

TOWN BOARD  
NOVEMBER 24, 1998

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: Sheila Fuller, Supervisor  
George Lenhardt, Councilman  
Doris M. Davis, Councilman  
Robert C. Johnson, Councilman  
Susan Burns, Councilman  
Kathleen A. Newkirk, Town Clerk  
Bernard Kaplowitz, Esq., Town Attorney

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

The first item was to consider proposed rezoning of property at the corner of Elm Avenue and Delaware Avenue and Cherry Avenue, Delmar, as requested by John LaForte. The Supervisor explained it would include Hostetter's property -- the gas station -- Stewart's and the parcel of land owned by John LaForte. The public hearing was held on back in the end of October and a decision is to be made by the Town Board. The request, Supervisor Fuller explained, was to rezone from Residence B to CC Commercial. She asked if there were any questions of the Town Board Members.

Councilman Burns asked if the Albany County Planning Board responded. Mr. Lipnicky, Town Planner, said the County's only comment was modify to include New York State Department of Transportation approval which is their standard way of saying if NYSDOT has a permit that any approval should include NYSDOT's comments but in this particular case, NYSDOT doesn't have any authority.

The following SEQR resolution was presented for adoption:

TOWN BOARD  
TOWN OF BETHLEHEM  
SEQR RESOLUTION  
CLASSIFICATION OF ACTION AND NEGATIVE DECLARATION  
REZONING PER LOCAL LAW NO. 14 OF 1998

SEQR Resolution  
and Local Law  
14 intersection  
Delaware, Elm and  
Cherry Avenue  
rezoning from  
residence B  
District  
to CC Retail  
Commercial  
District

WHEREAS, the Town of Bethlehem Town Board ("the Town Board") has received an application from John and Gloria LaForte and Jay Hostetter for the rezoning of 2.5 +/- acres located at the southwest and southeast corners of the intersection of Delaware Avenue, Elm Avenue, and Cherry Avenue from Residence B District to CC Retail Commercial District, and;

WHEREAS, the Town Board has received a short Environmental Assessment Form ("EAF") for the project, and;

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

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

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

WHEREAS, the Town Board has independently considered both the information provided in the EAF and comments on the application provided by the Town of Bethlehem Planning Department, and;

NOW, THEREFORE, BE IT RESOLVED,

that the Town Board hereby determines that:

- 1) approval of the proposed subdivision constitutes an Unlisted action which is subject to SEQRA,
- 2) the proposed action does not involve a federal agency or any other agency,
- 3) the proposed action is not located in an Agricultural District and, therefore, is not subject to the provisions of the Agriculture and Markets Law,
- 4) a short EAF is adequate for determining the significance of the proposed action, and;

BE IT FURTHER RESOLVED,

that the Town Board hereby declares it is lead agency with respect to SEQRA review of the proposed action, and;

BE IT FURTHER RESOLVED,

that based upon its review of the project, the EAF, review of the proposal by Town Planning staff, and comparison with the Criteria for Determining Significance found at 6 NYCRR Part 617.7(c), the Town Board hereby finds that approval of the Local Law No. 14 of 1998 Rezoning constitutes an action which will not have a significant impact on the environment and, therefore, does not require preparation of a Draft Environmental Impact Statement, and;

BE IT FURTHER RESOLVED,

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

1. The existing non-conforming commercial uses within the subject area would be conforming uses under the proposed zoning;
2. The proposed action is located in the existing public water and sanitary sewer districts;
3. Since two of the three parcels which comprise the area to be rezoned are currently developed, it is not anticipated that the development of the remaining 0.29 acre vacant parcel and/or the expansion of the current uses would significantly effect traffic or drainage conditions in the area. Future development within the rezoned area would likely be subject to site plan approval by the Town Planning Board, which would address any potential adverse effects of the proposed development;
4. The proposed action is not located in or adjacent to an agricultural district or a historic district or structure;
5. The proposed action is not located in an archeologically sensitive area;
6. Due to the small amount of land area available for additional development within the area to be rezoned and to the presence of the existing commercial uses, the proposed action is not expected to have a significant effect on the character of the area. Compatibility of any proposed development with the surrounding neighborhood would also be addressed as part of any site plan approval which would most likely be required;
7. Review of the site in the field and with available environmental data revealed no environmentally sensitive characteristics of the parcel (such as State designated wetlands, topography, floodplains, threatened or endangered species, etc.) or other areas requiring greater study;

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 Supervisor of the Town of Bethlehem 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. Lenhardt, seconded by Ms. Davis, and by a vote of 5 for, 0 against and 0 absent, this RESOLUTION was adopted on November 24, 1998.

