

TOWN BOARD  
NOVEMBER 10, 2004

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

PRESENT: Theresa Egan, Supervisor  
Daniel Plummer, Councilman  
George Lenhardt, Councilman  
Thomas Marcelle, Councilman  
Tim Gordon, Councilman  
Kathleen A. Newkirk, Town Clerk  
James T. Potter, Esq., Town Attorney

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

The first item was for any public comment regarding the Town Board agenda. Supervisor Egan asked if anyone wished to comment on the items. There were none.

The Supervisor noted the public hearing is scheduled for 5:45 and the Board would move onto the other items on the agenda.

The next item was to consider adoption of a Negative Declaration pertaining to First Columbia for New Scotland Road, Slingerlands as recommended by the Planning Board. Supervisor Egan said Mr. Bette was in attendance in regard to the project and noted a picture was exhibited. She said this is a situation in which there was prior approval for 2 buildings on the site and there has been a request to amend the Building Project Approval to allow 1 building.

Councilman Plummer noted this was before the Board previously. He said it went to the Planning Board. Supervisor Egan noted in regard to the documents, there are 2 small amendments. She said one of the changes is a change of the address from 1200 to 1220 New Scotland. Ms. Saatman, Deputy Town Planner, noted the changes are in the heading and one of the whereas clauses, which will be the change from 1200 to 1220. Supervisor Egan said the second change is on the Building Project Approval amendment.

Supervisor Egan asked if there were any questions. Councilman Lenhardt said he had a question and it may be for Ms. Saatman. He said there was some issue from CDTA about a bus. Ms. Saatman said it was what could be done as to the stops that are made for persons using the facility and basically there was a meeting. She said it was agreed that the bus pads would be put between the 2 buildings as indicated on the plans. She said they only come into the site on certain stops. She said the sidewalk along their existing driveway and the crosshatch area will be from the pedestrian walkway from the bus pad to the existing building. She said it is all shown on the plans. Supervisor Egan noted Mr. Bette has been working with CDTA in regard to all of this. Ms. Saatman said that was what was agreed upon.

Supervisor Egan asked if there were any other questions. She asked for a motion to adopt and accept the SEQR negative declaration. The following resolution was presented:

**RESOLUTION**  
**TOWN BOARD**  
**SEQR DETERMINATION OF SIGNIFICANCE**  
APPLICATION TO AMEND BUILDING PROJECT APPROVAL NO. 34  
PLANNED COMMERCIAL DISTRICT NO. 6

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

1220 NEW SCOTLAND ROAD

**FIRST COLUMBIA**

- WHEREAS, the Town Board of the Town of Bethlehem has received an application and Environmental Assessment Form from First Columbia, L.L.C. to amend Building Project Approval No. 34 of Planned Commercial District (PCD) No. 6 located along New Scotland Road; and,
- WHEREAS, the proposed Amendment No. 4 would eliminate the 12,500± square foot office building proposed at 1210 New Scotland Road and increase the 33,000± square foot office building proposed at 1220 New Scotland Road to 45,000± square feet; and,
- WHEREAS, the amendment also includes the subdivision of the 17.30± acre Planned Commercial District into two lots, one containing the existing medical building at 1240 New Scotland Road, and the other containing the proposed 45,000± square foot office building (Phase II); and,
- WHEREAS, First Columbia, L.L.C. has submitted plans which show the proposed amendment; and,
- WHEREAS, the Town Board, at its meeting of July 14, 2004, referred the PCD amendment application to the Planning Board for a recommendation on both the application and on a SEQR Determination of Significance; and,
- WHEREAS, on November 4, 2004, the Planning Board made a negative declaration with respect to the application and recommended that the Town Board also make a negative declaration and approve the amendment request; and,
- WHEREAS, the State Environmental Quality Review Act (SEQR) regulations found at 6 NYCRR Part 617.3(a) require that no agency may undertake, fund or approve an action until it has complied with the requirements of SEQR; and,
- WHEREAS, 6 NYCRR 617.6(a) requires that when an agency receives an application for approval of an action it must: (1) determine whether the action is subject to SEQRA, (2) determine whether the action involves a federal agency, (3) determine whether other agencies are involved, (4) make a preliminary classification of the action, (5) determine whether a short or full EAF will be used to determine the significance of the action, and (6) determine whether the action is located in an Agricultural District, and;
- WHEREAS, in accordance with the SEQR regulations at 6 NYCRR Part 617.6(a), the Town Board: (1) determines that the BPA amendment application constitutes an "action" subject to SEQR; (2) determines that there are other involved agencies; (3) classifies the project as an "Unlisted" action; (4) determines that a short Environmental Assessment Form is sufficient to make its determination of significance; and (5) determines that the proposed action is not located in a certified agricultural district and therefore is not subject to the provisions of the Agriculture and Markets Law; and,
- WHEREAS, 6 NYCRR 617.6(b)(4) indicates that for Unlisted actions an agency is not required to conduct a coordinated review with other involved agencies (provided that it determines the action will not have a significant impact on the environment) and may proceed in its SEQR review as if it were the only involved agency, and;
- WHEREAS, the Town Board has reviewed and considered the PCD amendment application, the Environmental Assessment Form and supporting materials submitted by the applicant; and,
- WHEREAS, the Town Board has conducted its own independent analysis of the application and its potential environmental effects;
- NOW, THEREFORE, BE IT RESOLVED,  
that based upon its review of the PCD amendment application, the EAF and other supporting materials submitted by the applicant; the recommendation of the Planning Board; comments from other agencies; its own independent analysis of the application; and comparison with the Criteria for Determining Significance found at 6

