

Clifton Park Town Board Meeting Minutes

March 12, 2001

The regular meeting of the Town Board of the Town of Clifton Park was held in the Town Office Building at 7:00 p.m., Supervisor Barrett presiding.

PLEDGE OF ALLEGIANCE TO THE FLAG

Present: Councilman Paolucci
Councilman Speckhard
Councilman Roth
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Also Present: Town Attorney Pelagalli
Louis Gerard, Superintendent of Highways
Mark Heggen, Comptroller
Patricia Haffner, Director of Parks, Recreation & Community Affairs
Michael Handerhan, Supervisor of Buildings & Grounds
Jason Kemper, Director of Planning
Michael Shahan, Town Administrator

MOTION by Councilman Roth, seconded by Councilwoman Walowit, to approve the minutes of the February 26, 2001 meeting as presented.

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Abstain: Councilman Paolucci

MOTION CARRIED

REPORTS

Reports for February from the Sheriff's Department, Justice Court, Transfer Station, Park, Recreation and Community Affairs and Highway Departments were filed with the Town Clerk.

Awards expressing appreciation for service were presented to members of the Vischer Ferry Fire District, Clifton Park Halfmoon Emergency Corps and New York State Troopers for a water rescue from the Mohawk River, and Clifton Park Halfmoon Fire District, New York State Troopers and Clifton Park Emergency Corps for the fire rescue at Squire Park Apartments on Sitterly Road in the Town of Halfmoon.

County Supervisor Daly gave an update on County projects.

PUBLIC FORUM ON THE ARENA

Supervisor Barrett explained currently the town owes \$1.5 million on the arena with \$50,000 a year budgeted for maintenance and repairs. Principal and interest is \$200,000 per year. The debt was refinanced in 1995 and there is a continuing cycle of debt and payments. He said the agreement with the YMCA will not be continued. It is his understanding people who use the arena are not happy with it. The Supervisor reviewed the proposed arrangement with Scott Bobrow. Mr. Bobrow will, with private dollars, build and own a second sheet of ice, as well as keep the profits from its operation. The existing arena will be run by Mr. Bobrow through a management agreement for which he will be paid a management fee. The Town will keep the profits from the existing facility. In September, when the structure is completed, Mr. Bobrow will pay \$450,000 as an upfront lease payment to lease the three quarters of an acre the rink will be built on. This is a 15 year lease with an option for another 15 years at \$500,000. Supervisor Barrett said this is all backed by a local bank, which adds credibility and stability for the town. He stated this will bring positive results as recreational facilities will be expanded and the current struggling arena will become a first class facility with professional fulltime management and a continuity of management. He continued the town will receive real revenues for debt reduction. If the \$450,000 were escrowed the debt could be paid by 2005 but if paid as is would not be retired until 2015. He said rink will have its own budget from which expenses will be paid from the revenues of the arena. A rainy day fund will be funded through arena revenues. The Supervisor stated there will be no IDA financing or tax incentives and full sales tax will be paid on construction materials and on going sales tax throughout the length of the agreement. He stated there will be more ice available and cheaper. Supervisor Barrett stated the town will not be taking on any business risk. If the town continues to pay principal and interest the facility in total would cost \$3.5 million and this does not include monies that have been spent for upkeep and improvements.

It was noted the Children's Corner will not be disturbed.

Scott Bobrow displayed an artist rendering and blueprint of the existing and proposed facility. He noted he has been a town resident for 17 years. He stated under the management agreement of the existing facility, he will be paid to run the arena and any profit goes to the Town of Clifton Park. He stated he is receiving conventional financing and will be paying all applicable taxes. He noted the cost to the taxpayers is zero. Mr. Bobrow said the design was predicated on the playground location. He explained the present rink will operate as it does now September through March, a second more

efficient sheet of ice will operate year round. He stated neither the playground or athletic fields will be affected by parking but skating opportunities will be expanded. Mr. Bobrow reviewed planned programs, reporting there will be public skating seven days a week and Friday and Saturday nights, expanded learn to skate and figure skating, and significantly expanded ice for Clifton Park Youth Hockey. Mr. Bobrow said he will look to double the size of the Shenendehowa hockey locker room.

