NEWKIRK: I don't know if she is one or two weeks.

COUNCILMAN GUNNER: Maybe she won't.

TOWN CLERK NEWKIRK: Yes, I don't know.

DEPUTY SUPERVISOR WEBSTER: 4:00 o'clock on Monday?

ATTORNEY KAPLOWITZ: Sounds good.

DEPUTY SUPERVISOR WEBSTER: Okay. Is that okay with you, Michael?

MR. SMITH: No problem. Sheila, what I will do, as soon as I get a copy of that, I will fax it over to you.

DEPUTY SUPERVISOR WEBSTER: Next item on the agenda is a recommendation from Bruce Secor, Commissioner of Public Works, for acceptance of 2 executed drainage easements for premises between Weigand Lane and Delaware Avenue.

Accept
Drainage
Easements -
Weigand Lane
and
Delaware Ave.

Memorandum reads:

Attached are two executed drainage easements. These easements are for a portion of the drainage way between Weigand Lane and Delaware Avenue.

The completed Combined Real Property Gain Tax Affidavits, Real Estate Transfer Tax Returns and Credit Line Mortgage Certificates form are included.

These easements are submitted for your review and formal acceptance.

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COUNCILWOMAN GALVIN: Bernie, have you had a chance to look at those? Are they okay?

ATTORNEY KAPLOWITZ: No, I normally don't look at them except to see that they are signed properly. I mean, the descriptions come from the Engineering Department and I don't go out and walk it. They look fine.

DEPUTY SUPERVISOR WEBSTER: Motion.

The motion was made by Ms. Galvin and seconded by Mr. Gunner that the two (2) deeds from Gladys Vadney Hosey, Delmar, New York be and they hereby are accepted for drainage easements between Weigand Lane and Delaware Avenue. The motion was passed by the following vote:

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

DEPUTY SUPERVISOR WEBSTER: The next item is to consider adoption of the 1993 Tentative Budget for the Town of Bethlehem.

WHEREAS, the Town Board has met at the time and place specified in the Notice of Public Hearing on the Preliminary Budget and heard all persons desiring to be heard thereon,

NOW, THEREFORE, BE IT RESOLVED, that the Preliminary Budget be and it hereby is adopted as the Annual Budget of this Town for the fiscal year beginning on the 1st day of January, 1993, and that such Budget as so adopted be entered in detail in the minutes of the proceedings of this Town Board, and be it

FURTHER RESOLVED, that the Town Clerk of this Town shall prepare and certify, in duplicate, copies of said Annual Budget adopted by this Town Board, together with the assessment rolls for benefit improvements, if any, adopted pursuant to Section 202-a, of the Town Law, and deliver two copies thereof to the Supervisor of the Town to be presented to the Albany County Legislature.

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Anyone like to propose the adoption? Any discussion.

COUNCILMAN GUNNER: Okay, that is fine. Thank you. Yes, I just have 2 things, I did speak to Judi Kehoe and had some of my questions answered from the other night, so I don't have to repeat those

tonight. But, the answers were very definitive and very quick and could have avoided a lot of other discussion that we had on the budget, if I had them sooner. Second part of it, would be that there was a job description in there on filling a position and we still haven't had that and I guess, until I get that, I don't even want to see it on the agenda.

DEPUTY SUPERVISOR WEBSTER: What was that?

COUNCILMAN GUNNER: TV coordinator.

DEPUTY SUPERVISOR WEBSTER: Okay.

COUNCILMAN GUNNER: I know he has been working on it because he has one and somebody else submitted one. It is just a matter of blending or cleaning up the two and then we would know what the person is going to be doing.

DEPUTY SUPERVISOR WEBSTER: Okay.

COUNCILMAN GUNNER: Okay.

DEPUTY SUPERVISOR WEBSTER: That won't affect this at all. By law, we must adopt this budget by the 20th of November. If we don't adopt it by that date, it will automatically become our budget for 1993.

COUNCILWOMAN GALVIN: With respect to discussion.

DEPUTY SUPERVISOR WEBSTER: Go ahead.

COUNCILWOMAN GALVIN: I also have one other point and that was, we had discussed at length the need for watching the expenses with respect to the Planning Department concerning LUMAC. And, I would like to have a review of those budget numbers scheduled for the end of March at the point in time that LUMAC's figures... LUMAC's report is in and find out exactly what the expenses are to that. I would like an informal report at that time.

DEPUTY SUPERVISOR WEBSTER: I think we are all in concert on that, I think. Are we not, Charlie?

COUNCILMAN GUNNER: Yes, I agree.

DEPUTY SUPERVISOR WEBSTER: All right, do you have that?

COUNCILWOMAN GALVIN: With that caveat, so moved.

Adopt The foregoing resolution was presented for adoption by Ms.
Preliminary Galvin, was seconded by Mr. Gunner and was duly adopted by the
1993 following vote:
Budget

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

Noes: None.

Absent: Mr. Ringler, Mrs. Fuller.

See budget following page 21 - - -

Acknowledge DEPUTY SUPERVISOR WEBSTER: The next item on the agenda is to
Receipt acknowledge receipt of the Quarterly Franchise fee from Cablevision
Cable for the period July through September 1992 in the amount of \$19,481.
Franchise
Quarterly COUNCILWOMAN GALVIN: I would like to make a comment on that.
Fee

DEPUTY SUPERVISOR WEBSTER: I know you would.

COUNCILWOMAN GALVIN: We have received our usual few numbers scattered on a piece of paper with no backup.

DEPUTY SUPERVISOR WEBSTER: You notice he does say, it will follow shortly.

COUNCILWOMAN GALVIN: Yes, I certainly hope that he understands that under the terms of the contract, it better.

COUNCILMAN GUNNER: Yes.

DEPUTY SUPERVISOR WEBSTER: After I read my notes, I looked through his folder desperately to see if that had arrived but it is not here.

COUNCILMAN GUNNER: It is not a small business, he should be able to get that done, absolutely.

DEPUTY SUPERVISOR WEBSTER: You won't be seeing that in the future contracts, we hope.

COUNCILWOMAN GALVIN: I would like to request that there be, I will so move, or I would like to make a motion that we have the Supervisor follow-up with respect to those figures so that we have them in hand before the end of the year or for the end of 1992 so that we have an opportunity to review them.

DEPUTY SUPERVISOR WEBSTER: I don't think that is unreasonable.

The motion was made by Ms. Galvin and seconded by Mr. Gunner to request the Supervisor follow-up with respect to the franchise fee figures before the end of the year for 1992. The motion was passed by the following vote:

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

I think he wants to see those figures as much as we do.

DEPUTY SUPERVISOR WEBSTER: Okay, the next item is a request from Gregg Sagendorph, Superintendent of Highways, to go to bid for tree work. We could advertise on the 18th of November and open bids on the first of December.

Go To Bid
Tree Work

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

WHEREAS, the Town desired to advertise for bids for Tree Work for the year 1993, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 18th day of November, 1992 and that bids be received up to 2:00 p.m. on the 1st day of December, 1992 at which time the bids will be publicly opened and read.

The resolution was adopted by the following vote:

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

DEPUTY SUPERVISOR WEBSTER: The next item is also from Superintendent Gregg Sagendorph for Highways to go to bid for one emergency standby generator for the Town Highway Department. Could advertise on November 18th and open bids on November 30th.

Go to Bid
Emergency
Standby
Generator

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

WHEREAS, the Town desired to advertise for bids for one (1) emergency standby generator for the Town Highway Department, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 18th day of November, 1992 and that bids be received up to 2:00 p.m. on the 30th day of November, 1992 at which time the bids will be publicly opened and read.

The resolution was adopted by the following vote:

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

Seminar
 "How To
 Supervise
 People"
 Highway
 Dept.

DEPUTY SUPERVISOR WEBSTER: The next item is also from Mr. Sagendorph, Superintendent of Highways, for approval of 3 employees to attend the seminar entitled, How to Supervise People, at the Holiday Inn, Turf, Albany, NY on December 15, 1992 with registration fee paid.

COUNCILMAN GUNNER: We have to get a motion to second it.

The motion was made by Ms. Galvin and seconded by Mr. Gunner.

COUNCILWOMAN GALVIN: Now questions.

DEPUTY SUPERVISOR WEBSTER: Okay, question.

COUNCILMAN GUNNER: May I ask it of Gregg?

DEPUTY SUPERVISOR WEBSTER: Mr. Sagendorph.

COUNCILMAN GUNNER: Gregg, who is going?

MR. SAGENDORPH: I have 3 foremen and I want to send the 3 foremen.

COUNCILMAN GUNNER: Okay. Thank you. I didn't know whether we were starting a new sensitivity movement or what.

DEPUTY SUPERVISOR WEBSTER: Foremen 1 and 2 foremen 2?

MR. SAGENDORPH: 3 foremen 1s.

COUNCILMAN GUNNER: All right, that's fine, no problem.

The motion was passed by the following vote:

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

Approve
 Seasonal
 Personnel
 Parks &
 Recreation
 Dept.

DEPUTY SUPERVISOR WEBSTER: The next item is from Administrator Dave Austin, Department of Parks & Recreation, for approval of seasonal personnel for recreation director 1 at the rate of \$8.15 per hour, Elizabeth Anderson of Slingerlands and recreation instructor III at a rate of \$8.10 an hour, Marty Cornelius.

The motion was made by Ms. Galvin and seconded by Mr. Webster that the seasonal personnel listed on the memorandum from David Austin, Administrator of Parks & Recreation, dated November 10, 1992 be and they hereby are appointed to serve at the pleasure of the Town Board. The motion was passed by the following vote:

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

Adopt
 1993
 Sewer
 Assessment
 Rolls

DEPUTY SUPERVISOR WEBSTER: The next item is consideration of adoption of 1993 assessment rolls for the Town's sewer district.

COUNCILWOMAN GALVIN: I have a question. Either my packet was missing something or...

DEPUTY SUPERVISOR WEBSTER: I think it is in your folder. Are you looking for the resolution? I think the resolution just came and it is in your folder. I will give you a second to look at it.

COUNCILWOMAN GALVIN: All set.

DEPUTY SUPERVISOR WEBSTER: All set, do we have a motion?