NYCRR Part 617.7, the Town Board hereby concludes that approval of **Amendment No. 4 to Building Project Approval No. 34**, which involves replacing the two previously approved office buildings with one 45,000± square foot building and subdividing PCD No. 6 into two lots, constitutes an action which will not have a significant impact on the environment; and,

BE IT FURTHER RESOLVED,

that this determination is based upon the following facts and conclusions:

1. The proposed amendment will not result in any significant changes in the project's effects on the environment or to any of the reasons upon which the Town Board's previous Negative Declaration for the project, issued December 12, 2001, was based;
2. In addition, the applicant has submitted plans and design documents, sealed by a professional engineer licensed in New York State, for a proposed storm water management system that complies with NYS Department of Environmental Conservation regulations;
3. The materials submitted by the applicant indicate that there will be no increase in storm water runoff from the previously approved project (Building Project Approval No. 34);
4. The project will result in the filling of approximately 406 square feet of wetland, identified on the plans as wetland "F". As stated in an April 18, 2002 letter from First Columbia and an April 11, 2002 letter from Ecological Solutions, LLC, and confirmed by the Town Planning Department in an April 30, 2002 telephone conversation with Heidi Firstencel of the U.S. Army Corps of Engineers (ACOE), wetland "F" is an isolated wetland which is not subject to ACOE jurisdiction. The filling of this small area of isolated wetland is not considered to be a significant impact;
5. No new areas of concern have been identified; and,

BE IT FURTHER RESOLVED,

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

BE IT FURTHER RESOLVED,

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

On a motion by Mr. Plummer, seconded by Mr. Lenhardt, and a vote of 5 for, 0 against, and 0 absent, this RESOLUTION was adopted on November 10, 2004.

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Supervisor Egan said there was a small amendment to the Building Project Approval Amendment. Ms. Saatman noted on page 7 item A-22 the words and adjoining lands will be inserted, the number also will be changed from 1210 to 1220. Ms. Saatman also said due to the address change the Board may want to add an additional modification under item A-15 at the end of the list add item "e" that all references to the project be changed from 1200 to 1220 New Scotland Road for any documents.

The motion was made by Mr. Lenhardt and seconded by Mr. Plummer to approve Amendment Number 4 to Building Project Approval No. 34 for First Columbia, 1220 New Scotland Road, Slingerlands as recommended by the Planning Board. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, and Mr. Gordon.

Noes: None.

Absent: None.

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Supervisor Egan thanked Mr. Bette and Ms. Saatman for all the work done on this item.

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Supervisor Egan next asked for a motion to go to Executive Session to discuss a personnel matter. The motion was made by Mr. Plummer and seconded by Mr. Gordon to meet in Executive Session to discuss a personnel matter. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, and Mr. Gordon.

Noes: None.

Absent: None.

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The motion was made by Mr. Lenhardt and seconded by Mr. Plummer to return to the regular Town Board meeting. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, and Mr. Gordon.

Noes: None.

Absent: None.