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Supervisor Fuller asked for a motion to adopt Local Law No. 14 of 1998 rezoning property at the corner of Elm Avenue and Delaware Avenue, Delmar.

Local Law  
14 rezoning  
property at  
Elm and Delaware  
Avenue

The motion was made by Mr. Lenhardt to adopt Local Law No. 14 of 1998 rezoning property at the corner of Elm Avenue and Delaware Avenue, Delmar. Mr. Lenhardt said he has not heard any complaints from the local residents to the property. The motion was seconded by Mrs. Davis to adopt Local Law No. 14 of 1998 rezoning property at the corner of Elm Avenue and Delaware Avenue, Delmar. Mrs. Davis said to Mr. LaForte that she would never have approved the original request which was a C Commercial District, but she felt this is more restrictive and therefore, she voted in favor. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,  
Ms. Burns.

Noes: None.

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Supervisor Fuller mentioned to Mr. LaForte that one of the neighbor's spoke to her and, it was obviously not in time for the public hearing which was held, however, the person did have concerns over what will be done to the property but whatever is done will have to come back to the Town.

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Y2K Update  
by Supervisor  
Fuller

The next item was a Y2K update. Supervisor Fuller gave a full report regarding the Town's current status in regard to the Year 2000 update. She mentioned Mr. Norm Kirland and Mrs. Porlier whose husband also was helpful. She mentioned back in February of 1998, they came and met with her and suggested the Town get moving on making the community aware of Y2K. She said she kept putting it off because she felt there was no need to get out there too far ahead. She said she wanted to talk about Y2K as far as the impact for the Town when the Town was ready to listen. She said hopefully they are beginning to listen now. She said there seems to be more publicity on it but frankly there hasn't been a great deal and, as far as, input from the community, she has heard from 4 residents, she believes, who have called to find out how the Town has prepared.

Supervisor Fuller gave a quick run through -- in the Data Processing Department, everything is or will be compliant in the summer of 1999 -- June of 1999. Data processing department has been actively working to ensure year 2000 compliance for all of the hardware, software utilized by the Town. They have required all vendors furnish the Town with a certificate of compliance and attached was a list of the status of each department's software and all hardware. With the exception of the New York State provided real property system software, we are currently 90 percent compliant.

Supervisor Fuller said water, sewer and the comptroller, as far as the financial aspect will be discussed. She said they are in attendance. Niagara Mohawk has sent in their 10K report. They assure the Town that we will not be experiencing any power failures. They are also working on their 2000 project and will keep the Town informed. Price Chopper grocery store, Shop and Save and Grand Union have been written to to assure the food supply. Supervisor Fuller said she has heard from 2 of them. Price Chopper and Shop and Save have assured the Town as of Monday she said -- they must have heard it was going to be on the agenda -- that they are working to have contingency plans in the event that they have some system problems but both assured her they have a generator that will operate for a great length of time if there is a power outage.

Supervisor Fuller said the Police Department emergency services, 911, are fully compliant. All public safety services are ready with their internal systems. She said the delivery of these services will not be affected in any way by Y2K. She said they have been assured by Bell Atlantic and Niagara Mohawk that power and telephone communications will not be interrupted.