WHEREAS, assessment rolls for the year 1993 have been prepared by the Town Board for and in connection with the Bethlehem Sewer District, the Special Sewer District No. 1 and the South Albany Sewer District, which said rolls were completed and filed with the Town Clerk of said Town, and

WHEREAS, due notice of the completion of the assessment rolls and of the time and place when and where this Board would meet to hear and consider any objections that might be made to said rolls and for the purpose of reviewing, correcting and amending the same, was duly given by the Town Clerk by publication of due notice in THE SPOTLIGHT, a newspaper published in the County of Albany and the Town Board met at the time and place specified, and the hearing was duly had upon said assessment rolls,

NOW, THEREFORE, BE IT RESOLVED, that said assessment rolls be and they hereby are approved, affirmed and adopted by the Town Board as filed.

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

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

DEPUTY SUPERVISOR WEBSTER: The next item is a request from Richard LaChappelle, Chief of Police, for authorization to go to bid for Uniforms for police and communications personnel. Could advertise on November 18th and open bids on November 30th.

Go to Bid
Uniforms -
Police and
Communications
Personnel

WHEREAS, the Town desired to advertise for bids for Uniforms for Police and Communication Personnel, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 18th day of November, 1992 and that bids be received up to 2:15 p.m. on the 30th day of November, 1992 at which time the bids will be publicly opened and read.

The resolution was adopted by the following vote:

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

DEPUTY SUPERVISOR WEBSTER: The next item is from Chief LaChappelle, Chief of Police, for approval of transfer of \$1500. from Acct. No. 1990.4, Contingency to Acct. No. 3410.4 Animal Control.

Transfer of
Funds -
Police Dept.

The motion was made by Ms. Galvin but that gets some discussion and seconded by Mr. Gunner to approve the transfer of \$1500. from Acct. No. 1990.4 Contingency to Acct. No. 3410.4 Animal Control.

COUNCILWOMAN GALVIN: Question, what are the veterinary services?

DEPUTY SUPERVISOR WEBSTER: That is, I believe, where we take our animals when they have been picked up on the road, be they injured or whatever.

COUNCILMAN GUNNER: We probably need services for Grando too.

DEPUTY SUPERVISOR WEBSTER: No, I think this is the Animal Control Account.

COUNCILWOMAN GALVIN: That's what my question was. I think Grando is a separate budget item.

DEPUTY SUPERVISOR WEBSTER: This is the Animal Control account.

COUNCILMAN GUNNER: So, he wouldn't be there.

DEPUTY SUPERVISOR WEBSTER: No.

COUNCILWOMAN GALVIN: Hopefully, Grando doesn't have to be controlled.

DEPUTY SUPERVISOR WEBSTER: This is for wounded animals. On occasion, the animal is not claimed at the vet's and we do have to pay the expenses. The other item on the vehicle was some emergency repairs to the old animal control vehicle just prior to the new one being received. It was just some minor repairs.

COUNCILWOMAN GALVIN: I was hoping the veterinary services weren't for the vehicle after I read that.

DEPUTY SUPERVISOR WEBSTER: All in favor?

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

Noes: None.

Absent: Mr. Ringler, Mrs. Fuller.

COUNCILMAN GUNNER: It was a dog by the time we turned it in.

DEPUTY SUPERVISOR WEBSTER: It was.

Approve DEPUTY SUPERVISOR WEBSTER: The next item is a recommendation from
Construct. John Flanigan, our Building Inspector, for approval of placement of
Trailers 14 construction trailers at the GE plant in Selkirk.
General
Electric Any questions?

COUNCILWOMAN GALVIN: All of these are connected with COGEN.

DEPUTY SUPERVISOR WEBSTER: All of these are connected with COGEN, correct. We have the permit and we have their check in hand.

COUNCILMAN GUNNER: They gave pretty good description where they are and everything.

The motion was made by Ms. Galvin and seconded by Mr. Gunner that 14 trailer permits be issued for construction trailers to General Electric for location at their site in Selkirk, NY. The motion was passed by the following vote:

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

Noes: None.

Absent: Mr. Ringler, Mrs. Fuller.

Extend DEPUTY SUPERVISOR WEBSTER: The next item is a recommendation from
Water Bruce Secor, Commissioner of Public Works, for approval of Extension
District of Water District for CITGO Petroleum.
CITGO
Petroleum The following order was presented for adoption.

IN THE MATTER OF THE
EXTENSION OF THE BETHLEHEM
WATER DISTRICT NO. 1 OF THE
TOWN OF BETHLEHEM, IN THE
COUNTY OF ALBANY, NEW YORK

ORDER APPROVING
CITGO WATER DISTRICT
EXTENSION

WHEREAS, J. KENNETH FRASER and ASSOCIATES, P.C., competent engineers duly licensed by the State of New York, have at the instance of the Town Board, prepared a map, plan and report providing for the extension of the Water District of the Town of Bethlehem designated, "Bethlehem Water District No. 1", created by order of the Town Board of the Town of Bethlehem, adopted on July 12, 1926 and

said map, plan and report have been filed in the office of the Town Clerk, in accordance with Article 12 of the Town Law, and said map, plan and report comply with the provision of Article 12 of the Town Law, and

WHEREAS, the total cost of said improvements and the maximum amount proposed to be expended is \$98,700 which will be borne by the owners of real property within said proposed extension (namely, Citgo Corporation), and

WHEREAS, the boundaries of said proposed extension as set forth in said map, plan and report are as follows:

All that tract or parcel of land being and situated in the Town of Bethlehem, County of Albany and State of New York, bounded and described as follows: (see Exhibit "C" attached hereto)

WHEREAS, the improvements proposed to be made in said proposed extension consist of construction of an extension of the existing 16" diameter water main including the furnishing, equipment and apparatus required for such extension, and the maximum amount proposed to be expended therefore is \$98,700. which is to be paid for in its entirety by Citgo Corporation, the proponents within this proposed water extension, and

WHEREAS, said map, plan and report is on file in the office of the Town Clerk for public inspection; and

WHEREAS, said Town Board duly adopted on the 12th day of August 1992, an order providing that said Town Board met at the Town Hall, Delmar, New York, on the 9th day of September 1992 at 8:00 p.m. eastern standard time, to hold a public hearing on the extension of said District, at which time all persons interested in the subject thereof may be heard concerning the same, and certified copies of said order have been duly published and posted as prescribed by law, and said Town Board has, at the time and place specified in said order, duly met and considered the extension of said District and heard all persons interested in the subject thereof who appeared at such time and place, concerning the same; and

WHEREAS, the evidence offered at such time and place requires that the Town Board make the determination hereinafter made;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of Bethlehem in the County of Albany that it be and hereby is determined as follows: (a) the petitions requesting the extension of said District is signed and acknowledged or proved as required by law and are otherwise sufficient; (b) the notice of hearing held on September 9, 1992 was published and posted as required by law, and is otherwise sufficient; (c) all the property and property owners within the proposed extension of the Bethlehem Water District of said District are benefited thereby; (d) all the property and property owners benefited are included within the limits of said proposed extension, and (e) the extension of such district is in the public interest; and

FURTHER RESOLVED, that the Town Board does hereby approve the extension of said Bethlehem Water District so as to include boundaries set forth in this resolution and the construction of a water supply system in said District, in accordance with the map and plan on file in the office of the Town Clerk; and

FURTHER RESOLVED, that the Town Clerk be and she hereby is authorized to file a certified copy of this resolution, in duplicate, with the office of the State of New York, Department of Audit and Control, at Albany, New York

FURTHER RESOLVED, that the Town Supervisor is authorized to execute and file an application to the New York State Department of Environmental Conservation for approval of the project and to make application to any other governmental agency whose approval may be required.

The motion was made by Mr. Gunner, seconded by Ms. Galvin and passed by the following vote:

AYES: Mr. Webster, Mr. Gunner, Ms. Galvin
 NOES: None
 ABSENT: Mr. Ringler, Mrs. Fuller.

- - -

DEPUTY SUPERVISOR WEBSTER: The next item is a request from the Supervisor for consideration of closing of Town Hall at 12:00 noon on December 24th which is Christmas Eve.

COUNCILMAN GUNNER: You forgot one...

TOWN CLERK NEWKIRK: You skipped one.

ATTORNEY KAPLOWITZ: You skipped Ground Water Infiltration Test Well.

DEPUTY SUPERVISOR WEBSTER: Okay, I will go back... I will go back to it.

Approve Closing Town Hall at Noon Christmas Eve The motion was made by Ms. Galvin to approve the closing of Town Hall at 12:00 Noon on December 24, 1992, Christmas Eve.

COUNCILMAN GUNNER: Which one are we on?

DEPUTY SUPERVISOR WEBSTER: We are still on Christmas.

TOWN CLERK NEWKIRK: He is going to do the noon one.

The motion was seconded by Mr. Gunner and passed by the following vote:

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

TOWN CLERK NEWKIRK: Now he will go back to the Water Infiltration Test Well.

DEPUTY SUPERVISOR WEBSTER: Okay, here we go...

TOWN CLERK NEWKIRK: And, Jim Fraser is here.

DEPUTY SUPERVISOR WEBSTER: Yes. Request from Bruce Secor, Commissioner of Public Works, to go to bid for groundwater infiltration test well. Mr. Fraser is here if there are any questions. He has the map on the board.

Discussion Ground Water Infiltration Test Well

COUNCILWOMAN GALVIN: One of the questions that I have went to the question about the title. There was an issue raised in Bruce's memo about the land in the flood plain being owned by the State of New York and having to deal with that issue prior to any construction contract or issuing any notice to proceed. What is the status of that?

MR. FRASER: That is correct, we are researching deeds and titles at the moment and putting together a layout of who owns what. At the moment, we believe that the State of New York owns quite a bit of the land that is required. What is the name of the attorney who is working on that?

ATTORNEY KAPLOWITZ: Josh Effron.

MR. FRASER: Josh Effron is working with our surveyors on that and it hasn't progressed to a point where I can give you a definitive answer as to exactly where it stands and where it is going.

COUNCILWOMAN GALVIN: Are the two test wells proposed to go into the land owned by the State?

MR. FRASER: Yes, I believe so.

COUNCILWOMAN GALVIN: How are we planning to do that?

MR. FRASER: Well, the schedule for bidding is based upon getting the project moving along as quickly as possible but even though it bids, it will not be able to be awarded until the title to the land is squared away.

COUNCILWOMAN GALVIN: How did we get this far into it without knowing that the bulk of that land is owned by the State?

MR. FRASER: I am not sure but I... Bruce was handling the dealings with the Jennings who were the reported property owners.