Supervisor Barrett reviewed the budget put together by Mr. Bobrow, attached, stating he is very confident through this budget that the town will be able to take enough money out of the existing facility to at least cover the management agreement, if not more. He said the goal is that the current facility become not only a nicer facility but that the town break even on the facility even after a management fee. A rainy day fund will be for unforeseen circumstances outside of normal maintenance and repair and anticipated to be funded at \$1000 per month through the revenue of the facility. Supervisor Barrett said it would be incredibly expensive to expand ice year round in the existing facility. Mr. Bobrow said he is spending \$30,000 on a water purification system to purify water in the ice surfacing machine, as well as a dehumidifier from which the existing arena will benefit. Mr. Bobrow said new boards are needed in the existing facility and through a contact, there is the possibility of receiving brand new boards and glass, as well as a sports floor and portable soccer floor at no charge.

Councilman Paolucci questioned amount of ice time available. Mr. Bobrow said it would depend on the day and reviewed approximate times of ice availability, noting ice time would be \$160 per hour. Mr. Bobrow reported he is in negotiation with the YMCA for the continuation of their summer program. Councilman Paolucci asked what happens if the second rink doesn't go until the 15 year term. Supervisor Barrett responded if something happens to Mr. Bobrow his estate or the bank would appoint a professional rink manager depending on the circumstances. Councilman Paolucci asked if the bank took the building located on the town land what would be the town's exposure; e.g. could it be sold to anybody, would the town have an opportunity to purchase. Supervisor Barrett said the town could purchase the building but it would be to the town's advantage to let the lease term run its course because at the end of the lease term it is town owned with no mortgage. It was noted the ice surfacing machine lease runs another year and a half at which time Mr. Bobrow will either purchase or lease a new machine and the town's rink will be a beneficiary. Supervisor Barrett emphasized with the purchase of the water purification system and dehumidifier there will be better quality ice and utility savings.

Councilman Speckhard said throughout the draft agreement leasing to retail operation is mentioned. Mr. Bobrow said he is not leasing to anybody but will have an arcade, snack bar and a small variety of products relating to ice sports but no skates. Councilman Speckhard said the agreement would allow Mr. Bobrow to lease to another group. Councilman Speckhard said it would be the town's responsibility to make water and sewer available to the building. He referred to a section stating the town would assume any losses and said he assumes this does not extend to the second building. Mr. Bobrow said it does not. Town Attorney Pelagalli explained because of the particular financing on

the existing arena, the agreements have been drafted in the form of a management agreement with the currently existing sheet of ice and the ground lease for the proposed new sheet.

Mr. Bobrow said the name will change from Clifton Park Arena to Clifton Park Ice Arena. Councilwoman Walowit said there are concerns about having concerts in the arena. Mr. Bobrow said there will not be any concerts. Councilwoman Walowit asked what will happen between April 1 and September 1. Supervisor Barrett responded the town will run the arena.

Councilman Roth noted there needs to be a consistency with addresses in both documents. He recommended adding “audited” financial statements to item 5. He said the rainy day fund needs to be reflected in the budget. Mr. Bobrow said a synopsis of the condition – what has been done and what needs to be done and where the arena is going will be given to the town. Councilman Roth said it is his understanding the snack bar will be owned by Arena Management and not the town. He said if we are able to carry through with this plan, in all probability the town could dissolve the arena debt in five to six years less than we presently could. Councilman Roth said it seems to make sense to go in this direction.

Councilman Paolucci said he feels there should be a resolution that the \$450,000 is going towards debt reduction. Councilman Roth reviewed ways of paying down or off the debt.

Councilwoman Walowit asked who specifically in the town will be running the arena from April 1 to September. Supervisor Barrett responded Mr. Shahan.

Director of Buildings and Grounds Michael Handerhan said all the buildings on the Common on Park Lane water, with only the sprinkler systems on wells, and bringing water to the new section will not be a problem.

