

A regular meeting was held by the Town Board of the Town of Ballston on Tuesday evening, October 2, 2012 at the Town Hall on Charlton Road.

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

Supervisor Southworth called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

**RESOLUTION 12-156**

**APPROVAL OF MINUTES**

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Hynes to approve the minutes of the meetings.

ADOPTED Ayes 4 Supervisor Southworth, Councilwoman Hynes,  
Councilmen Szczepaniak and Councilman Goslin  
Nays 0

**CORRESPONDENCE**

The Town Clerk read three letters. The first letter was from Councilman Jeremy Knight who resigned his position as of September 20, 2012 to focus his full attention and efforts on his family's farm operation. The second letter was from John Arnold, Saratoga County Farm President, concerning the purchase of a current farm for the purposes of a park. The last letter was from David Pierce, Chairman of the Ballston Lake Improvement Association Board, in favor of the purchase of the Cappiello Farm property by the Town.

**REPORTS OF TOWN OFFICIALS**

Building Inspector Thomas Johnson, Highway/Water Superintendent Joseph Whalen, Animal Control Officer Thomas Shambo, Dog Control Officer John Christopher, Supervisor Patricia Southworth, Library Board of Trustee Member Jean Botta and Town Clerk Carol Shemo submitted reports for September, and they are on file in the Town Clerk's office.

Lynnette Ziskin, Chairperson of the Jenkins Park Advisory Board, reported that an Eagle Scout Project for Jenkins Park will be completed October 21 and 22. The following projects are being completed at the park: stone dusting the trails, refurbishing a bench, installing motion lights and security cameras and filling in wet areas with sand.

**RESOLUTION 12-157**

**APPROVAL OF SUPERVISOR'S MONTHLY REPORT**

Supervisor Southworth submitted her report for the month of September.

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Hynes to approve the September Town Supervisor's reports.

ADOPTED Ayes 4 Supervisor Southworth, Councilwoman Hynes, Councilman  
Szczepaniak and Councilman Goslin.  
Nays 0

**Supervisor's Report**

Supervisor Southworth reported that the Town of Ballston received a \$25,000 from the Department of Agriculture and Markets for the Farmland Protection Plan. The Saratoga County Office for the Aging will hold a public hearing on Thursday, November 1, 2012 from 1:00 p.m. to 3:00 pm at the Saratoga Springs Public Library to get the public's input, comments and suggestions relative to programs for the aging for 2013. A Plan Abstract may be examined on October 24 and 25 at the Saratoga County Office for the Aging at 152 West High Street, Ballston Spa. The Saratoga County Veterans Committee is sponsoring "The Revolutionary Run for Veterans" on Saturday, November 10<sup>th</sup> at 9:00 a.m. in the Village of Schuylerville. Supervisor Southworth asked the public to use extra caution driving since school is back in session.

### **Council Members' Reports**

Councilman Szczepaniak appreciated Councilman Knight's service on the Town Board. He stated that a press release will be drafted and the Town Board position will be advertised in the newspaper and on the Town's website. The Town Board hopes to have a candidate in position at the end of the month.

Councilman Goslin informed the public of the workshops for the 2013 Budget. He asked for the insurance broker to attend a workshop to explain the differences in the health plans. He said that all Special Districts have to work under the 2% Tax Cap and are experiencing difficulties with their budgets. He noted that many residents have complaints about the Saratoga County Water.

Don Rhodes, spokesperson of the Farmland Protection Committee, stated that the committee developed a remarkable proposal for acquisition of the Capiello Farm property and presented it to the public on three occasions. It was a well thought out detailed report and resolution. It was clearly the public's desire to acquire the land and we simply ran out of time. The new buyer is a farmer and this will be better than Town ownership of the land. The Farmland Protection Committee should hold their heads up high and be proud of the proposal they offered to the Town. He asked that no fingers be pointed but that we extend a warm welcome to the new owner who will continue to farm the land. He thanked all the members of the Farmland Protection Committee who worked so hard on this project, Ms. Phillips of Orchard Realty who helped bring this proposal forward and the Capiello Family for the generosity of this proposal. We should recognize that the Capiello Family gave us a once in a lifetime project.

Mr. Hernandez of the Saratoga County Water Authority addressed the taste and odor issues of the water. He stated that some of the issues are due to weather changes, changes to the chemical disinfectant and location of the area being serviced. They are now in a new clean cycle since they flushed the system. The Department of Health approved an alternate disinfectant. They are aware of the problem and take it very seriously. They are looking on how to address these issues on a yearly basis. Mr. Hernandez stated that it is a new and complicated system. The problems seem to be caused by the season, temperature and weather. The hotter the weather, the more chlorine is needed. They have to deal with these fluctuations.

Councilman Goslin asked what is the time frame for correcting the issues with the water.

Mr. Hernandez said the Saratoga County Water Authority is constantly working to improve the water. They make changes and hope to see significant improvements. Things that worked last year are not working this year. He noted that other water facilities are also experiencing the same issues.

