

A public hearing was held by the Town Board of the Town of Ballston on Tuesday evening, July 31, 2012 at the Town Hall on Charlton Road

PRESENT:	Patricia Southworth	-----	Supervisor
	Mary Beth Hynes	-----	Councilwoman
	Timothy Szczepaniak	-----	Councilman
	Jeremy Knight	-----	Councilman
	William Goslin	-----	Councilman
	Carol Shemo	-----	Clerk
	Murry Brower	-----	Counsel

Supervisor Southworth opened the public hearing at 7:15 p.m.

The Town Clerk read the legal ad for the public hearing.

The purpose of the public hearing was to receive input regarding the adoption of the proposed amendment of Chapter 81 – Mass Gatherings, Local Law No.5 of 1999. The Local Law would amend the following sections §81-2, §81-3(A), (B), (C), (D) (4) (J), §81-7, §81-8 (B), §81-9 (A) and (B) as originally adopted by the Town Board of the Town Of Ballston on November 4, 1999 as Local Law No.5 1999

Councilman Goslin asked that the Ballston Spa Central School District letter of August 20, 2012 be noted in the minutes of the public hearing. This letter states the District’s position that the District is exempt from the Town’s Mass Gathering Law under New York State Education Law Section 414 and other provisions of State Law that state the State Education Department and the local Board of Education with exclusive control and oversight of District property. Pursuant to Municipal Home Rule Law Section 11, a local legislative body is generally prohibited from adopting a local law which supersedes a state statute and specifically if such local law “applies to or effects the maintenance, support or administration of the educational system.”

No one else wished to speak; therefore, the public hearing was closed at 7:20 p.m.

Respectfully submitted,

Carol R. Shemo  
Town Clerk