Councilman Speckhard asked if the town is going to have any long-term influence on programs and usages in the existing arena. Mr. Bobrow said his first obligation is to Shenendehowa High School hockey and the second to Clifton Park Youth Hockey. He further stated all programs in the original rink will continue seamlessly. Councilman Speckhard asked if the Town Board will have any role to play in the existing arena, e.g. being able to review proposed uses and to have some kind of influence as to what the uses will be. He said his concern isn’t now but five and ten years from now. Mr. Bobrow said he has concerns regarding that request but perhaps some language could be tested. Regarding the ground lease, Councilman Speckhard asked what statement “the town will cause the parcel described to be surveyed and approved for subdivision by the town Planning Board” means. Town Attorney Pelagalli explained the town will have the survey done and make sure it gets to the Planning Board which it will go through the normal Planning Board process. Supervisor Barrett said the rink is basically booked with Shenendehowa High School, Clifton Park Youth Hockey, inline skating league, YMCA Day Camp, and Artic Foxes Hockey. Mr. Bobrow said nothing is going to change but town will have a nicer facility and better quality of ice. Councilman Speckhard said he is

a little uncomfortable with the town completely opting out of any possible input in a town facility.

Larry Alber, President, Clifton Park Youth Hockey, read a prepared statement in support of the proposed agreements. He said there have been numerous formats of management and the facility is more run down everyday. The arena has the highest ice rentals in the area and is far inferior to comparable arenas in the capital district. He said this proposal will allow CPYH to expand and improve its program to better serve its membership. Mr. Alber expressed appreciation to the Board for active participation in maintaining the existence of an ice facility in the community.

Lisa Harding, speaking on behalf of Artic Foxes, said her group is in favor of the proposed agreement with Mr. Bobrow which will allow expansion of the woman's ice hockey group and the addition of new programs to the arena.

Jan Lemon, Esopus Drive, said she supports recreational facilities. She stated the town should run town owned facilities that taxpayers are paying debt service on and not lease them, give them away or sell them to anybody else. Mr. Bobrow said all the public skating will be in the new rink seven days a week from noon to two and Friday 7 p.m. to 11p.m. and Saturday 9 p.m. to 11 p.m. in the evening. Mr. Bobrow said there is a year and half left on the ice surfacing machine lease which the Town will continue to pay at \$16,000 per year. When that lease is up, Mr. Bobrow will either purchase or lease a new ice resurfacers in the new facility and that unit will provide ice resurfacing in the original rink. This will be Mr. Bobrow's expense and not the town's expense. Supervisor Barrett said repairs to existing ice arena, as well as utilities, will come out of revenues of the arena. Ms. Lemon said if the snack shop and sports shop and ice money are Mr. Bobrow's, as well as \$48,000 per year, where is the revenue from existing arena. Mr. Bobrow responded the ice money is not his. Supervisor Barrett said it is important there be a budget for the existing arena and that all expenses be paid out of that budget. The budget contains \$40,000 for maintenance and repairs. Ms. Lemon asked if, once the agreement is signed, the rented ice time will be the only revenue coming in for the existing sheet of ice. Mr. Bobrow said the YMCA and roller hockey summer programs will also bring in revenue. It was noted in recent years the snack bar had never been revenue for the town. Ms. Lemon questioned why it is felt there would be operating revenues now when, in fact, the same leagues will be using the arena as in the past. Supervisor Barrett said this is a different agreement and through the revenues and expenses and the management agreement the town will end up with a profit. He said principal and interest will never be covered by revenues from the arena but now the amount of time to pay on the bond can be significantly reduced. Ms. Lemon asked if this rink that has never been profitable will now generate profit. Mr. Bobrow responded yes. Ms. Lemon asked if the town own, run and collect revenue from the facility from March 31 until the lease is signed. Supervisor Barrett responded yes. He said he wants to make sure that everyone that uses the facility gets the opportunity to continue. Councilman Roth said Mr. Bobrow's budget is based on a fiscal year of September 1, 2001 to August 31, 2002. Ms. Lemon reiterated her belief that the town should run a town owned facility. Supervisor Barrett said there is a plan in place with real revenue that will benefit the town

taxpayers.