Supervisor Fuller said basically for the community at large, the Town, as everyone is already aware she is sure, has an emergency plan in place. She said we have to be prepared for 3 feet of snow, high winds, rain storms and certainly they have been experienced here in the community in recent years. The Town Hall becomes a shelter, according to Supervisor Fuller, the school buildings are used as shelters and food, clothing, heat -- everything is available here in the Town Hall if there is a crisis as we start the new millennium. She said as time goes on she will be reporting more specifically at different Board meetings but right now this is the first attempt to get out to the community that she is not trying to create panic or chaos. Supervisor Fuller said the Town is working very hard and we are in very good shape. She said if we could survive on our own, we would be fine. She said it is the others that she has to keep track of, such as the utilities.

Supervisor Fuller asked Commissioner of Public Works, Bruce Secor, to talk about the water supply and our sewer system. Mr. Secor said the water supply is basically a gravity system, the water is purified and pumped into storage tanks. He said there are back-up generators at both plants. He said at the Vly Creek plant, there is primary back-up and secondary back-up so there is actually 2 generators up there. He said the Board recently approved replacement of all computer systems at the water purification plant. He explained they were some 8 or 10 years old and there was no saving those. He said they were out-of-date and they are being replaced. He said each system that comes in there is software and has a certification of year 2000 compliance. At the Vly Creek reservoir, according to Mr. Secor, which is the primary supply for the residential area, that system does not depend on the computers for process control. He said the computers up there basically just monitor flow rates or whenever the plant is run it is by the plant operator and the plant is manned 24 hours a day, 7 days a week. He said the computers basically tell them what the flow rates are and what the pressures are in the system but there is nothing critical in terms of actually getting water to the customers.

Mr. Secor said when they were meeting with the groups, he tried to assure them running out of electricity or being without telephones is a monthly event for them. He said every time there is a thunder storm up in the hills or there is an ice storm or wind storm, they are without power. He said their generators run and are tested weekly and run quite frequently. He said they are without telephone service at least once a month. He said it just happens -- whether it is a car accident or a lightning strike or whatever happens -- no one has ever been without water because of that. Mr. Secor said so it is not a problem, as far as, the water service.

Mr. Secor said they have mobile generators available, again whether it be a storm event or merely a power outage or whatever, they have generators at all primary sewage pumping stations. He said there is a generator at the wastewater treatment plant to take over the whole plant. He said they just did that over the last 2 years. He said they have been working for about 2 1/2 years upgrading.

Mr. Secor noted replaced the generator system at Town Hall. He said the Highway Department has a generator system. He said there is a generator recently installed at the public works garage on Kenwood Avenue. He said they have generators available. He said not just because of year 2000 but because power outages occur and they have to be prepared for that.

Mr. Secor said they are now looking at the second level of systems. He said some of the thermostats and controls -- he said you can have a wonderful building but if the thermostat doesn't work and the building freezes up -- you still have a problem. He said the plants are maintained and operated 24 hours a day so there is usually somebody there but they are looking at the secondary level now and some of these plcs, some of the automated equipment where there may be imbedded problems. He said they are getting at them and will continue to update the Board on that. He said they are moving along.

Supervisor Fuller asked Comptroller Kehoe to give information regarding the Comptroller's operations. Mrs. Kehoe said all of the

financial applications are currently year 2000 compliant. She said the financial reporting software, vendor payment, payroll system, and fixed asset accounting are all year 2000 compliant. She said they have been in regular contact with all the financial institutions because if there were a weak link in our system, that would be it. She said the banks have all given regular reports on their progress with year 2000 compliance. She said they have given them test dates and they appear to be making sufficient progress given the international commerce that they are involved in. She said she has great hopes that they will, in fact, be compliant and have noted this in any of the phone calls that she has been making. She said with the Federal Government she has been requesting funds for the Cops Fast Program now and they are in 4 digit entry for the year when you request the funds. She said in the financial and in the automated sectors for wiring out funds, she is seeing compliance already. Mrs. Kehoe said she expects we will be able to operate without serious interruptions.