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Supervisor Egan noted there was no particular action taken at the Executive Session.

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Supervisor Egan moved on to the agenda to proceed with the public hearing.

Hearing began: 6:10 P.M.

SUPERVISOR EGAN: At this time, I ask Ms. Newkirk to read the call of the hearing.

TOWN CLERK NEWKIRK

WHEREAS, 2005 Assessment Rolls have been prepared for the Bethlehem Sewer District and it is necessary to hold a public hearing with reference thereto,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hold a public hearing with reference thereto, at 5:45 p.m. on Wednesday, the 10th day of November 2004, at the Bethlehem Town Hall, and,

BE IT FURTHER RESOLVED, that the Town Clerk be, and she hereby is authorized and directed to publish a notice of such hearing in THE SPOTLIGHT, a newspaper published in Albany County and having a circulation within the Town of Bethlehem, on the 27th day of October 2004.

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

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

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

AYES: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, and Mr. Gordon.

NOES: None.

ABSENT: None.

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BY ORDER OF THE TOWN BOARD  
TOWN OF BETHLEHEM  
Kathleen A. Newkirk, CMC, RMC:  
TOWN CLERK

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State of New York)  
County of Albany)

LIZA CLINE of the Town of Bethlehem, being duly sworn, says that she is the RECEPTIONIST for THE SPOTLIGHT, a weekly newspaper published in the Town of Bethlehem, County of Albany, and that the notice of which the annexed is a true copy, has been regularly published in said THE SPOTLIGHT ONCE A WEEK FOR 1 WEEK consecutively, commencing on the 27th day of October 2004.

/s/ Liza Cline

Sworn to before me this 27<sup>th</sup> day of Oct. 2004.

/s/ Sharon A. Doldo  
Notary Public, Albany County

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

KATHLEEN A. NEWKIRK, being duly sworn, deposes and says that she is the Town Clerk of the Town of Bethlehem, Albany County, New York and that I posted on Oct. 27, 2004, 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  
29<sup>th</sup> day of Oct. 2004.

/s/ Julie S. McNeil  
Notary Public

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The motion was made by Mr. Lenhardt and seconded by Mr. Plummer to indent the Notice of Public Hearing, Affidavit of Publication and Affidavit of Posting on the minutes of the meeting. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, and Mr. Gordon.

Noes: None.

Absent: None.

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SUPERVISOR EGAN: Thank you. Great. At this time we would ask anybody to come forward that wants to be heard on the 2005 Assessment Roll, again for the Bethlehem Sewer District. Both Judi Kehoe and George Leveille are here to answer any questions if anybody has any. Judi, you want to say anything?

MRS. KEHOE: You want a quick overview?

COUNCILMAN PLUMMER: No, thank you, Judi.

SUPERVISOR EGAN: Any questions?

COUNCILMAN LENHARDT: Not on the sewer but I have... but when we get to that agenda item I do have some questions on the general budget.

SUPERVISOR EGAN: Okay. Anything on the 2005 Assessment Roll for the Bethlehem Sewer District? Okay. Do I have a motion to close the public hearing?

The motion was made by Mr. Gordon, seconded by Mr. Lenhardt and approved by the following vote:

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Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, and Mr. Gordon.

Noes None.

Absent: None.

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Town Clerk

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Supervisor Egan reconvened the regular Town Board meeting following the close of the public hearing. She asked if the Board wished to accept and approve the 2005 Sewer Assessment Rolls for the Bethlehem Sewer District. Councilman Lenhardt asked about the fact that this is one of the 4 parts of the budget. Comptroller Kehoe agreed that it was. Mr. Lenhardt asked if he could bring up his issue before a vote is taken on the rolls. Supervisor Egan agreed that Mr. Lenhardt could go forward.

Councilman Lenhardt said the Town is very healthy financially due to Comptroller Kehoe's efforts. He said he has no problem with the budget expenditures. He said he thinks they are sound and they are warranted. Since the Board is closer to the end of the year, he asked if there was any idea or a clearer crystal ball of how much of a surplus there might be at the end of the year for the entire budget. Mrs. Kehoe said it is a crystal ball, complicated by the fact that she will not know until 2005 what the final numbers are because the sizeable portion of the general fund revenues, at least, are coming in January both the 4th quarter sales tax figure and the second installment of the mortgage tax payment which are hopefully sizeable and do not come in until the middle of the month. Mrs. Kehoe said it makes it very difficult to predict. She said she is trying to make valid estimates so that recommendations can be made at the end of the year as to any transfers that might be going into the reserve funds. She said she is predicting that we will have a modest surplus.