ATTORNEY KAPLOWITZ: I met with them the last time... Bruce and I met with them and a few others and I don't think there was any record ownership, that I am aware of to the State of New York. Their ownership is by reason of the fact that some of the land was submerged under water which has been cleared since and apparently becomes... belongs to the State of New York. No one knew anything about it until one of the Jennings happened to say we have been told ever since we have been there that the State has some claim and nobody knew why. They didn't understand it either and that is what precipitated a search to see just what it is.

MR. FRASER: The tax mapping form the Town indicated that all of the property was owned by the Jennings and Bruce has been talking with the Jennings over a long period of time and it just was never revealed until recently.

COUNCILWOMAN GALVIN: What is the time frame on getting the matter resolved with the State?

MR. FRASER: As soon as possible. We want to go...

COUNCILWOMAN GALVIN: Dealing with the State, reasonably what -- do we have a term of... I am not going to say months, I am going to say years... in terms of seeing resolution.

MR. FRASER: Well, Bernie, have you talked with Josh about this? I have not.

ATTORNEY KAPLOWITZ: Not since that meeting.

MR. FRASER: It is my understanding that it is Josh's feeling that it can be handled with the State in the way of temporary easements etc. with an understanding that whatever paper work has to be taken care of, will be taken care of.

COUNCILWOMAN GALVIN: Well, I can see possibility of temporary easement for test wells but how about for a long term project?

MR. FRASER: Well, you are certainly going to want to have the ownership of the land nailed down before you sink a lot of money into the ground there, absolutely.

COUNCILWOMAN GALVIN: Well, how much are we talking about sinking into the ground for the temporary test wells?

MR. FRASER: This portion of the infiltration system should cost somewhere between \$400 and \$500,000.

COUNCILWOMAN GALVIN: So, we are talking about contemplating \$400,000 to \$500,000 without having this cleared up.

MR. FRASER: No, I don't think that's fair to say. We are simply going to bid on this with the understanding that the contracts should not be awarded until title to the land is squared away.

COUNCILWOMAN GALVIN: Well, that is one of the reasons that I was anxious to find out what the time frame on clearing up the record title to the property would be before we even went to bid. Because, if you go to bid now, the bids may not be valid at the point in time that the real property issues are cleared up. We may have invalid bids anyway.

MR. FRASER: I think the problem is one of time. The project is on a time line whereby these wells have to be gotten into the ground and tested for a period of months in order to determine subsequent actions in the way of treatment facilities, etc. and if we waited until the title to the land were cleared up, just to go to bid, we loose a significant amount of time.

COUNCILWOMAN GALVIN: But, am I correct in understanding you, that we are talking about expending \$400 to \$500,000 for the proposed test wells, when we don't have the title cleared up.

MR. FRASER: We are not talking about spending the money before title is cleared up. We are talking about simply taking the bids.

DEPUTY SUPERVISOR WEBSTER: Just going to bid.

COUNCILMAN GUNNER: Question. Counsel. Is that right, once we go to bid, except for the duration of time where they may no longer be valid, that there would be no obligation on our part to let them.

ATTORNEY KAPLOWITZ: Yes, you don't have to accept them. You just rejected bids last. Bruce is very concerned about the time schedule. We signed a contract...

COUNCILMAN GUNNER: I am too but I am also concerned about the 1/2 million dollars, I guess.

ATTORNEY KAPLOWITZ: Well, I am assuming that nobody is going to spend the 1/2 million dollars until we resolve the issue. You know, I don't think there is any question about that.

COUNCILMAN GUNNER: Well, I guess, Bernie, what I am saying is there is nothing to say that we would have to let it under any condition.

ATTORNEY KAPLOWITZ: No.

DEPUTY SUPERVISOR WEBSTER: We would not.

MR. FRASER: Bidders have the right to withdraw their bids 45 days after the bids are received but they also have the right to extend that period of time if they were low bidder and wanted to receive the bid. We have -- even if it takes beyond the 45 days, there is a good likelihood that the low bidder would be willing to extend his willingness to accept it.

ATTORNEY KAPLOWITZ: I know, Josh is hoping it will be resolved but Sheila is right when you say dealing with the State of New York, God knows and that is true certainly. But, he is hopeful they can resolve it. It came as a surprise to everybody.

DEPUTY SUPERVISOR WEBSTER: Can we be certain that the proper language is in the bid proposal that will allow us to get out in the event that it...?

MR. FRASER: Well, the Town Board reserves the right to reject any and all bids or to award it to the lowest responsible bidder.

COUNCILWOMAN GALVIN: I have a problem with...

ATTORNEY KAPLOWITZ: That's not always... that doesn't always work.

COUNCILWOMAN GALVIN: I have a problem with going in knowing that there is a problem. How long would it take between the time that we found out that we had title cleared up to the property to let the bid and to actually go forward?

MR. FRASER: It could take a month to 2 months when you consider that we would have to come before you at another Town Board meeting to get authorization to advertise and receive bids and then there is the bidding period which is on the order of 2 to 3 weeks.

COUNCILWOMAN GALVIN: So, we are talking about possibly 2 months maximum additional time.

MR. FRASER: Yes.

COUNCILWOMAN GALVIN: But, when we don't know how long it is going to take to clear up the title problems with the State.

ATTORNEY KAPLOWITZ: Well, but you do have a contract to provide water in 24 months and that is already started to run. And, that is Bruce's concern and why he doesn't want to wait.

COUNCILWOMAN GALVIN: Well, I have a big concern that this wasn't found before we got boxed into another corner. We keep getting into these situations.

ATTORNEY KAPLOWITZ: Well, but it has happened, what are we going to do about it? I mean, it is there. We can't change it.

COUNCILWOMAN GALVIN: But, that seems to be the chronic problem with what happens to us as a Board.

ATTORNEY KAPLOWITZ: I don't know who you want to blame. I don't... it is up to you three what you do but I am only stating that I know Bruce put it on and was very concerned because the 24 month period is running. And, that is why we are here.

COUNCILWOMAN GALVIN: I have a problem with voting in favor of anything of this nature when we know there is an existing problem, we are on notice that there is a problem which should be corrected before we go forward.

DEPUTY SUPERVISOR WEBSTER: Well, if you have a problem with it this evening, we certainly can't pass it.

ATTORNEY KAPLOWITZ: Right.

MR. FRASER: This is a lot like many instance that I am familiar with where we go out to bid on contracts which require easements knowing that the easements can be obtained and that there will be time to be able to do it.

COUNCILWOMAN GALVIN: I'd feel a lot more confident if we had Josh here telling us where he had gotten to this point.

ATTORNEY KAPLOWITZ: Well, it isn't going to pass tonight, let's go to the next one.

DEPUTY SUPERVISOR WEBSTER: Do you have a recommendation?

COUNCILWOMAN GALVIN: Table.

DEPUTY SUPERVISOR WEBSTER: You want it tabled. Second?

The motion was made by Ms. Galvin and seconded by Mr. Gunner to table the request to go to bid for ground water infiltration test well. The motion was passed by the following vote:

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

Table
Request to
Go To Bid
Ground
Water
Infiltration
Test Well

DEPUTY SUPERVISOR WEBSTER: We will set it aside then.

DEPUTY SUPERVISOR WEBSTER: Let me just go back one moment, in the proposed CITGO water district extension, we did consider and approve the water district extension but we also have to adopt a negative declaration on that.

The motion was made by Ms. Galvin and seconded by Mr. Gunner to declare a negative declaration in regard to the proposed extension to the Water District for CITGO Petroleum. The motion was passed by the following vote:

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

Negative
Declaration
CITGO
Water
Extension

DEPUTY SUPERVISOR WEBSTER: Next item on the agenda is a request from the Supervisor for the approval of the adoption of the proposed private road policy. Are there any questions by Members of the Board?

ATTORNEY KAPLOWITZ: Don't do that yet, Fred, because I had something that bothered me about this.

COUNCILMAN GUNNER: What is that, Bernie?

DEPUTY SUPERVISOR WEBSTER: I had a question on the street signs. They are all going to be on the Town right-of-way, are they not?

MR. SAGENDORPH: Yes.

DEPUTY SUPERVISOR WEBSTER: They will be, they will not be on private property.

MR. SAGENDORPH: No.

DEPUTY SUPERVISOR WEBSTER: And, these signs will be maintained by us, so they will always be legible, visible, etc. etc.

MR. SAGENDORPH: Yes.

COUNCILWOMAN GALVIN: Bernie, did you have a problem with it?

ATTORNEY KAPLOWITZ: Yes, there was something -- excuse me, I don't know where it went.

COUNCILWOMAN GALVIN: You can have mine.

DEPUTY SUPERVISOR WEBSTER: There was some question about this being proper but they are for the general health and safety of the community.

ATTORNEY KAPLOWITZ: It is close. I wondered, Gregg, can we instead of saying when they meet a minimum of 2 out of 3 -- can we say number 1 and either 2 or 3? Because number 1 says private roads are not owned and maintained by the Town of Bethlehem and I think that has to be.

MR. SAGENDORPH: That is a definite, right.

ATTORNEY KAPLOWITZ: So, I think 1 and 2 or 1 and 3 rather than any 2 of the 3. Am I creating a problem?

MR. SAGENDORPH: No, I am just thinking number 1, if it was maintained by the Town then it is a Town road. We only maintain the Town roads, so I think your wording would be correct.

ATTORNEY KAPLOWITZ: What kind of extenuating circumstances are contemplated by number 3? Have any idea?

MR. SAGENDORPH: I don't know -- a long driveway with 2 houses at the end -- I don't know. What we don't want to get into is a long private driveway with 1 house at the end. Then we would just be signing an individual homeowner's property.

COUNCILMAN GUNNER: Is that like right off Kenwood Avenue there, that new house going in back there in that cul-de-sac, before Dumbarton?

MR. SAGENDORPH: Yes.

DEPUTY SUPERVISOR WEBSTER: Like a key-hole lot.

MR. SAGENDORPH: A private driveway, right.

DEPUTY SUPERVISOR WEBSTER: Well, that is just a private driveway, he still has Kenwood Avenue, yes.

COUNCILMAN GUNNER: Well, that is exactly what I was talking about.

MR. SAGENDORPH: Which is why it is 3 or more, unless... I don't know what extenuating circumstance there would be.