Supervisor Fuller thanked Comptroller Kehoe. She said about a month ago when the tower was hit by lightning and certainly the emergency plan swung into action immediately, things went on. She said it was uneventful. She noted employees went home about an hour early only because it was a very frightening experience to those who were here. She said 2 employees were working at computers which were right by the windows with the tower outside, so everyone was sent home but things went on and work continued in Town Hall and there was no lost services. She said the computers were down longer than anything. The generator kept the offices operating, according to Supervisor Fuller, and noted there is a mobile command unit out in the back where the telecommunicators were located so communication continued. She said this is something that is used when there are severe weather conditions.

Supervisor Fuller asked if there were any questions. Mr. Sherwood Davies suggested the Supervisor go down to Washington and take care of things. Supervisor Fuller noted we are in good shape, it is everybody else she worries about.

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Authorize  
1999 Animal  
Shelter  
Agreement with  
Mohawk and Hudson  
River Humane  
Society

The next item was to authorize Supervisor Fuller to sign the 1999 Animal Shelter Agreement with Mohawk & Hudson River Humane Society. The Supervisor explained this is a routine agreement signed each year.

The motion was made by Mrs. Davis and seconded by Mrs. Burns to authorize Supervisor Fuller to sign the 1999 Animal Shelter Agreement with Mohawk & Hudson River Humane Society, Menands, New York. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,  
Ms. Burns.  
Noes: None.

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Parks and  
Recreation  
approval  
Seasonal  
Personnel

The next item was a request from David Austin, Administrator, Parks & Recreation Department, for approval of appointment of seasonal personnel.

The motion was made by Mr. Johnson and seconded by Ms. Burns to approve the appointment of the following seasonal personnel as requested by David Austin, Administrator, Parks & Recreation Department:

Recreation Program Director at \$10.00 per hour

Corinna M. Parker  
198 Elsmere Avenue  
Delmar, NY 12054.

The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,  
Ms. Burns.  
Noes: None.

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The next item was a recommendation from Michael Cirillo,  
Engineering Services Administrator, Department of Public Works, for  
acceptance of deed for 285 Krumkill Road, North Bethlehem.

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis  
to accept a deed for right-of-way conveyance at 285 Krumkill Road,  
North Bethlehem. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,  
Ms. Burns.  
Noes: None.

Public Works  
acceptance of  
deed for  
285 Krumkill  
Road

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The following item was a recommendation from Michael Cirillo,  
Engineering Services Administrator, Department of Public Works, for  
acceptance of deed for Miller Avenue and Neil Boulevard, Selkirk.

The motion was made by Ms. Burns and seconded by Mr. Johnson to  
approve the acceptance of deed for drainage easement purposes for  
Miller Avenue and Neil Boulevard, Selkirk, as recommended by  
Engineering Services Administrator, Michael Cirillo, Department of  
Public Works. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,  
Ms. Burns.  
Noes: None.

Public Works  
acceptance of  
deed for Miller  
Avenue and Neil  
Boulevard Selkirk

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The following item was a recommendation from Engineering  
Services Administrator, Michael Cirillo, Department of Public Works,  
for approval of a bond reduction for Colonial Woodlands, Phase 1 and  
2.

The motion was made by Mr. Lenhardt and seconded by Mr. Johnson  
to approve the bond reduction as recommended by Engineering Services  
Administrator, Michael Cirillo, Department of Public Works, as listed  
in his Memorandum dated November 18, 1998. The motion was passed by  
the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,  
Ms. Burns.  
Noes: None.

Public Works  
approval of bond  
reduction for  
colonial Woodlands  
Phase 1 and 2

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The next item was a recommendation from Engineering Services  
Administrator, Michael Cirillo, Department of Public Works, for  
release of a drainage easement on 2 Magee Drive, Glenmont.

The motion was made by Ms. Burns and seconded by Mrs. Davis to  
approve the release of a drainage easement on 2 Magee Drive,  
Glenmont. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,  
Ms. Burns.  
Noes: None.

Public Works  
release of a  
drainage easement  
on 2 Magee Drive  
Glenmont

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The following item was a recommendation from Bruce Secor,  
Commissioner, Department of Public Works, for award of bid for one  
(1) portable 8" self-priming centrifugal highhead pump to Godwin  
Pumps of America, Inc., Batavia, NY.