Mrs. Kehoe said there is a big swing in the mortgage tax though at times so she is not 100 percent sure of that. She said if we have surpluses in the fund, as she has said in the past, she tries to keep them a little higher – one for cash flow purposes and two, particularly in the General Fund because of the fact that the revenues are 70 percent derived from the economically dependent revenues. She said if there are additional monies available, she typically recommends that they go to the reserve funds because she tries not to look just to the coming budget year but looking ahead 4 to 5 years into the future so that there aren't any spikes. She said she thinks the prior trending of budgets to the Board have shown that we have been able to maintain relatively small increases in tax rates over many years despite substantially greater pressures on the expenditure side. She noted that year after year there has been talk about the retirement system stresses contributions, health insurance impacts, the cost of supplies fluctuate.

Mrs. Kehoe said it has been her belief through discussions with the Board through the years that it is preferable to try to keep the increases slow and steady so residents are not surprised with their personal finances with large spikes in the bills that are coming from the Town. Councilman Lenhardt said he appreciates that and the fact that it is a delicate balance between what is required and he does not want to see wild swings in the tax rates either. He said that was political suicide in another county in our state because they kept doing this. He said what he is trying to get at is they are looking at a county tax increase in the double digits and he has heard from a number of residents, why are you asking for a tax increase yourself. He said he realizes the General Fund Reserve Fund is at the 22 percent range, noting she has commented that the State Comptroller has recommended a 10 to 15 percent range. Mrs. Kehoe noted this is a general guideline. Mr. Lenhardt said he was wondering if some money could be drawn out of the reserve account to lessen the 5.4 percent somewhat without changing any expenditures or anything like that.

Supervisor Egan asked if this was going to get specific to the sewer roll because she does not want to get too far a field. Councilman Lenhardt said it is the

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budget in general but the sewer roll happens to be a piece of it. Ms. Egan asked if there were questions with regard to the sewer rolls. Mr. Lenhardt said it was not. Supervisor Egan asked to dispose of the sewer tax rolls.

The following resolution was presented:

WHEREAS, assessment rolls for the year 2005 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 Mr. Lenhardt, seconded by Mrs. Davis and duly adopted by the following vote:

Ayes: Ms. Egan, Mr. Lenhardt, Mr. Plummer, Mr. Marcelle, and Mr. Gordon.

Noes: None.

Absent: None.

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Supervisor Egan said the next item will be to adopt 2005 Preliminary Town of Bethlehem Budget. Mrs. Kehoe said it is possible we could have a larger planned deficit. She said her only fear and the reason why she did not recommend the use of some reserve monies was because it is possible that if the budget comes in exactly as it is planned, you could wipe out the reserves over the course of a year to possibly 2 years. She said if the Town comes in with an \$800,000 deficit, that would bring it down much lower in the range and if you have another deficit like that, it could really be a matter of 3 years maybe that this could be withstood. She said the City of Albany had gone through this at a prior time. She said the County is going through this same type situation to some extent now. She said if the reserve is used too much, the Town would not have the ability to withstand unanticipated changes either due to changes in the economy, significant pressures on the expenses. She said they all should look at the large increase with the Retirement system as an example. She said the larger reserves helped to absorb some of these increases. She said the State Law requires the Town to set what the Town believes to be a reasonable fund balance that best meets the operating needs and financial health of the Town. Mrs. Kehoe said it has always been her recommendation that for the General Fund that we are above the 15 percent rule of thumb from the Office of the State Comptroller.

Councilman Lenhardt said the deficit as she calls it, with the information factored in, General Fund reserve balance will be 22.77 percent. He said he realizes that when the 4 funds are averaged together it is at 17 percent overall, which is very close to the recommendation. He further noted he is trying to find some method to try to help the taxpayers in the community with some of this without making it so low that in another year it swings very high. Mrs. Kehoe said that was why she had looked for the nominal increases every year to the Board. She said she knows tax increases are never a popular way to go but it is one of the components with which we pay for government services. She said by keeping it at these modest amounts that is giving the Town at least the reaction time to deal with negative trends in the finances over time. She said she has projected out through 5 years and it is looking at least slower, steadier increases.