ATTORNEY KAPLOWITZ: I couldn't think -- does everybody understand why we are doing this? Okay. I would just suggest when they meet a minimum, we change the wording so that private roads may be recognized... private road names may be recognized by the Town of Bethlehem when they meet the first of the following... the first and either of the 2nd or 3rd following criteria.

COUNCILWOMAN GALVIN: Do we have a problem with tabling this so Bernie can give us the proposed language?

ATTORNEY KAPLOWITZ: I don't think there is anything else I can add to that. I just think one should be in there in each case.

DEPUTY SUPERVISOR WEBSTER: What was your suggested change there, Bernie?

ATTORNEY KAPLOWITZ: They meet the first and either the 2nd or 3rd of the following criteria. I think that is all that is necessary. I think it is very difficult, we don't want to say we are taking over private roads and going to maintain them or anything, right? I mean, that is what we are fighting.

MR. SAGENDORPH: These signs will say private road on them.

ATTORNEY KAPLOWITZ: I saw that, that is a good idea. Thanks.

DEPUTY SUPERVISOR WEBSTER: If anyone in the audience is curious about why we are doing this, this has to do with the upcoming 911 implementation, so that even private roads will get the designation and should they make a 911 call, it will come in as the name of that particular road whether it be private or public.

ATTORNEY KAPLOWITZ: There are a number of private roads that don't have names and that is the real problem is that there is no way to get them on the 911 system. In the event of an emergency, they may be left out.

DEPUTY SUPERVISOR WEBSTER: That we don't want to happen if we can help it.

COUNCILWOMAN GALVIN: Bernie, do you have any proposal to change the language in number 3 regarding the extenuating circumstances to clarify.

ATTORNEY KAPLOWITZ: I have no idea what anybody is anticipating, so I really don't because I don't know what is intended.

COUNCILWOMAN GALVIN: That is my problem to adopt a policy but we don't know what we are intending to do.

ATTORNEY KAPLOWITZ: Well, you said a long road with 1 house.

MR. SAGENDORPH: With 1 or 2 houses, you just don't... you are not sure. You get down around VanWies Point, down around the river, there are... you just don't want to exclude somebody if there is an extenuating circumstance. I think that is why it is put in there and then it is up to the discretion of the Board.

ATTORNEY KAPLOWITZ: It is a catchall, I don't know how enforceable it is though. It is meant to...

COUNCILMAN GUNNER: Could that be if there was a medical problem... a known medical problem, maybe want to make an extenuating circumstance.

ATTORNEY KAPLOWITZ: I suppose that could one of the type of things.

DEPUTY SUPERVISOR WEBSTER: That is true, that could be.

COUNCILMAN GUNNER: Okay.

ATTORNEY KAPLOWITZ: Some of those private roads have 2, 3 or 4 houses on them. They are using, for instance, Route 9W when they are really off Route 9W and that doesn't work. If they don't have some kind of a name or some better way to delineate them, to find them, then the whole system isn't going to work. It is an attempt not to adopt those private roads as Town roads. We don't want them, we don't want to maintain them but to at least make the 911 services, however, available and accessible to every resident, regardless of whether on a public road or private road. Fair?

DEPUTY TOWN SUPERVISOR: Everyone comfortable with the wording now?

ATTORNEY KAPLOWITZ: I think it will work.

DEPUTY TOWN SUPERVISOR: A motion to accept this policy?

Adopt
Private
Road Policy
Re: 911
Implementation

The motion was made by Mr. Gunner and seconded by Ms. Galvin to adopt the Private Road Policy for the Town of Bethlehem in anticipation of the use of this policy for the 911 implementation. The motion was passed by the following vote:

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

Noes: None.

Absent: Mr. Ringler, Mrs. Fuller.

Approve
Attendance
Building
Officials
Meeting

DEPUTY TOWN SUPERVISOR: The next item is a request from John Flanigan, Building Inspector, for authorization of Kevin Shea and John Flanigan to attend a New York State Building Officials meeting in Utica, NY leaving Thursday December 3 and returning Friday December 4 with use of Town vehicle. They will be taking care of their own overnight expenses.

The motion was made by Ms. Galvin and seconded by Mr. Gunner that John Flanigan and Kevin Shea be and they hereby are authorized and approved to attend a New York State Building Officials meeting in Utica, NY leaving Thursday, December 3 and returning Friday, December 4 with use of Town vehicle. The motion was passed by the following vote:

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

Noes: None.

Absent: Mr. Ringler, Mrs. Fuller.

Discussion
EMS Task
Force Report

DEPUTY SUPERVISOR WEBSTER: The next item is a discussion... really just a discussion of... after receipt of the report from Terry Mitchell for the EMS Task Force. Unfortunately, Terry could not be here this evening, he had a death in his family and he had to go to Amsterdam. Ken is ill but he did want to bring this before the Board and find out if any members of the Board had any other questions. It is the Supervisor's intention, if we are all in agreement, that he will go forth and sit down with the various emergency services in an attempt to come up with an implementation plan and bring that back before the Board after satisfying all of the questions that might be out there on the parts of the various emergency services and come back to the Board with a possible implementation plan looking at something to be discussed at the next budget rounds in 1993 with possible implementation in 1994.

COUNCILWOMAN GALVIN: I had quite a few questions on this, I would have liked to have had an opportunity to ask Terry. I understand the problems of the death in the family but could we reschedule for discussion of this.

DEPUTY SUPERVISOR WEBSTER: I see no reason why, this is a long range plan that is going to be taking some time. I was on the council but I don't know if there is any questions that I could answer.

COUNCILMAN GUNNER: I have questions about the Delmar response.

BUDGET MESSAGE - 1993

Each year at this time, the Supervisor is required to present a tentative budget for the upcoming fiscal year to the Town Clerk for consideration by the Town Board. From this point on, the Town Board will review the proposed budget and make changes they deem necessary. A series of workshops will be held in October for the Board to review requests with Department Head personnel.

With the recession continuing, budgeting for the upcoming year, once again, has been a difficult process. An uncertain revenue picture in the future created many questions regarding the direction the Town should be taking. As we all know, we will be receiving additional sales tax revenue for part of 1993; however, it is unsure if this will continue beyond August 31, 1993. We continue also to lose other revenue sources from different government entities and those government entities are passing on additional costs to the Town. Revenue sharing from New York State continues to decrease, and we do not know what they will do to us in 1993. The New York State Building Code Enforcement funding has been eliminated. We do not know if the Consolidated Highway Improvements Program will be replaced with a new Dedicated Highway Fund. Interest rates have dropped, and as a result, revenues from our investments have decreased. We do not expect the rates to improve next year.

With all this in mind, we once again, asked our Department Head personnel to be very frugal in their budget requests, while also giving them the difficult task of continuing to provide the services our residents expect. I believe this budget accomplishes that to a great degree. The tax levy in the General Fund will decrease approximately 18%, again, as a result of additional revenue from the one time sales tax increase. With a 5% increase in the Highway levy, the two Town-wide taxes combined will decrease by 2.5%. There will be modest increases, approximating 3% in the Water and Sewer Districts. The budget provides for an increase in our Town employee salaries by a 3.5% cost-of-living increase. This is tied in with the expected cost-of-living as projected for 1993. However, I must point out that over the last two years, the total increases to Town employees have been less than the current inflation rate. I thank our employees for their understanding during these very difficult times.

For the public's information, I would like to announce the dates for work sessions, which are open meetings:

Monday, October 19, 1992, 7:30 pm

Data Processing

Assessor

Parks and Recreation

Receiver of Taxes

Project Hope

Senior Services

Building

Police and Communications

Tuesday, October 20, 1992, 7:30 pm

Planning Department

Highway

Recycling, Garbage and Refuse

Public Works: Engineering, Water and Sewer

Thursday, October 22, 1992, 7:30 pm

All others, if necessary

The public hearing will be held on Monday, November 2, 1992 at 7:30 pm.

I would now like to ask our Comptroller to provide some of the highlights in the various funds.

GENERAL FUND

Appropriations in the General Fund will increase by approximately \$360,000. This increased cost is basically due to the normal inflationary increases that affect everyone. I would, however, like to point out some of the highlights.

Workers' Compensation costs have risen by 11%. In addition, Health Insurance has risen approximately 15%, representing an increase of \$58,000 to the General Fund.

Our Contingency Fund has been increased by approximately \$100,000. We have increased this because we are concerned with the direction the New York State Retirement System is taking. As we know, several years ago the State tampered with this system, in an effort to mitigate revenue sharing reductions to localities. They have since been sued by State Unions. The Union prevailed in their suit and although New York State may appeal the decision, it is likely that municipalities will be forced to pay sizable contributions to reinstate the fund to the levels that would have been achieved if the State had not changed the retirement funding in 1989.

Debt Service has been increased by \$132,000 to provide for debt service on the proposed recommendations by the Capital

Projects committee. This recommendation includes required repairs to our tennis courts and a new computer aided dispatch system in the Police Department, which will enhance the 911 system.

With these increases, the General Fund tax levy still has decreased by approximately 18%. As was indicated in the opening remarks made by the Supervisor, increased revenues from the one-time sales tax increase have allowed this tax decrease. The uniform tax rate for the General Fund would be approximately \$.54 per thousand of assessed valuation. However, current law which is in effect and has provided for Homestead/non-Homestead rates, affect this rate differently. If the Town Board does not make any changes to the current law, the Homestead tax rate would be approximately \$.50 per thousand and the non-Homestead tax rate would be approximately \$.61 per thousand.

HIGHWAY FUND

The Highway Fund has increased by approximately \$135,000. There are no major increases of significance in the Highway appropriations. The increase is based upon the proposed salary increase and inflationary increases in operating this department. Some expenses and revenues will have to be adjusted in the Highway Fund if the State of New York does not provide the anticipated monies through the Dedicated Highway Fund. This is still unknown; however, the Highway Superintendent has budgeted this into his projections. If this is lost, he will have to reduce the amount of work to be done in next year's paving programs.

The Highway Fund tax rate will be \$1.40 per thousand. Again, due to the Homestead/non-Homestead provision, unless adjustments are made by the Town Board, the Homestead tax rate would be approximately \$1.30 per thousand and the non-Homestead tax rate would be approximately \$1.66 per thousand.

WATER FUND

The Water Fund shows an increase of approximately \$300,000. This increase is primarily due to increases of water rents paid to the City of Albany (+\$140,000), increases for the cost of electricity at the deep wells and the Water Purification Plant (+\$15,000.), increases in taxes paid to the Town of New Scotland for property owned in New Salem (+\$19,000.), Hospitalization (+\$6,000.), and increased Debt Service for interest during construction of the major water facilities expansion program (+\$120,000.).