Mr. Robert Vitti, Vice President of Business Automation Services, Inc., gave a brief presentation on his company profile. Business Automation Services was established in 1987. It has more than 700 municipal clients in 5 states. Currently, they provide the Town of Ballston software programs for the Town Clerk, Tax Collector and the Water Dept. Recently, BAS provided an analysis of the Town's network and have submitted a proposal for network services and security.

Mr. Angotti, Director of IT Services and Website Design for BAS, spoke concerning the proposed services agreement. He is looking to streamline the processes and increase efficiency, save host cost, acquire equipment and software at no markup. During the transition, he will work with the staff and immediately protect the network and change email addresses. In 2014 he plans to rewire a section of the Town Hall. With the wireless proposal, he will not introduce a new system in the system that has problems right now. Under the standard services, there is a 4 year cycle for computers.

Councilman Goslin stated that it is a well thought out proposal.

Mr. Dave Osher gave a presentation on his Planned Unit Development District for the property known as Janet V Corners. His proposal calls for 204 market rate multifamily units, 72 independent senior condos, and 36,000 sq. ft. retail along Route 50 with

residential units above. There will be wetland and conservation area, 57% green with deed restrictions. He has received the comments from CT Male regarding the completeness of the application and their comments concerning site engineering which will be addressed by the Planning Board. Mr. Osher is looking for the Town Board to refer his PUDD to the Planning Board to refine the process of what they want to do.

Councilman Goslin has concerns about proper commercial development. He noted the density of the buildings that back up to Carpenter's Acres. The traffic study for Rossi PUDD was approved, but it hasn't been enacted yet. He wonders about the impact of 300 units to our school system. Councilman Goslin noted that we recently had a change in the Beacon Hill condos to remove the age restriction, since they had difficulties selling these condos.

Mr. Osher replied that according to the traffic study the impact on Route 50 would be minimal; a traffic signal may be needed if the Rossi development happens. In his development experience, the impact on the schools would be slight due to the 1 or 2 bedroom units that are being proposed. The senior housing will be income based rental units.

Councilwoman Hynes would rather see more retail due to the proximity to the population center, water and sewer. Our Comprehensive Plan addressed the need for retail. This plan relies heavily on housing and the density is a concern with its impact on Carpenter's Acres area.

Councilman Szczepaniak asked the timetable for the design and building of this proposal.

Mr. Osher replied that their goal is to have approvals by December 15<sup>th</sup>.

Supervisor Southworth stated that she would not be voting on this project.

Councilwoman Hynes asked Supervisor Southworth why she would not be voting on this project.

Supervisor Southworth declined to make a public comment.

Mr. Miller stated that the Route 67 Corridor Study calls for a round-about in this area. If the Northern GEIS was in place, the Town would be benefitting from the fees regarding this project.

Mr. Stern is concerned by the number of units located so closely to the school and the possible traffic problems on an already busy road. He asked the cost of the rental units and if the residents on Cindy Lane were approached regarding the number of residential units and the location.

Mr. Osher replied that the Class A rentals rents range \$1295 - \$1700 month. There will be a wooded separation with hemlocks screening his buildings and Cindy Lane housing. The traffic problems in this area have to do with Route 67 and the approach to the Northway in Malta.

Councilwoman Hynes asked what type of retail are you looking at with this project. Where will you connect to the sewer system?

Mr. Osher answered a bank, pharmacy and a grocery store are the type of retail we expect for this project. The nearest connection to the sewer line is 3,000 ft away.

Mr. Osher was asked about the parking for this project. He responded that the number of parking spaces follow the Town Code. He added that the number of parking spaces that are required under the Code are more than he thought was necessary.

Ms. Pierce noted that the school buses enter at this location.

Ms. Windels is concerned with oversaturation of housing units with the development of Malta's Elsworth Common area.

Ms. Dussault asked the size of the grocery store.

Mr. Osher stated the grocery store will be 18,400 sq. ft; the trend is for smaller business style.

Town Attorney Brower reviewed the PUDD process under Zoning §138 Article 10 §23 and §24. If the Town Board approves the concept, the PUDD is sent to the Planning Board for review and proposed legislation. The Planning Board does the Site Plan Review. The PUDD is sent to Saratoga County Planning Board for their review and comments. The PUDD returns to the Town Board for possible approval and if approved, then the PUDD becomes a Local Law and it is added to our Town Code.

Councilman Goslin stated that the Town Board needs more time to review this proposal. The Board needs to see the Traffic Study and to understand the senior housing part of the PUDD. The Board needs visuals with the finished product.

Supervisor Southworth asked Mr. Osher to get the needed information to the Board. The information to the Board's questions should be in the narrative. He should contact the Board if he needs more information.

### **Privilege of the Floor**

Mr. Stern commented that with all the construction, wildlife is being displaced. Regarding the appointment of a Council Member, he confirmed that the Town Board will make the decision.

