

**TOWN OF BETHLEHEM INDUSTRIAL DEVELOPMENT AGENCY
PUBLIC HEARINGS - CONDUCT AND NOTIFICATION**

SECTION 1501. PURPOSE AND AUTHORITY. The purpose of this Part is to implement Sections 859-a(2) and 859-a(3) of Title One of Article 18-A of the General Municipal Law (the “Act”), which sets forth certain requirements regarding the holding of public hearings and the notification of such hearings by the Town of Bethlehem Industrial Development Agency (the “Agency”).

SECTION 1502. DEFINITIONS. All words and terms used herein and defined in the Act shall have the meanings assigned to them under the Act, unless otherwise defined herein or unless the context or use indicates another meaning or intent.

SECTION 1503. PUBLIC HEARINGS. (A) General. Prior to the granting of any financial assistance of more than one hundred thousand dollars to any project, the Agency shall hold a public hearing with respect to the project and the proposed financial assistance being contemplated by the Agency.

(B) Time and Location. Except as specifically provided by the Agency, the public hearings shall be scheduled to occur at the beginning of the regular meetings of the Agency. The public hearings shall be held at Bethlehem Town Hall Auditorium located at 445 Delaware Avenue, Delmar, New York.

(C) Publication of Notice. The notice of such hearing shall be published one (1) time in the Albany Times Union, or equivalent newspaper having general circulation in the Town of Bethlehem at least thirty (30) days prior to the proposed hearing date. Bond Counsel shall be responsible for obtaining copies of the affidavit of publication and delivering same to the Agency at the public hearing.

(D) Responsibility for Preparation, Publication and Mailing. Bond Counsel shall be responsible for preparing and forwarding the notice of the public hearing to the Albany Times Union, or equivalent newspaper having general circulation in the Town of Bethlehem. Bond Counsel shall be responsible for preparing the letter of notification to the affected taxing jurisdictions and causing such letter to be mailed to the affected taxing jurisdictions in accordance with the Act. Bond Counsel shall be responsible for reviewing the form of such letter with the staff of the Agency and then mailing the letter to the affected taxing jurisdictions. Bond Counsel shall be responsible for delivering copies of the letter and affidavits of mailing to the Agency.

(E) Transcript. A transcript of the public hearing will be prepared by a stenographer and made available to the members of the Agency and the Bethlehem Town Supervisor. Any written comments received by the Agency shall be made part of the transcript. The scheduling of a stenographer for the public hearing shall be the responsibility of the applicant. The applicant shall provide written confirmation to the Agency that the applicant has made the necessary arrangements for a stenographer at least five (5) business days before the public hearing. The cost of the stenographer and preparing the transcript shall be paid by the applicant and the applicant shall provide a copy of the transcript to the Agency.

SECTION 1504. CONDUCT OF PUBLIC HEARINGS. Any public hearing of the Agency held pursuant to this Part of the Rules and Regulations of the Agency shall be conducted as follows:

(A) The public hearing shall be opened by an officer or staff member of the Agency (hereinafter referred to as the “Hearing Officer”).

(B) The applicant and/or Bond Counsel shall provide to the Hearing Officer a copy of the affidavit of publication of the public hearing notice.

(C) The Hearing Officer shall read the public notice and indicate the publication in which it was published and when it was published. At the discretion of the Hearing Officer, the Hearing Officer may waive reading of the complete public notice. In any event, the public notice shall be entered into the record of the public hearing.

(D) The Hearing Officer shall indicate that the purpose of the public hearing is to provide interested parties an opportunity to present their views with respect to the project, both in writing and orally.

(E) The Hearing Officer shall indicate for the public record whether the Agency had received any written comments regarding the project. If so, the Hearing Officer shall accept such written comments and enter such comments into public record.

(F) The Hearing Officer, in his discretion, may limit each interested party wishing to speak at the public hearing to five minutes in which to express his or her views.

SECTION 1505. NOTIFICATION OF AFFECTED TAX JURISDICTIONS. (A) General. The Agency shall notify the County Executive of Albany County, the Town of Bethlehem Supervisor and the Superintendents of the Bethlehem, Ravena-Coeymans-Selkirk, and Guilderland School Districts of any public hearing held pursuant to this Part.