The increase in appropriations will be funded by a requested increase in the industrial water rate of \$0.03/1,000 gallons (from \$1.00/1,000 gallons to \$1.03/1,000 gallons) and by a projected 3 percent tax increase for the General Water District Tax which translates into a rate of \$.66 per \$1,000 of assessed valuation.

SEWER FUND

The 1993 Sewer Budget shows an increase of \$200,000 from \$2,562,145 to \$2,769,000.

The major increases in the Sewer Budget are: the purchase of a new utility dump truck for the Sewage Collection Crew and purchase of safety equipment, including a trench safety box (+\$33,500), increases in cost of electricity for pumping stations and other repairs (+\$15,000), increases in Contractual Expenses for disposal of sludge at the Sewage Treatment Plant (+\$36,000), increases in Debt Service (+\$60,000), due to principal and interest on the payments on bond improvements for major maintenance improvements at the Sewage Treatment Plant.

These increases in appropriations will be financed through a raise in the property tax and the water use surcharge of approximately 3 percent for both the Delmar-Elsmere Sewer District and the Bethlehem Sewer District Extensions.

The tax rates in the Delmar-Elsmere Sewer District will approximate \$.47 per thousand and the rate in the extensions will approximate \$.53 per thousand.

TOWN OF BETHLEHEM

ALBANY COUNTY - NEW YORK

OFFICE OF ASSESSOR

445 DELAWARE AVENUE
DELMAR, NEW YORK 12054
(518) 439-4955



BRIAN M. LASTRA
ASSESSOR

September 24, 1992

To: Ken Ringler

From: Brian Lastra *BL*

Subject: Homestead/Nonhomestead Tax Rates

Date: September 24, 1992

The homestead tax rate for town general purposes will be \$.5075 per thousand assessed while the nonhomestead tax rate will be \$.6107 per thousand. With respect to the highway taxes, the homestead tax rate will be \$1.3024 per thousand while the nonhomestead tax rate will be \$1.5672 per thousand. Here are the calculations that these figures are based upon:

Town General Levy: \$1,036,210

Homestead Share: \$1,036,210 * .5696857 = \$590,314

Homestead Tax Rate: $\frac{\$590,314}{\$1,163,208,340} = .0005075$ or \$.5075/\$1000

Nonhomestead Share: \$1,036,210 - \$590,314 = \$445,896

Nonhomestead Tax Rate: $\frac{\$445,896}{\$730,138,349} = .0006107$ or \$.6107/\$1000

Town Highway Levy: \$2,659,204

Homestead Share: \$2,659,204 * .5696857 = \$1,514,910

Homestead Tax Rate: $\frac{\$1,514,910}{\$1,163,208,340} = .0013024$ or \$1.3024/\$1000

Nonhomestead Share: \$2,659,204 - \$1,514,910 = \$1,144,294

Nonhomestead Tax Rate: $\frac{\$1,144,294}{\$730,138,349} = .0015672$ or \$1.5672/\$1000

INDEX TO 1993 BUDGET

GENERAL FUND

Revenue Budget request summary worksheet, followed by selected supporting schedules.

Expenses Presented in account number sequence. Budget request summary worksheet is followed by a schedule of personal services and selected department justifications.

Account Codes by Department

1010	Town Board
1110	Justices
1220	Supervisor
1315	Comptroller
1330	Receiver of Taxes
1340	Budget
1355	Town Assessor
1410	Town Clerk
1420	Town Attorneys
1450	Elections
1480	Public Information Services
1490	Public Works
1620	Shared Services
1680	Central Data Processing
1910	Unallocated Insurance
1920	Association Dues
1930	Judgements and Claims
1950	Taxes and Assessments
1990	Contingencies
3020	Communications
3120	Police
3310	Signs
3410	Fire Prevention
3510	Animal Control
3620	Safety Inspections
3640	Emergency Management
5010/5132	Highway Administration/Garage
5182	Street Lighting
6772	Program for Aging
7020	Recreation Administration
7110	Parks
7510	Town Historian
7520	Cable Administration
7550	Celebrations
8010	Zoning
8020/21	Planning Board/Department
8160	Recycling & Refuse
8510	Community Beautification
9010 - 70	Employee Benefits
9710	Debt Service

INDEX TO 1993 BUDGET

Account Codes by Department, Other Funds

HIGHWAY FUND

5110	General Road Repair
5112	Permanent Improvements
5120	Bridges
5130	Machinery
5140	Brush & Leaves
5142	Snow Removal
9010 - 70	Employee Benefits

WATER FUND

8310	Water Administration
8320	Power & Supply
8330	Purification
8340	Transmission
8350	Extensions
9010 - 70	Employee Benefits
9710 - 30	Debt Service

SEWER FUND

8110	Sewer Administration
8120	Sewer Collection
8130	Sewer Treatment
9010 - 70	Employee Benefits
9710 - 30	Debt Service

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TOWN OF BETHLEHEM
GENERAL FUND - APPROPRIATIONS

PAGE 1

	1992 OPERATING BUDGET	1993 TENTATIVE BUDGET	CHANGE + OR -
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GENERAL GOVERNMENT SUPPORT

A 1010 TOWN BOARD			
1010.1 PERSONAL SERVICES	31,508.00	32,611.00	1,103.00 +
1010.4 CONTRACTUAL EXPENSES	6,825.00	8,700.00	1,875.00 +
TOTAL	----- 38,333.00 =====	----- 41,311.00 =====	----- 2,978.00 + =====
A 1110 JUSTICES			
1110.1 PERSONAL SERVICES	142,292.00	155,277.00	12,985.00 +
1110.2 EQUIPMENT	500.00	500.00	.00
1110.4 CONTRACTUAL EXPENSES	15,630.00	16,155.00	525.00 +
TOTAL	----- 158,422.00 =====	----- 171,932.00 =====	----- 13,510.00 + =====
A 1220 SUPERVISOR			
1220.1 PERSONAL SERVICES	79,141.00	83,644.00	4,503.00 +
1220.2 EQUIPMENT	500.00	500.00	.00
1220.4 CONTRACTUAL EXPENSES	2,225.00	2,935.00	710.00 +
TOTAL	----- 81,866.00 =====	----- 87,079.00 =====	----- 5,213.00 + =====
A 1315 COMPTROLLER			
1315.1 PERSONAL SERVICES	125,315.00	136,644.00	11,329.00 +
1315.2 EQUIPMENT	500.00	500.00	.00
1315.4 CONTRACTUAL EXPENSES	8,650.00	18,350.00	9,700.00 +
TOTAL	----- 134,465.00 =====	----- 155,494.00 =====	----- 21,029.00 + =====
A 1330 RECEIVER OF TAXES			
1330.1 PERSONAL SERVICES	89,099.00	97,497.00	8,398.00 +
1330.2 EQUIPMENT	750.00	250.00	500.00 -
1330.4 CONTRACTUAL EXPENSES	11,160.00	9,360.00	1,800.00 -
TOTAL	----- 101,009.00 =====	----- 107,107.00 =====	----- 6,098.00 + =====

TOWN OF BETHLEHEM
GENERAL FUND - APPROPRIATIONS

	1992 OPERATING BUDGET	1993 TENTATIVE BUDGET	CHANGE + OR -
A 1340 BUDGET			
1340.1 PERSONAL SERVICES	3,000.00	.00	3,000.00 -
1340.2 COMPUTER HARDWARE	.00	.00	.00
	-----	-----	-----
TOTAL	3,000.00	.00	3,000.00 -
	=====	=====	=====
A 1355 TOWN ASSESSOR			
1355.1 PERSONAL SERVICES	86,933.00	97,783.00	10,850.00 +
1355.2 EQUIPMENT	150.00	150.00	.00
1355.4 CONTRACTUAL EXPENSES	119,025.00	17,175.00	101,850.00 -
	-----	-----	-----
TOTAL	206,108.00	115,108.00	91,000.00 -
	=====	=====	=====
A 1410 TOWN CLERK			
1410.1 PERSONAL SERVICES	79,275.00	87,643.00	8,368.00 +
1410.2 EQUIPMENT	100.00	900.00	800.00 +
1410.4 CONTRACTUAL EXPENSES	4,015.00	3,520.00	495.00 -
	-----	-----	-----
TOTAL	83,390.00	92,063.00	8,673.00 +
	=====	=====	=====
A 1420 TOWN ATTORNEYS			
1420.1 PERSONAL SERVICES	50,440.00	57,474.00	7,034.00 +
1420.4 CONTRACTUAL EXPENSES	55,625.00	70,800.00	15,175.00 +
	-----	-----	-----
TOTAL	106,065.00	128,274.00	22,209.00 +
	=====	=====	=====
A 1450 ELECTIONS			
1450.2 EQUIPMENT	.00	.00	.00
1450.4 CONTRACTUAL EXPENSES	30,050.00	95,200.00	65,150.00 +
	-----	-----	-----
TOTAL	30,050.00	95,200.00	65,150.00 +
	=====	=====	=====
1480 PUBLIC INFORMATION SERV.			
1480.1 PERSONAL SERVICES	6,090.00	6,303.00	213.00 +