Supervisor Egan noted just so she is clear, and she thought it was said before, the 70 percent of the revenue stream comes from not only the mortgage recording tax but the sales tax. Mrs. Kehoe said this was correct. The Supervisor said if she was not mistaken, she heard today that the rates have gone up which could have an impact on any additional mortgage and could result in a decrease in the amount because of the rise in the interest rates. Mrs. Kehoe said that affects consumer spending which also could affect the sales tax.

Supervisor Egan said the actual proposed tax for this year, the dollars associated with the tax increase, is less than it was last year. Mrs. Kehoe said it is about \$19.10 this year, noting it was closer to \$20 last year and the year before that it was right about \$20 also.

Councilman Plummer noted it was his 5<sup>th</sup> year on the Board and made the observation that when he first started he asked the same issue that Mr. Lenhardt is asking tonight. He said he thinks that back when he first started the fund balance, the amount in the General Fund, was higher than the 22 percent. He said he thought it was about 25-26 percent. He said he thought also the Highway Fund was much healthier then and now also. He said they are trying to build that reserve fund up again. He said the process that was undertook with modest increases every year, is the best for the taxpayers and he supports that policy. He said he thinks the Water Fund and the reserve is now getting back up there and obviously, there is more work to be done on the sewer fund. He said to get around the higher levels, he thinks puts the Town in a much better position. He said he supports Comptroller Kehoe's efforts in doing that over the past and it is consistent in this budget as well. Mrs. Kehoe thanked Councilman Plummer.

Councilman Marcelle noted he asked some questions earlier of Mrs. Kehoe but he wanted to follow-up on some of those. He echoed what Councilman Plummer and Councilman Lenhardt have said and he thinks the Town owes a great debt of gratitude since she has crafted the Town through some very tough financial times including the retirement fund. He asked if the Comptroller has projected out what has to be paid over the next several years. Mrs. Kehoe said the Town has the rates for the coming year and they have given some tentative rates for the following year. She said the rates are moderating, declining slightly. She said the costs at least into 2005 will be relatively flat though because even though the rates have declined, the payroll is increasing but a flat benefits cost in her mind is far better than an increasing.

Councilman Marcelle said generally she has been conservative in how the expected revenue is budgeted. He said generally the Town has exceeded the budgeted revenue, which explains some of the surplus. Mrs. Kehoe noted that is a financial best practice through Government Finance Officers Association and others. Mr. Marcelle said generally we have run a surplus over the last 8 years. Mrs. Kehoe agreed. He said one of the questions is about the Capital Reserve Funds for the highway and sewer fund, asking how the accounts doing compared historically. Mrs. Kehoe said we are in a fair position with the Capital Reserves. She said the water fund is very low noting she would like to be in a position to increase that fund. She said, as everyone knows, running any of the infrastructure facilities that we have that kind of work is not inexpensive. She said it certainly is predictable as to what the costs are going to be over a period of many years so she would like to increase those reserves and noted that eliminates the need for bonding. She said certainly there will be projects that require bonding just due to their magnitude but the benefit in having good financial health in your operating funds and having these reserves is that it reflects positively on your credit rating. She said this translates into a lower interest rate on the issue of bonds. She said this is another important reason to be operating in that manor.

Councilman Marcelle asked with regard to the tax increase this year of 5.4 percent if it was going to raise approximately \$330,000, her projection and that was his understanding. Mrs. Kehoe agreed it was correct. Mr. Marcelle said from the general fund as opposed to the others, there is a 3.4 percent increase. Mrs. Kehoe