Mike Dudick, Southbury Drive and Chairman of Parks and Recreation Advisory Board, said he was formerly on the ice arena board and the biggest problem in running the arena was management and scheduling. He spoke in favor of the proposed agreements.

Norman Goldman, London Square Drive, asked who will own the proposed facility. Supervisor Barrett responded there is a 15-year lease agreement at the end of which Mr. Bobrow and the town can agree to continue that agreement. The Supervisor said if Mr. Bobrow chooses to walk away and not continue with the next extension which would involve another \$500,000 up front payment by then the facility would be paid off and would be the town's building. Mr. Goldman said he is skeptical as he doesn't see it in a logical format where he can balance one thing against another. Supervisor Barrett said the only goal is to break even and have a nicer facility with long-term stability. He explained by profit he means revenue minus expenses to cover the management agreement. There will not be enough profit to pay for principal and interest. Mr. Goldman asked if the draft will be available for review. Supervisor Barrett said the final draft will be available soon. Town Attorney Pelagalli noted there are two documents – a ground lease and management agreement. Mr. Goldman said it is his understanding the construction and ownership of the original arena was a private operation. He said he is also concerned with the availability of parking for the two rinks. Mr. Bobrow reviewed parking availability.

Bob Gauvreau, Oakwood Blvd., said he doesn't feel someone else should own a building on town property. He said this is the fourth time a group or individual has come before the Town Board and proposed a plan for making money out of the arena. Mr. Gauvreau said he doesn't understand how the arena can now begin to make money. Supervisor Barrett said all he and Mr. Bobrow are promising is that the arena will be a nicer facility, well maintained on a daily basis with consistent management, and he guarantees real revenue to pay down the debt on the facility. The Supervisor reported the management fee is \$48,000 per year.

Joseph Ballout, Torrero Drive, said it would be helpful to make numbers available to the public.

Councilman Speckhard asked Mr. Bobrow if his figures show the Town of Clifton Park receiving a net profit in the area of \$50,000 for next year. Mr. Bobrow responded yes.

Resolution No. 58 of 2001, a resolution authorizing John Scherer, Town Historian, to attend the Association of Public Historians Conference.

Introduced by Councilman Roth, who moved its adoption, seconded by Councilman Paolucci.

WHEREAS, the Director of Parks, Recreation and Community Affairs has recommended that John Scherer, Town Historian, be permitted to attend the Association of Public Historians Conference in Rochester, New York, March 29 - 31, 2001 as a public benefit

to the Town, and

WHEREAS, the cost of the conference is \$250, which has been budgeted in line item A7510-1 (Historian-Training/Conferences); now, therefore, be it

RESOLVED, that John Scherer is authorized to attend the Association of Public Historians Conference in Rochester, New York, March 29 – 31, 2001 at a cost not to exceed \$250 to be paid from budget line item A7510-1 (Historian-Training/Conferences).

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 59 of 2001, a resolution authorizing the Highway Superintendent to sign a lease with Electronic Business Products for a copier.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman Paolucci.

WHEREAS, the Highway Superintendent has requested that a new copier be leased for the Highway Department, and

WHEREAS, the proposed cost for leasing the copier has been budgeted per the attached schedule; now, therefore, be it

RESOLVED, that the Highway Superintendent is authorized to enter into a lease agreement with Electronic Business Products for a Lanier 5222 Copier for thirty six (36) months at a cost not to exceed \$152.11 per month as budgeted in item A5010-003 (Highway-Copier/Computer).

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 60 of 2001, a resolution appointing Margaret Kasky as secretary to the Historic Preservation Commission.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman Speckhard.