9/24/92

TOWN OF BETHLEHEM
GENERAL FUND - APPROPRIATIONS

PAGE 3

	1992 OPERATING BUDGET	1993 TENTATIVE BUDGET	CHANGE + OR -
1480.2 EQUIPMENT	.00	.00	.00
1480.4 CONTRACTUAL EXPENSE	7,394.00	7,450.00	56.00 +
	-----	-----	-----
TOTAL	13,484.00	13,753.00	269.00 +
	=====	=====	=====
A 1490 PUBLIC WORKS			
1490.1 PERSONAL SERVICES	187,137.00	199,388.00	12,251.00 +
1490.2 EQUIPMENT	7,700.00	13,600.00	5,900.00 +
1490.4 CONTRACTUAL EXPENSES	33,875.00	42,830.00	8,955.00 +
	-----	-----	-----
TOTAL	228,712.00	255,818.00	27,106.00 +
	=====	=====	=====
A 1620 SHARED SERVICES			
1620.1 PERSONAL SERVICES	94,995.00	101,843.00	6,848.00 +
1620.2 EQUIPMENT	17,800.00	7,300.00	10,500.00 -
1620.4 CONTRACTUAL EXPENSES	127,400.00	148,250.00	20,850.00 +
	-----	-----	-----
TOTAL	240,195.00	257,393.00	17,198.00 +
	=====	=====	=====
A 1680 CEN. DATA PROCESSING			
1680.1 PERSONAL SERVICES	66,140.00	73,968.00	7,828.00 +
1680.2 EQUIPMENT	87,000.00	59,500.00	27,500.00 -
1680.4 CONTRACTUAL EXPENSE	23,045.00	22,020.00	1,025.00 -
	-----	-----	-----
TOTAL	176,185.00	155,488.00	20,697.00 -
	=====	=====	=====
A 1910 UNALLOCATED INS			
1910.4 CONTRACTUAL EXPENSES	375,000.00	407,000.00	32,000.00 +
	-----	-----	-----
TOTAL	375,000.00	407,000.00	32,000.00 +
	=====	=====	=====
A 1920 ASSOCIATION DUES			
1920.4 CONTRACTUAL EXPENSES	1,525.00	1,100.00	425.00 -
	-----	-----	-----
TOTAL	1,525.00	1,100.00	425.00 -
	=====	=====	=====

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TOWN OF BETHLEHEM
GENERAL FUND - APPROPRIATIONS

PAGE 4

	1992 OPERATING BUDGET	1993 TENTATIVE BUDGET	CHANGE + OR -
A 1930 JUDGEMENTS & CLAIMS			
1930.4 CONTRACTUAL EXPENSES	1,000.00	1,000.00	.00
TOTAL	1,000.00	1,000.00	.00
A 1950 TAXES & ASSESSMT			
1950.4 CONTRACTUAL EXPENSES	6,500.00	6,500.00	.00
TOTAL	6,500.00	6,500.00	.00
A 1990 CONTINGENT ACCOUNT			
1990.4 CONTRACTUAL EXPENSES	100,000.00	200,000.00	100,000.00
TOTAL	100,000.00	200,000.00	100,000.00
PUBLIC SAFETY			
A 3020 COMMUNICATIONS			
3020.1 PERSONAL SERVICES	257,369.00	267,343.00	9,974.00
3020.2 EQUIPMENT	1,000.00	3,000.00	2,000.00
3020.4 CONTRACTUAL EXPENSES	5,500.00	7,600.00	2,100.00
TOTAL	263,869.00	277,943.00	14,074.00
A 3120 POLICE DEPARTMENT			
3120.1 PERSONAL SERVICES	1,393,197.00	1,431,455.00	38,258.00
3120.2 EQUIPMENT	68,750.00	84,850.00	16,100.00
3120.4 CONTRACTUAL EXPENSES	152,100.00	172,125.00	20,025.00
3120.9 TRANS. TO OTHER FUNDS	.00	.00	.00
TOTAL	1,614,047.00	1,688,430.00	74,383.00
A 3121 DRUG ENFORCEMENT ACTIVITY			
3121.2 EQUIPMENT	5,000.00	.00	5,000.00

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TOWN OF BETHLEHEM
GENERAL FUND - APPROPRIATIONS

PAGE 5

	1992 OPERATING BUDGET	1993 TENTATIVE BUDGET	CHANGE + OR -
3121.4 CONTRACTUAL EXPENSE	.00	.00	.00
TOTAL	5,000.00	.00	5,000.00 -
A 3310 SIGNS			
3310.2 EQUIPMENT	10,000.00	12,000.00	2,000.00 +
3310.4 CONTRACTUAL EXPENSE	15,000.00	13,000.00	2,000.00 -
TOTAL	25,000.00	25,000.00	.00
A 3410 FIRE PREVENTION			
3410.2 EQUIPMENT	2,500.00	3,000.00	500.00 +
3410.4 CONTRACTUAL EXPENSES	16,850.00	15,000.00	1,850.00 -
TOTAL	19,350.00	18,000.00	1,350.00 -
A 3510 ANIMAL CONTROL			
3510.1 PERSONAL SERVICES	25,773.00	28,623.00	2,850.00 +
3510.2 EQUIPMENT	12,400.00	500.00	11,900.00 -
3510.4 CONTRACTUAL EXPENSES	6,330.00	8,950.00	2,620.00 +
TOTAL	44,503.00	38,073.00	6,430.00 -
A 3620 SAFETY INSPECTIONS			
3620.1 PERSONAL SERVICES	228,900.00	245,603.00	16,703.00 +
3620.2 EQUIPMENT	19,600.00	2,500.00	17,100.00 -
3620.4 CONTRACTUAL EXPENSES	12,800.00	13,450.00	650.00 +
TOTAL	261,300.00	261,553.00	253.00 +
A 3640 BETH.EMGR.MANAGEMENT			
3640.2 EQUIPMENT	350.00	250.00	100.00 -
3640.4 CONTRACTUAL EXPENSES	1,650.00	1,800.00	150.00 +
TOTAL	2,000.00	2,050.00	50.00 +

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TOWN OF BETHLEHEM
GENERAL FUND - APPROPRIATIONS

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1992
OPERATING
BUDGET

1993
TENTATIVE
BUDGET

CHANGE
+ OR -

PUBLIC HEALTH

A 4010 PUBLIC HEALTH			
4010.4 CONTRACTUAL EXPENSES	1,500.00	1,500.00	.00
	-----	-----	-----
TOTAL	1,500.00	1,500.00	.00
	=====	=====	=====
A 4020 REGISTRAR-VITAL STATISTIC			
4020.4 CONTRACTUAL EXPENSES	100.00	.00	100.00 -
	-----	-----	-----
TOTAL	100.00	.00	100.00 -
	=====	=====	=====

TRANSPORTATION

5010 HIGHWAY ADMINISTRATION			
5010.1 PERSONAL SERVICES	86,593.00	100,085.00	13,492.00 +
5010.2 EQUIPMENT	1,700.00	1,100.00	600.00 -
5010.4 CONTRACTUAL EXPENSES	3,200.00	3,500.00	300.00 +
	-----	-----	-----
TOTAL	91,493.00	104,685.00	13,192.00 +
	=====	=====	=====
A 5132 HIGH GARAGE			
5132.2 EQUIPMENT	10,000.00	19,500.00	9,500.00 +
5132.4 CONTRACTUAL EXPENSES	37,965.00	39,450.00	1,485.00 +
	-----	-----	-----
TOTAL	47,965.00	58,950.00	10,985.00 +
	=====	=====	=====
A 5182 STREET LIGHTING			
5182.4 CONTRACTUAL EXPENSES	210,000.00	228,000.00	18,000.00 +
	-----	-----	-----
TOTAL	210,000.00	228,000.00	18,000.00 +
	=====	=====	=====

1992
OPERATING
BUDGET1993
TENTATIVE
BUDGETCHANGE
+ OR -

ECONOMIC ASSISTANCE AND OPPORTUNITY

A 6010 SOCIAL SERVICES, ADMIN.
6010.4

	.00	.00	.00
TOTAL	.00	.00	.00

A 6510 VETERAN ORGANIZATION
6510.4 CONTRACTUAL EXPENSES

	.00	.00	.00
TOTAL	.00	.00	.00

A 6772 PROGRAM FOR AGING

6772.1 PERSONAL SERVICES	101,453.00	113,448.00	11,995.00 +
6772.2 EQUIPMENT	1,800.00	440.00	1,360.00 -
6772.4 CONTRACTUAL EXPENSE	17,325.00	18,025.00	700.00 +
TOTAL	120,578.00	131,913.00	11,335.00 +

CULTURE AND RECREATION

A 7020 RECREATION ADM

7020.1 PERSONAL SERVICES	165,320.00	177,317.00	11,997.00 +
7020.2 EQUIPMENT	500.00	3,600.00	3,100.00 +
7020.4 CONTRACTUAL EXPENSES	31,970.00	31,045.00	925.00 -
TOTAL	197,790.00	211,962.00	14,172.00 +

A 7110 PARKS

7110.1 PERSONAL SERVICES	300,940.00	310,391.00	9,451.00 +
7110.2 EQUIPMENT	30,950.00	35,430.00	4,480.00 +
7110.4 CONTRACTUAL EXPENSES	263,710.00	274,473.00	10,763.00 +
TOTAL	595,600.00	620,294.00	24,694.00 +

9/24/92

TOWN OF BETHLEHEM
GENERAL FUND - APPROPRIATIONS

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	1992 OPERATING BUDGET	1993 TENTATIVE BUDGET	CHANGE + OR -
A 7450 MUSEUM			
7450.1 PERSONAL SERVICES	500.00	.00	500.00 -
7450.4 CONTRACTUAL EXPENSES	3,150.00	.00	3,150.00 -
	-----	-----	-----
TOTAL	3,650.00	.00	3,650.00 -
	=====	=====	=====
A 7510 TOWN HISTORIAN			
7510.1 PERSONAL SERVICES	1,895.00	2,479.00	584.00 +
7510.4 CONTRACTUAL EXPENSES	1,000.00	3,550.00	2,550.00 +
	-----	-----	-----
TOTAL	2,895.00	6,029.00	3,134.00 +
	=====	=====	=====
A 7520 CABLE ADMINISTRATION			
7520.1 PERSONAL SERVICES	.00	3,000.00	3,000.00 +
7520.2 EQUIPMENT	.00	.00	.00
7520.4 CONTRACTUAL	.00	.00	.00
	-----	-----	-----
TOTAL	.00	3,000.00	3,000.00 +
	=====	=====	=====
A 7550 CELEBRATIONS			
7550.4 CONTRACTUAL EXPENSES	3,000.00	3,000.00	.00
	-----	-----	-----
TOTAL	3,000.00	3,000.00	.00
	=====	=====	=====
HOME AND COMMUNITY SERVICE			
A 8010 ZONING			
8010.1 PERSONAL SERVICES	28,763.00	29,770.00	1,007.00 +
8010.2 EQUIPMENT	400.00	400.00	.00
8010.4 CONTRACTUAL EXPENSES	4,730.00	3,780.00	950.00 -
	-----	-----	-----
TOTAL	33,893.00	33,950.00	57.00 +
	=====	=====	=====