said 3 percent increase in the general fund is proposed, 3 in water and 3 in sewer and the highway was 8. Mr. Marcelle asked what the 3 in the general fund gained. Mrs. Kehoe said not a whole lot, noting she would have to pull out the spreadsheet. She said it was about \$60,000. Mr. Marcelle said about that, indicating it was somewhere between \$50,000 and \$60,000, further noting it was about \$58,000 in the chart. He said he wanted to preface the next question with a little of his position, the county government over the past 3 years has really hit the taxpayers pretty hard. He said the school district because of demands upon it, we have seen an increase in Town and it has been a driving force for a lot of the policy issues that are being done. He said one of his concerns this year is that there is another 20 plus percent although the final budget has not been enacted by the County. Given historically that we have done better on the revenue side than what was budgeted and give that we are at 22 percent of a surplus, if we added another \$60,000 to our planned deficit and eliminated the general fund tax of 3 percent, Mr. Marcelle asked if that would significantly impact the Town's financial position. Supervisor Egan asked Councilman Marcelle if the 5.4 percent and if we eliminate the general fund of 3 percent does that bring us down to 2.4 percent. Mr. Marcelle said it was not. Supervisor Egan said she wanted to be sure because that does not happen because it has to do with the average of all the accounts. Councilman Marcelle said that was correct. Mrs. Kehoe said \$1.50 per \$100,000.

Councilman Marcelle said he thought it was important since we are in such a fine position with 22 percent, the extent that they can keep at least one of the taxes flat. He said he thinks that is an important message to send in this time. Councilman Marcelle said every time we get a tax increase, because he always hears the County did this too, well, that's only \$15 for the average household and that is only \$200 but you know, you start doing it 5 or 6 years in a row and it becomes \$1500. He said at some point, it makes a difference in people's lives. He said given that we have such a strong surplus and given that interest rates are on the rise, which could affect the surpluses but if the additional \$60,000 out of the 3.4 million dollar surplus to send a message to the residents that they recognize the burden they are facing, he does not think it significantly impacts the Town's overall position. Mrs. Kehoe said it does not significantly impact the finances of a fund that has about a 14 million dollar operating budget. She said it is a very nominal amount but it becomes a symbolic stand and again she said she is not just looking at the current year, she is looking to the long term. She said it certainly is a policy matter and it is a Board decision. She said it will not cause irreparable harm to the general fund if this is done in the short term. She said there are hundreds of different changes that she is dealing with over the course of the year that affect this budget. She said she tries to look to the long term and make the recommendations that she thinks are appropriate to maintain the long-term financial strength of the Town. She noted it is \$1.50 and is a very nominal amount. She said it is whatever the Board is comfortable with, she was here to enforce the budget once it is adopted by the Board. Councilman Marcelle said they appreciate her efforts and how well she has served the Town. Again, he said, sometimes there are other issues and he wanted to make sure that when they set policy there are no long-term damages to the Town. He said he hears that it would not put any long-term damage to the Town. Mrs. Kehoe said not in the current year.

Councilman Lenhardt asked what the benefit was of the recent enactment by the State to defer the retirement system contributions until February of 2005. Mrs. Kehoe said under the current accounting standards if you are not filing a GASB based financial statement, those pension costs are recognized on a cash basis. She said the expense is incurred when the obligation is due. She said by shifting the payment date to February 1, it essentially shifts the expense from 2004 into 2005. However, Mrs. Kehoe said on the breaking news front from the retirement system she just received another bill that offered a discount if it is paid December 15, the usual date. She said it is a favorable deal for the Town indicating it saves a lot more in our retirement cost if it was paid early. She said she needs to talk to the auditors because that raises the issue regarding when this payment is due and is this expense for 2004 or 2005. She said it is shell games.

Councilman Lenhardt asked about the issue of when it is paid and when it is taken into account whether in the current or the 2005 budget. Mrs. Kehoe said not in the current budget. She said this would be something to be earmarked and the expense has been incurred and it would be designated as a retirement cost.

Supervisor Egan asked if there were any other comments or questions. She said in being sensitive to the County tax increases which certainly being a County resident it affects her and everyone else, but from a Town Board perspective, it is the Board's responsibility to do what is best for the Town residents and ensure that the Town's accounts are going to stay healthy. She said she understands the discussion regarding a \$60,000 impact as Councilman Marcelle noted and a 33 million dollar budget but it is these types of things in regard to rising taxes and how people are feeling the cumulative effects that she thinks again it gets back to addressing these things through the comp plan, through some good planning for economic development that will help defray and take some of the tax burden off the residents and place it elsewhere and at the same time, making our accounts even healthier as we go forward. She said there are some serious financial issues that will need to be looked at over the next several months with current negotiations happening, with water plant upgrades and things like that that remain keen and sensitive to us on a daily basis. She said again, from her perspective, she applauded Mrs. Kehoe having gone through the process for the several years before hand, certainly keeping things in tow and actually less than where the Town was last year, and looking at a future date, not just what is good for the short term is certainly a very frugal and prudent way of looking at this. She thanked Mrs. Kehoe for her hard work on this. Mrs. Kehoe thanked Supervisor Egan.