The motion was made by Mr. Lenhardt and seconded by Mrs. Davis  
to approve the award of bid for one (1) portable 8" self-priming

Award bid for  
portable 8"  
self-priming  
centrifugal  
highhead pump  
to Godwin Pumps  
of America, Inc.

centrifugal highhead pump for use by the Sewer District to Godwin Pumps of America, Inc., Batavia, New York at the bid price of \$31,482 including all items as recommended by Commissioner of Public Works, Bruce Secor. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,  
Ms. Burns.  
Noes: None.

Public Works  
Supplemental  
Budget Appropriation  
for water District 1

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The next item was a request from Bruce Secor, Commissioner of Public Works, for a Supplemental Budget Appropriation for Water District #1. Supervisor Fuller asked for a motion to approve the appropriations.

The motion was made by Mr. Johnson and seconded by Mr. Lenhardt to approve the Supplemental Budget Appropriations for Water District No. 1 as requested by Commissioner of Public Works, Bruce Secor.

Supervisor Fuller asked if there was any discussion. Councilman Burns said she had some questions. Discussion followed with Mr. Secor, Commissioner of Public Works. Questions were answered by Mr. Secor regarding the purchase of water from the City of Albany, the amount allocated in the budget that was just passed for 1999, the amounts of monies included in the supplemental appropriations, and reports received regarding the appropriations. Comptroller Kehoe explained this item was a request to modify the budget so that funds can be paid or accrued to the budget code later in the year. Mrs. Kehoe said this is Mr. Secor planning ahead with the costs that are coming in and being required to be recorded on the books. Mr. Secor said coming in or approved. He said you could get partial billing for work done while reports are being prepared. Mr. Secor further explained this is an appropriation and it does not mean the money will be spent. He said the Town Board authorized certain items and if the work is done, the money will be expended. He said this is a budget authorization.

Questions were also raised regarding the pending litigation. Mr. Secor addressed questions posed.

Discussion  
on pending  
litigation

Councilman Burns asked for a full project report. Mr. Secor indicated as soon as he has it, it will be presented to the Board publicly. Supervisor Fuller noted she heard a rumor in the community that there is a report and it is being withheld. She said apparently there are games being played out there and that there is no report. She further noted all of these items came before the Board Members on the Town Board agenda.

Supervisor Fuller announced for the community's information that there will be a public meeting just as there has been and O'Brien and Gere and Robert Alessi, Esq. will be present. She said that way everyone will know what is going on and where the litigation stands. She said the costs have been discussed at length at Board meetings. She said it has only been this year and Councilman Burns has been in attendance. She said if there is something that needs to be discussed, she would be happy to meet with Councilman Burns. She said the information can be located. Supervisor Fuller said she feels it is a disservice to the community that this is being questioned, when in fact there have been votes on this information.

The motion was passed to approve the Supplemental Budget Appropriation for Water District No. 1 as requested by Commissioner of Public Works, Bruce Secor by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson.  
Noes: Ms. Burns.

Planner  
for approval  
appoint part-  
time clerk  
typist

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The next item was a request from Town Planner, Jeffrey Lipnicky, for approval of appointment of Part-time Clerk Typist I at a rate of \$11.09 per hour. Supervisor Fuller said the Clerk's name is Deborah Kitchen and she is a local resident. She said she comes to the Town

after 11 plus years of office experience elsewhere. She said the part time position fits Mrs. Kitchen's needs. Supervisor Fuller said Mr. Lipnicky needs a secretary.

The motion was made by Mr. Johnson and seconded by Mr. Lenhardt to approve the appointment of Deborah M. Kitchen, Elsmere, New York to the position of Part-time Clerk Typist I at a rate of \$11.09 per hour. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,  
Ms. Burns.  
Noes: None.

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Supervisor Fuller added that Mr. Lipnicky had a full time secretary right along and this year he has determined that he can handle this job with a part-time person. He was very cooperative, according to Supervisor Fuller, when this was suggested.

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The next item was to approve the Town Board minutes of November 12, 1998 as submitted.