WHEREAS, the Town of Clifton Park Historic Preservation Commission is without a secretary at this time, and

WHEREAS, Margaret Kasky, 12 Garrison Lane, Ballston Lake, has been recommended to fill this position; now, therefore, be it

RESOLVED, that Margaret Kasky, 12 Garrison Lane, Ballston Lake, is hereby appointed secretary to the Town of Clifton Park Historic Preservation Commission at Grade 1, Step 1, to be budgeted from A-7511- E2200 (Historic Preservation - Secretary).

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 61 of 2001, a resolution in connection with amending the boundaries of the Stony Creek No. 2 Park District.

Introduced by Councilman Speckhard, who moved its adoption, seconded by Councilman Paolucci.

WHEREAS, a public hearing was called to consider amending the boundaries of the Stony Creek No. 2 Park District, and

WHEREAS, a public hearing was held on February 26, 2001 at 7:10 PM to consider an amendment of the Stony Creek No. 2 Park District by removing the Summerhill subdivision from the Stony Creek No. 2 Park District, and

WHEREAS, such park district will be on the ad valorem basis; now, therefore, be it

RESOLVED as follows:

1. That the Notice of Hearing was published and posted as required by law and is otherwise sufficient;
2. That all property and property owners within the proposed park district are benefited thereby;

3. That all the property and property owners benefited are included within the limits of the proposed park district; and

4. That the amendment of such district is in the public interest; and, be it further

RESOLVED, that the boundaries of the Stony Creek No. 2 Park District shall be established so as to delete the Summerhill subdivision from the Stony Creek No. 2 Park District, and, be it further

RESOLVED, that such deletion shall become effective on April 30, 2001, and, be it further

RESOLVED, that the Town Clerk cause a Notice of Adoption of this Resolution to be posted and published in accordance with Town Law Section 206 (4); and, be it further

RESOLVED, that this Resolution is adopted subject to permissive referendum.

Councilman Speckhard said this is necessary in order to bring the proposed Vischer Ferry Trails Park District back into a contiguous unit.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 62 of 2001, a resolution to call for bids for the Clifton Park Transfer Station Garage Contract No. 1 – General Construction, Contract No. 2 – Plumbing Work, Contract No. 3 – Heating Work, and Contract No. 4 – Electrical Work.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman Paolucci.

WHEREAS, John M. McDonald Engineering P. C. has completed the drawings and specifications for construction of a Transfer Station Garage to be located at the Town of Clifton Park Transfer Station off of Vischer Ferry Road; now, therefore, be it

RESOLVED, that John M. McDonald Engineering P. C. is hereby authorized to prepare bid documents in accordance with municipal bidding procedures for work associated with the Clifton Park Transfer Station Garage, and, be it further

RESOLVED, that the Town Clerk of the Town of Clifton Park shall cause Notice to be published in the official newspaper of the Town of Clifton Park at least ten (10) days

before the date of reception of bid proposals.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 63 of 2001, a resolution authorizing the hiring of Brian DellaPorta as a part-time security officer.

Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilman Roth.

WHEREAS, a need for a part-time security officer has been identified, and

WHEREAS, Brian DellaPorta, 9 Chevy Chase Lane, Clifton Park, has been recommended for this position; now, therefore, be it

RESOLVED, that authorization is hereby granted to hire Brian DellaPorta, 9 Chevy Chase Lane, Clifton Park, as a part-time security officer at Grade 3, Step 2, effective immediately, to be budgeted from A-3120-E73 (Law Enforcement-Security Part-Time).

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 64 of 2001, a resolution authorizing the Comptroller and Assistant Comptroller to attend the New York State Government Finance Officers Association Conference from March 28-30, 2001.

Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilman Roth.

WHEREAS, the New York State Government Finance Officers Association (“NYS-GFOA”) Conference will be held in Albany, New York from March 28-30, 2001, and

WHEREAS, Mark Heggen, Comptroller and James Tunney, Assistant Comptroller for

the Town of Clifton Park has requested authorization to attend this conference, and

WHEREAS, Mr. Heggen's and Mr. Tunney's attendance at this conference will confer a benefit upon and be in the best interest of the Town of Clifton Park; now, therefore, be it

RESOLVED, that Mark Heggen, Comptroller and James Tunney, Assistant Comptroller for the Town of Clifton Park, is hereby authorized to attend the NYS-GFOA Conference in Albany, New York, March 28-30, 2001, at a cost not to exceed \$440 to be paid from A-1315-001 (Comptroller-Travel and Conference).