Supervisor Egan asked if there were any other questions. Councilman Marcelle made a motion to add \$60,000 to the planned deficit line and then amend the tax increase for the general fund to reflect it to be stable or flat with no tax increase. Mrs. Kehoe said to keep it flat in the general fund only. The motion was seconded by Councilman Lenhardt. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, and Mr. Gordon.

Noes: None.

Absent: None.

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The next item was a request from Director of Field Operations, DPW, Charles Wickham, for approval to go to bid for one (1) hydraulic fusion machine. Could advertise November 17, 2004 and open bids on November 30, 2004 at 3 p.m.

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

WHEREAS, the Town desires to advertise for bids for the purchase of one (1) hydraulic fusion machine, pursuant to law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk advertise for such bids in THE SPOTLIGHT issue on the 17th day of November, 2004 and that bids be received up to 3:00 p.m. on the 30th day of November, 2004 at which time the bids will be publicly opened and read.

The resolution was adopted by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, and Mr. Gordon.

Noes: None.

Absent: None.

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The following item was a request from Director, Senior Citizens Services, Karen Pellettier, for acceptance of donation for senior transportation. Supervisor Egan noted it was a donation after the death of one of our long time senior transportation clients, Dale Setford, donation be made to the Town of Bethlehem.

The motion was made by Mr. Marcelle and seconded by Mr. Lenhardt to approve the acceptance of donation of \$400 to the transportation vehicles of the Town of Bethlehem as requested by Karen Pellettier, Director, Senior Citizens Services. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, and Mr. Gordon.

Noes: None.

Absent: None.

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The next item was to acknowledge the resignation of Deputy Town Clerk, Catherine T. Picarazzi, Selkirk, New York and the appointment of Deputy Town Clerk, Colleen Hummel of Glenmont, New York from Town Clerk, Kathleen A. Newkirk, with a request for Setting of the Salary. Supervisor Egan said with sad heart, the resignation of Deputy Town Clerk, Catherine T. Picarazzi was made noting it was effective November 30, 2004. The Supervisor said we will miss her and she was moving to Florida. The Supervisor said in light of this, the appointment was made by Town Clerk of Colleen Hummel. She noted several candidates were interviewed and setting of the salary at a Grade 10, Step 3 was being requested.\

The motion was made by Mr. Marcelle and seconded by Mr. Lenhardt to approve the setting of salary at a Grade 10, Step 3 for Deputy Town Clerk, Colleen Hummel, Glenmont, New York. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, and Mr. Gordon.

Noes: None.

Absent: None.

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Supervisor Egan welcomed Mrs. Hummel aboard.

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The following item was to acknowledge the appointment of Colleen Hummel, Glenmont, NY as Deputy Registrar of Vital Statistics by Town Clerk, Kathleen A. Newkirk. Supervisor Egan noted this as an appointment to the end of the term on December 31, 2005.

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The next item was a request from Building Inspector, Mark Platel, for approval of issuance of dumping permit for premises across from 44 Hannay Lane, Glenmont. Supervisor Egan said there was a recommendation that the permit be approved subject to various stipulations.

The motion was made by Mr. Plummer and seconded by Mr. Gordon to approve the issuance of a dumping permit requested by Robert J. Jones, Local 106 Training and Apprenticeship Fund, for premises across from 44 Hannay Lane, Glenmont, New York with stipulations as listed in the Memorandum from Terrence Ritz, Department of Public Works, Engineering Division. The motion was passed by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Lenhardt, and Mr. Marcelle.

Noes: None.

Absent: None.

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The next item was to acknowledge receipt of the Quarterly Franchise Fee from Time Warner Cable in the amount of \$92,779.19.

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Supervisor Egan appreciated everyone's patience and asked if there were any other public comments for this evening. There were none.

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The motion was made by Mr. Lenhardt and seconded by Mr. Plummer to adjourn the regular Town Board meeting at 6:45 p.m. The motion was carried by the following vote:

Ayes: Ms. Egan, Mr. Plummer, Mr. Lenhardt, Mr. Marcelle, and Mr. Gordon.

Noes: None.

Absent: None.

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Town Clerk