9/24/92

TOWN OF BETHLEHEM
GENERAL FUND - APPROPRIATIONS

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	1992 OPERATING BUDGET	1993 TENTATIVE BUDGET	CHANGE + OR -
A 8020 PLANNING BOARD			
8020.1 PERSONAL SERVICES	58,226.00	61,729.00	3,503.00 +
8020.2 EQUIPMENT	400.00	400.00	.00 -
8020.4 CONTRACTUAL EXPENSES	8,150.00	4,650.00	3,500.00 -
	-----	-----	-----
TOTAL	66,776.00	66,779.00	3.00 +
	=====	=====	=====
A 8021 PLANNING DEPARTMENT			
8021.1 PERSONAL SERVICES	126,832.00	130,247.00	3,415.00 +
8021.2 EQUIPMENT	1,080.00	250.00	830.00 -
8021.4 CONTRACTUAL EXPENSE	25,420.00	40,870.00	15,450.00 +
	-----	-----	-----
TOTAL	153,332.00	171,367.00	18,035.00 +
	=====	=====	=====
A 8160 RECYCLING, GARBAGE, REFUSE			
8160.1 PERSONAL SERVICES	66,046.00	62,412.00	3,634.00 -
8160.2 EQUIPMENT-LANDFILL	30,000.00	15,000.00	15,000.00 -
8160.4 CONTRACTUAL EXPENSES	861,500.00	695,800.00	165,700.00 -
	-----	-----	-----
TOTAL	957,546.00	773,212.00	184,334.00 -
	=====	=====	=====
A 8510 COMMUNITY BEAUTIFICATION			
8510.4 CONTRACTUAL EXPENSES	7,000.00	7,000.00	.00
	-----	-----	-----
TOTAL	7,000.00	7,000.00	.00
	=====	=====	=====
UNDISTRIBUTED			
A 9010 NYS RETIREMENT			
9010.8 STATE RETIREMENT	5,000.00	42,000.00	37,000.00 +
	-----	-----	-----
TOTAL	5,000.00	42,000.00	37,000.00 +
	=====	=====	=====

9/24/92

TOWN OF BETHLEHEM
GENERAL FUND - APPROPRIATIONS

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	1992 OPERATING BUDGET	1993 TENTATIVE BUDGET	CHANGE + OR -
A 9015 NYS RETIREMENT			
9015.8 FIRE & POLICE RETIRE	240,000.00	185,000.00	55,000.00 -
TOTAL	----- 240,000.00 =====	----- 185,000.00 =====	----- 55,000.00 - =====
A 9030 SOCIAL SECURITY			
9030.8 SOCIAL SECURITY	295,000.00	331,000.00	36,000.00 +
TOTAL	----- 295,000.00 =====	----- 331,000.00 =====	----- 36,000.00 + =====
A 9040 WORKER'S COMPENSATION			
9040.8 WORKER COMPENSATION	122,500.00	90,600.00	31,900.00 -
TOTAL	----- 122,500.00 =====	----- 90,600.00 =====	----- 31,900.00 - =====
A 9045 LIFE INSURANCE			
9045.8 LIFE INSURANCE	8,000.00	7,500.00	500.00 -
TOTAL	----- 8,000.00 =====	----- 7,500.00 =====	----- 500.00 - =====
A 9050 UNEMPLOYMENT INS.			
9050.8 UNEMPLOYMENT REIMB.	3,000.00	3,000.00	.00
TOTAL	----- 3,000.00 =====	----- 3,000.00 =====	----- .00 =====
A 9055 DISABILITY			
9055.8 DISABILITY	2,000.00	3,500.00	1,500.00 +
TOTAL	----- 2,000.00 =====	----- 3,500.00 =====	----- 1,500.00 + =====
A 9060 HOSPITALIZATION			
9060.8 HOSP & MED INSURANCE	430,000.00	447,200.00	17,200.00 +
TOTAL	----- 430,000.00 =====	----- 447,200.00 =====	----- 17,200.00 + =====

9/24/92

TOWN OF BETHLEHEM
GENERAL FUND - APPROPRIATIONS

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	1992 OPERATING BUDGET	1993 TENTATIVE BUDGET	CHANGE + OR -
A 9070 DENTAL INSURANCE			
9070.8 DENTAL INSURANCE	34,000.00	35,000.00	1,000.00 +
	-----	-----	-----
TOTAL	34,000.00	35,000.00	1,000.00 +
	=====	=====	=====
A 9710 DEBT SERVICE			
9710.6 SERIAL BONDS	80,000.00	95,970.00	15,970.00 +
9710.7 SERIAL BONDS	40,000.00	28,950.00	11,050.00 -
	-----	-----	-----
TOTAL	120,000.00	124,920.00	4,920.00 +
	=====	=====	=====
A 9730 DEBT SERVICE			
9730.6 BAN PRINCIPAL	.00	110,030.00	110,030.00 +
9730.7 BAN INTEREST	.00	22,050.00	22,050.00 +
	-----	-----	-----
TOTAL	.00	132,080.00	132,080.00 +
	=====	=====	=====
A 9901 INTERFUND TRANSFER			
9901.9 TRANS. TO OTHER FUND	.00	.00	.00
	-----	-----	-----
TOTAL	.00	.00	.00
	=====	=====	=====
TOTAL GENERAL FUND	8,072,996.00	8,426,110.00	353,114.00 +
	=====	=====	=====

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TOWN OF BETHLEHEM
HIGHWAY FUND - APPROPRIATIONS

PAGE 12

	1992 OPERATING BUDGET	1993 TENTATIVE BUDGET	CHANGE + OR -
D 5110 GENERAL ROAD REPAIR			
5110.1 PERSONAL SERVICES	918,196.00	986,811.00	68,615.00 +
5110.4 CONTRACTUAL EXPENSES	343,950.00	347,800.00	3,850.00 +
TOTAL	=====	=====	=====
	1,262,146.00	1,334,611.00	72,465.00 +
	=====	=====	=====
D 5112 PERMANANT IMPROVEMENTS			
5112.2 CAPITAL OUTLAY	.00	.00	.00
5112.4 CAPITAL OUTLAY	335,000.00	341,700.00	6,700.00 +
TOTAL	=====	=====	=====
	335,000.00	341,700.00	6,700.00 +
	=====	=====	=====
D 5120 BRIDGES			
5120.1 PERSONAL SERVICES	.00	.00	.00
5120.4 CONTRACTUAL EXPENSES	2,000.00	2,000.00	.00
TOTAL	=====	=====	=====
	2,000.00	2,000.00	.00
	=====	=====	=====
D 5130 MACHINERY			
5130.1 PERSONAL SERVICES	137,735.00	149,027.00	11,292.00 +
5130.2 EQUIPMENT	165,600.00	170,500.00	4,900.00 +
5130.4 CONTRACTUAL EXPENSES	194,700.00	209,300.00	14,600.00 +
TOTAL	=====	=====	=====
	498,035.00	528,827.00	30,792.00 +
	=====	=====	=====
D 5140 MISC & (BRUSH & LEAVES)			
5140.1 PERSONAL SERVICES	251,820.00	271,551.00	19,731.00 +
5140.4 CONTRACTUAL EXPENSES	27,000.00	28,000.00	1,000.00 +
TOTAL	=====	=====	=====
	278,820.00	299,551.00	20,731.00 +
	=====	=====	=====
5142 SNOW REMOVAL			
5142.1 PERSONAL SERVICES	196,363.00	209,375.00	13,012.00 +

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TOWN OF BETHLEHEM
HIGHWAY FUND - APPROPRIATIONS

PAGE 13

	1992 OPERATING BUDGET	1993 TENTATIVE BUDGET	CHANGE + OR -
5142.4 CONTRACTUAL EXPENSES	59,000.00	61,500.00	2,500.00 +
TOTAL	255,363.00	270,875.00	15,512.00 +
D 9010 NYS RETIREMENT			
9010.8 STATE RETIREMENT	35,000.00	25,000.00	10,000.00 -
TOTAL	35,000.00	25,000.00	10,000.00 -
D 9030 SOCIAL SECURITY			
9030.8 SOCIAL SECURITY	110,000.00	124,000.00	14,000.00 +
TOTAL	110,000.00	124,000.00	14,000.00 +
9040 WORKER'S COMPENSATION			
9040.8 WORKERS COMPENSATION	172,000.00	144,100.00	27,900.00 -
TOTAL	172,000.00	144,100.00	27,900.00 -
D 9045 LIFE INSURANCE			
9045.8 LIFE INSURANCE	4,000.00	4,000.00	.00
TOTAL	4,000.00	4,000.00	.00
D 9050 UNEMPLOYMENT INS.			
9050.8 UNEMPLOYMENT REIMB.	2,000.00	2,000.00	.00
TOTAL	2,000.00	2,000.00	.00
D 9055 DISABILITY			
9055.8 DISABILITY INSURANCE	1,500.00	2,000.00	500.00 +
TOTAL	1,500.00	2,000.00	500.00 +

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TOWN OF BETHLEHEM
HIGHWAY FUND - APPROPRIATIONS

PAGE 14

	1992 OPERATING BUDGET	1993 TENTATIVE BUDGET	CHANGE + OR -
D 9060 HOSPITALIZATION			
9060.8 HEALTH INSURANCE	245,000.00	258,000.00	13,000.00 +
TOTAL	<u>245,000.00</u>	<u>258,000.00</u>	<u>13,000.00 +</u>
	=====	=====	=====
D 9070 DENTAL INSURANCE			
9070.8 DENTAL INSURANCE	16,000.00	16,000.00	.00
TOTAL	<u>16,000.00</u>	<u>16,000.00</u>	<u>.00</u>
	=====	=====	=====
TOTAL CONSOLIDATED HIGHWAY FUND	<u>3,216,864.00</u>	<u>3,352,664.00</u>	<u>135,800.00 +</u>
	=====	=====	=====