Approve Town  
Board Minutes  
11/12/98

The motion was made by Mr. Johnson and seconded by Mrs. Davis to approve the November 12, 1998 minutes as submitted. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,  
Ms. Burns.  
Noes: None.

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Supervisor Fuller asked if anyone wished to address the Board. Mrs. Marie Capone said she resented hearing people question Mr. Secor and say this is what the community wants to hear. She said the Corps of Engineers came here, 30 people showed up out of 28,000. She said they are sick and tired of hearing about the water. She said the government here is working fine and if they don't like it, they can lump it. She thanked the Supervisor.

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Supervisor Fuller said Mr. Davies and Mr. Kelleher were next.

Mr. Davies commented in regard to Councilman Burns's questions to Mr. Secor. He said he believed that Mr. Secor referred to a 2 page letter written to him that was provided to the Board. He said he would not view this as a report. Supervisor Fuller indicated all reports have been given to Mr. Davies that have been received. Mr. Secor said it was a letter report.

Mr. Davies  
and Mr. Kelleher  
on water issue

Mr. Davies said the test well was completed and samples completed. He said he thought there should be a preliminary report.

Mr. Davies addressed the issue of the supplemental appropriation. He said Fraser only has about 1 million dollars and we are spending it fast. Supervisor Fuller noted it is Fraser and Rust that the Town has the litigation with. Attorney Kaplowitz noted both firms are being sued.

Mr. Secor noted the work on the test well was authorized by the Town Board. He said this is not a vote to authorize the work, it has already been done. He said this is a vote to pay for what was authorized or make budget to allow to pay for what was authorized. He said there should not be any second thoughts, this is a follow-up action to action already taken by the Board. He said this was for clarification. Councilman Davis said she understood that. Councilman Lenhardt noted they knew when litigation was started that it was going to be additional expense that was not budgeted for. Councilman Burns said she is uncomfortable with the way this is

presented -- timing of it and that she is asked to make decisions. Mr. Secor said this was presented 6 months ago.

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Mr. William Kelleher addressed the Board regarding good news and bad news. He explained up until the winter of 1997, he was convinced by 7 engineers and 2 consulting chemists that the water was coming from the river. He said that is not true. He said the contents of the water is not good. He said it cannot be coming from the river. He wished to make the Board aware of this.

Mr. Kelleher said he and Mr. Davies are very concerned about what the report will cover. He said they wonder if O'Brien and Gere will get into water quality.

Mr. Kelleher said the good news is that this can be corrected. He said it may be expensive but it is up to the Town to fix it. Attorney Kaplowitz noted that if it is something that is our fault, we cannot sue someone else for our fault.

Attorney Kaplowitz asked Mr. Kelleher if he is saying that the charge of this being Hudson River water is not true. Mr. Kelleher said that was absolutely correct. Councilman Davis asked Mr. Kelleher if he is suggesting that we pump directly from the river. Mr. Kelleher said no. He said he is suggesting this be fixed.

Mr. Kelleher said the good news is that this can be fixed and there will be a good quality water.

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Mrs. Capone  
took issue  
with who has  
the worst  
drinking water  
she thinks Louisiana

Supervisor Fuller asked if anyone else wished to address the Board. Mrs. Marie Capone said she thinks Mr. Kelleher lied when he said our water is the worst. She said it is the water in Louisiana that is the worst. She said Ted Putney told everyone that he swam and drank in the Hudson and he is still around.

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Supervisor Fuller wished everyone a very Happy Thanksgiving. She noted Town Hall will be closed on Thanksgiving and Friday. She wished all the employees enjoyment of the 4 days off.

Meeting  
adjourned

The motion was made by Mrs. Davis and seconded by Mr. Johnson to adjourn the regular Town Board meeting at 8:20 p.m. The motion was passed by the following vote:

Ayes: Mrs. Fuller, Mr. Lenhardt, Mrs. Davis, Mr. Johnson,  
Ms. Burns.

Noes: None.

*Kathleen A. Newkirk*  
Town Clerk