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 65 of 2001, a resolution setting a public hearing to consider adoption of a local law rezoning parcel 271.-5-13 from R-1 to PIR and amending Local Law No. 10 of 1996.

Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilman Speckhard.

WHEREAS, a request to rezone parcel 271.-5-13 from Residential-1 to Public/Institutional/Recreational uses has been presented to the Town Board, and

WHEREAS, the Town Board has obtained a review under the State Environmental Quality Review Act and now wishes to obtain input from the public; now, therefore, be it

RESOLVED, that a public hearing to consider a local law rezoning parcel 271.-5-13 from Residential-1 to Public/Institutional/Recreational is hereby set for March 19, 2001 at 7:20 PM in the Wood Memorial Room, 1 Town Hall Plaza, Clifton Park, and the Town Clerk is directed to publish notice of same.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 66 of 2001, a resolution appointing Michael O'Brien to the position of Environmental Specialist.

Introduced by Councilman Roth, who moved its adoption, seconded by Councilman Speckhard.

WHEREAS, the position of Environmental Specialist is vacant, and

WHEREAS, Michael O'Brien, 8 George Drive, Clifton Park, has been recommended to fill this position; now, therefore, be it

RESOLVED, that Michael O'Brien, 8 George Drive, Clifton Park, is hereby appointed to the position of Environmental Specialist at Grade 7, Step 1, effective March 26, 2001, to be budgeted from A-8989-E-419 (Community Development-Environmental Specialist).

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard,
Councilman Roth, Supervisor Barrett

Noes: Councilwoman Walowit

DECLARED ADOPTED

Resolution No. 67 of 2001, a resolution setting a public hearing to consider adopting a local law creating an Adult Use Business Regulation Law and Overlay Zone and amending Local Law No. 10 of 1996, the Zoning Code of the Town of Clifton Park, as amended.

Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilman Roth.

WHEREAS, the Town Board of the Town of Clifton Park recognizes that a law addressing adult use businesses is necessary in order to properly regulate such businesses, and

WHEREAS, the Town Board has conducted public forums in this regard, received a comprehensive report from Robert Penna, PHD (RMPC) addressing adult use businesses and adverse secondary effects of such businesses, and

WHEREAS, Dr. Penna, in conjunction with the Supervisor's Task Force on Adult Entertainment Zoning, has provided the Town Board recommendations regarding the creation of an LI-A overlay zone for adult use businesses; now, therefore, be it

RESOLVED, that a public hearing to consider adoption of a local law creating an Adult Use Business Regulation Law and Overlay Zone and amending Local Law No. 10 of 1996, the Zoning Code of the Town of Clifton Park, as amended, is hereby set forth and scheduled for April 2, 2001 at 7:20 PM in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, and the Town Clerk is directed to publish notice of same.

Town Attorney Pelagalli recommended a change of language in the third Whereas from “.....has provided the Town Board with a recommendation as to the location of an LI-A overlay zone....” to “....has provided the Town Board with recommendations regarding the creation of an LI-A overlay zone.....” as the section of town being considered was not one in particular that was suggested by the citizens advisory committee. Mr. Pelagalli said it is important to leave in the task force reference as there was a great deal of involvement that has to go with consideration of secondary adverse impacts that came from the task force.

MOTION by Councilman Paolucci, seconded by Councilman Roth, to amend the resolution as recommended.

ROLL CALL VOTE ON MOTION TO AMEND

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

MOTION CARRIED

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

No one wished to be heard.

MOTION by Councilman Paolucci, seconded by Councilman Speckhard, to adjourn the meeting to the next regular meeting or any other meeting necessary for the conduct of Town business.

Motion carried at 10:20 p.m.

Patricia O'Donnell
Town Clerk