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TOWN OF BETHLEHEM
WATER FUND - APPROPRIATIONS

PAGE 16

	1992 OPERATING BUDGET	1993 TENTATIVE BUDGET	CHANGE + OR -
F 8310 WATER ADMINISTRATION			
8310.1 PERSONAL SERVICES	117,170.00	118,283.00	1,113.00 +
8310.2 EQUIPMENT	66,700.00	66,750.00	50.00 +
8310.4 CONTRACTUAL EXPENSES	149,600.00	128,500.00	21,100.00 -
TOTAL	333,470.00	313,533.00	19,937.00 -
F 8320 POWER AND SUPPLY			
8320.4 CONTRACTUAL EXPENSES	534,800.00	680,300.00	145,500.00 +
TOTAL	534,800.00	680,300.00	145,500.00 +
F 8330 PURIFICATION			
8330.1 PERSONAL SERVICES	270,530.00	279,363.00	8,833.00 +
8330.2 EQUIPMENT	16,500.00	11,400.00	5,100.00 -
8330.4 CONTRACTUAL EXPENSES	526,350.00	561,700.00	35,350.00 +
TOTAL	813,380.00	852,463.00	39,083.00 +
F 8340 TRANSMISSION			
8340.1 PERSONAL SERVICES	199,360.00	230,806.00	31,446.00 +
8340.2 EQUIPMENT	17,200.00	20,900.00	3,700.00 +
8340.4 CONTRACTUAL EXPENSES	200,350.00	200,750.00	400.00 +
TOTAL	416,910.00	452,456.00	35,546.00 +
F 8350 EXTENSIONS			
8350.4 CONTRACTUAL EXPENSES	116,000.00	117,500.00	1,500.00 +
TOTAL	116,000.00	117,500.00	1,500.00 +
9010 NYS RETIREMENT			
9010.8 NYS RETIREMENT	15,000.00	9,000.00	6,000.00 -
TOTAL	15,000.00	9,000.00	6,000.00 -

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TOWN OF BETHLEHEM
WATER FUND - APPROPRIATIONS

PAGE 17

	1992 OPERATING BUDGET	1993 TENTATIVE BUDGET	CHANGE + OR -
F 9030 SOCIAL SECURITY			
9030.8 SOCIAL SECURITY	43,500.00	48,500.00	5,000.00 +
TOTAL	43,500.00	48,500.00	5,000.00 +
F 9040 WORKER'S COMPENSATION			
9040.8 WORKERS COMPENSATION	40,000.00	33,000.00	7,000.00 -
TOTAL	40,000.00	33,000.00	7,000.00 -
F 9045 LIFE INSURANCE			
9045.8 LIFE INSURANCE	1,600.00	1,200.00	400.00 -
TOTAL	1,600.00	1,200.00	400.00 -
F 9050 UNEMPLOYMENT INS.			
9050.8 UNEMPLOYMENT INS.	1,000.00	1,000.00	.00
TOTAL	1,000.00	1,000.00	.00
F 9055 DISABILITY			
9055.8 DISABILITY	500.00	500.00	.00
TOTAL	500.00	500.00	.00
F 9060 HOSPITALIZATION			
9060.8 HOSPITALIZATION	80,000.00	86,000.00	6,000.00 +
TOTAL	80,000.00	86,000.00	6,000.00 +
F 9070 DENTAL INSURANCE			
9070.8 DENTAL INSURANCE	5,100.00	5,100.00	.00
TOTAL	5,100.00	5,100.00	.00

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TOWN OF BETHLEHEM
WATER FUND - APPROPRIATIONS

	1992 OPERATING BUDGET	1993 TENTATIVE BUDGET	CHANGE + OR -
F 9710 DEBT SERVICE			
9710.6 SERIAL BONDS	315,278.00	334,278.00	19,000.00 +
9710.7 SERIAL BONDS,INT.	222,818.00	222,748.00	70.00 -
TOTAL	<u>538,096.00</u>	<u>557,026.00</u>	<u>18,930.00 +</u>
F 9730 DEBT SERVICE			
9730.6 B.A.N.	50,000.00	.00	50,000.00 -
9730.7 B.A.N., INT.	19,320.00	200,000.00	180,680.00 +
TOTAL	<u>69,320.00</u>	<u>200,000.00</u>	<u>130,680.00 +</u>
F 9901 INTERFUND TRANSFER			
9901.9 INTERFUND TRANSFER	.00	.00	.00
TOTAL	<u>.00</u>	<u>.00</u>	<u>.00</u>
TOTAL WATER FUND	<u>3,008,676.00</u>	<u>3,357,578.00</u>	<u>348,902.00 +</u>

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TOWN OF BETHLEHEM
SEWER FUND - APPROPRIATIONS

PAGE 19

	1992 OPERATING BUDGET	1993 TENTATIVE BUDGET	CHANGE + OR -
G 8110 SEWER DIST., ADMIN.			
8110.1 PERSONAL SERVICES	103,837.00	104,637.00	800.00 +
8110.2 EQUIPMENT	17,500.00	12,000.00	5,500.00 -
8110.4 CONTRACTUAL EXPENSES	68,200.00	71,650.00	3,450.00 +
TOTAL	<u>189,537.00</u>	<u>188,287.00</u>	<u>1,250.00 -</u>
G 8120 SEWER COLLECTION			
8120.1 PERSONAL SERVICES	172,388.00	211,555.00	39,167.00 +
8120.2 EQUIPMENT	20,000.00	53,500.00	33,500.00 +
8120.4 CONTRACTUAL EXPENSES	365,875.00	381,300.00	15,425.00 +
TOTAL	<u>558,263.00</u>	<u>646,355.00</u>	<u>88,092.00 +</u>
G 8130 SEWER TREATMENT			
8130.1 PERSONAL SERVICES	155,593.00	171,396.00	15,803.00 +
8130.2 EQUIPMENT	2,500.00	35,500.00	33,000.00 +
8130.4 CONTRACTUAL EXPENSES	347,300.00	383,900.00	36,600.00 +
TOTAL	<u>505,393.00</u>	<u>590,796.00</u>	<u>85,403.00 +</u>
G 9010 NYS RETIREMENT			
9010.8 NYS RETIREMENT	12,000.00	8,000.00	4,000.00 -
TOTAL	<u>12,000.00</u>	<u>8,000.00</u>	<u>4,000.00 -</u>
G 9030 SOCIAL SECURITY			
9030.8 SOCIAL SECURITY	34,500.00	37,800.00	3,300.00 +
TOTAL	<u>34,500.00</u>	<u>37,800.00</u>	<u>3,300.00 +</u>
G 9040 WORKER'S COMPENSATION			
9040.8 WORKERS COMPENSATION	24,000.00	14,500.00	9,500.00 -
TOTAL	<u>24,000.00</u>	<u>14,500.00</u>	<u>9,500.00 -</u>

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TOWN OF BETHLEHEM
SEWER FUND - APPROPRIATIONS

PAGE 20

	1992 OPERATING BUDGET	1993 TENTATIVE BUDGET	CHANGE + OR -
G 9045 LIFE INSURANCE			
9045.8 LIFE INSURANCE	1,000.00	1,000.00	.00
TOTAL	1,000.00	1,000.00	.00
G 9050 UNEMPLOYMENT INS.			
9050.8 UNEMPLOYMENT INS.	1,000.00	1,000.00	.00
TOTAL	1,000.00	1,000.00	.00
G 9055 DISABILITY			
9055.8 DISABILITY	400.00	500.00	100.00 +
TOTAL	400.00	500.00	100.00 +
G 9060 HOSPITALIZATION			
9060.8 HOSPITALIZATION	70,000.00	68,800.00	1,200.00 -
TOTAL	70,000.00	68,800.00	1,200.00 -
G 9070 DENTAL INSURANCE			
9070.8 DENTAL INSURANCE	4,500.00	4,500.00	.00
TOTAL	4,500.00	4,500.00	.00
G 9710 DEBT SERVICE			
9710.6 SERIAL BONDS, PRINC	437,380.00	584,000.00	146,620.00 +
9710.7 SERIAL BONDS,INT.	464,224.00	637,000.00	172,776.00 +
TOTAL	901,604.00	1,221,000.00	319,396.00 +

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TOWN OF BETHLEHEM
SEWER FUND - APPROPRIATIONS

PAGE 21

	1992 OPERATING BUDGET	1993 TENTATIVE BUDGET	CHANGE + OR -
G 9720 DEBT SERVICE			
9720.6 STATUTORY BONDS	.00	.00	.00
9720.7 STATUTORY BONDS,INT	.00	.00	.00
TOTAL	.00	.00	.00
G 9730 DEBT SERVICE			
9730.6 B.A.N.	20,750.00	.00	20,750.00 -
9730.7 B.A.N., INT.	239,198.00	.00	239,198.00 -
TOTAL	259,948.00	.00	259,948.00 -
G 9901 INTERFUND TRANSFER			
9901.9 INTERFUND TRANSFER	.00	.00	.00
TOTAL	.00	.00	.00
TOTAL SEWER FUND	2,562,145.00	2,782,538.00	220,393.00 +

DEPUTY SUPERVISOR WEBSTER: Why don't we hold those until Terry is here, then.

DEPUTY SUPERVISOR WEBSTER: Anything else to come before the Board... Members of the Board?

COUNCILMAN GUNNER: No, just a parliamentary question.

DEPUTY SUPERVISOR WEBSTER: You are asking the wrong guy.

COUNCILMAN GUNNER: Just out of curiosity, with just the 3 of us here and we have a vote before... a motion to table which if it weren't seconded, I know that it just wouldn't have stood but once it is seconded, then it gets voted on. And, if I abstained...

ATTORNEY KAPLOWITZ: It doesn't get tabled.

COUNCILMAN GUNNER: I couldn't get tabled and if it doesn't get tabled, it just comes back on the next agenda.

DEPUTY SUPERVISOR WEBSTER: At the discretion of the Supervisor, I would assume.

COUNCILMAN GUNNER: So, it would have come back on the next agenda either way.

DEPUTY SUPERVISOR WEBSTER: Or, it was up to his discretion.

ATTORNEY KAPLOWITZ: Well, he wouldn't have to put it back on the agenda.

COUNCILMAN GUNNER: He wouldn't have to but...

ATTORNEY KAPLOWITZ: No, but ordinarily that is what you would expect.

DEPUTY SUPERVISOR WEBSTER: If it is tabled, you can ask for removal from the table.

COUNCILMAN GUNNER: Somebody else can.

DEPUTY SUPERVISOR WEBSTER: Right, or somebody else can.

ATTORNEY KAPLOWITZ: Nothing can be passed without 3 votes.

COUNCILMAN GUNNER: Good point, thank you.

DEPUTY SUPERVISOR WEBSTER: Anything from anyone in the audience this evening, would like to bring before the Board? There was nothing. Entertain a motion.

The motion was made by Ms. Galvin and seconded by Mr. Gunner to adjourn the regular Town Board meeting at 8:13 p.m. The motion was passed by the following vote:

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

Noes: None.

Absent: Mr. Ringler, Mrs. Fuller.

Kathleen A. Newkirk
Town Clerk