Ms. Windels read a letter from Stephen Stark. Mr. Stark feels his constitutional right to vote on the Capiello Farm property was denied him by the actions of the Town Board. He stated that, "I didn't fight in Viet Nam so you could take away our right to vote."

Mr. Lonergan said the Town lost a golden opportunity with the Capiello Farm property. The Town Board should have supported the resolution to put the issue on the ballot. The Town and electorate were not allowed to vote on their choice.

Mr. Guider appreciates the work of Don Rhodes, Joan Pott and the members of the Farmland Protection Committee, the Capiello Family and Old Orchard Realty.

Ms. Merriam appreciates the community reacting positively to the outcome of the Capiello Farm proposal.

Ms. Windels thanked the press for their excellent coverage of the Capiello Farm Plan at the last three meetings. She stated that all residents were asked not to speak to the Capiello family about this proposal, and two Council Members approached the family. The Council Members should have followed the family's request. The end result was that one generous family presented the Town with a chance to let the voters decide to purchase an iconic piece of land and the members of the Town Board delayed, dissected and destroyed that opportunity.

Ms. Rosenkranz stated the Capiello family experienced a difficult time with the moratorium on development. This is the best outcome but she is disappointed the Capiello Farm does not belong to the Town.

Councilwoman Hynes read a statement. She thanked the Farmland Protection Committee and Don Rhodes for bringing the proposal forward. She personally supported the acquisition of the parcel. As a Council Member it is her job to make sure an opportunity presented to the public has been adequately vetted and the referendum itself meets the legal requirements for timing and wording. She stated her regrets if statements she made concerning the 24 hour deadline imposed by the Capiellos, were viewed by the family as negative comments on the offer. Dealing with a public entity for purchase of a

property is more complicated than a private transaction and because it is a public transaction it involves spending public money. At the public hearing on the Cappiello Farm property acquisition, the public voiced comments to the proposal, both pro and con, that were universally thoughtful, intelligent and heartfelt. However, Councilwoman Hynes found the name calling by a member of the public completely unacceptable and asked that we reflect on the approved resolution "October is Bullying Awareness Month" and what that means to us as members of a community. As the Town Board accepts Jeremy Knight's resignation, the community needs to realize the importance of expressing our views in a respectful and civil manner or we will not be able to find good civil servants and the Town will inevitably suffer.

Councilman Goslin thanked Mr. Rhodes for his address this evening and said we could all learn from his example. He stated that he alone visited the family, who he has known through church, to express his support.

The Town Board addressed the following agenda items for consideration and action.

**RESOLUTION 12-158**

**ACKNOWLEDGE THE RECEIPT OF COUNCILMAN JEREMY KNIGHT'S RESIGNATION LETTER EFFECTIVE SEPTEMBER 20, 2012.**

A motion was made by Councilman Goslin and seconded by Councilman Szczepaniak to acknowledge the receipt of Councilman Jeremy Knight's resignation letter effective September 20, 2012 with deepest regrets.

ADOPTED Ayes 4 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak and Councilman Goslin.

Nays 0

**RESOLUTION 12-159**

**RESCIND RESOLUTION 12-148 IN ITS ENTIRETY BECAUSE IT DOES NOT SPECIFICALLY IDENTIFY THE OBJECT OF THE ACTION TAKEN.**

A motion was made by Councilwoman Hynes and seconded by Councilman Goslin to rescind RESOLUTION 12-148 in its entirety because it does not specifically identify the object of the action taken.

ADOPTED Ayes 4 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak and Councilman Goslin.

Nays 0

**RESOLUTION 12-160**

**APPROVE THE LANGUAGE IN THE CONTRACT AS PREPARED BY THE TOWN ATTORNEY WHICH MAY BE USED WHEN AND IF THE TOWN BOARD OF THE TOWN OF BALLSTON ENTERS INTO NEGOTIATIONS FOR THE PURCHASE OF THE LAND TO BE USED TO BE KNOWN AS ANCHOR DIAMOND PARK**

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Hynes to approve the following resolution:

Be it resolved that the Town Board of the Town of Ballston hereby approves the language in the contract as prepared by the Town Attorney which may be used when and if the Town Board of the Town of Ballston enters into negotiations for the purchase of the land to be used to be known as Anchor Diamond Park.

ADOPTED Ayes 4 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak and Councilman Goslin.

Nays 0

**RESOLUTION 12-161**

**ACCEPT THE 2013 TENTATIVE BUDGET AS FILED WITH THE TOWN CLERK ON SEPTEMBER 30, 2012.**

A motion was made by Councilwoman Hynes and seconded by Councilman Goslin to accept the 2013 Tentative Budget as filed with the Town Clerk on September 30, 2012.

ADOPTED Ayes 4 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak and Councilman Goslin.

Nays 0

**RESOLUTION 12-162**

**SET A PUBLIC HEARING ON THE 2013 TOWN BUDGET FOR THURSDAY, NOVEMBER 8, 2012 AT 7:15 P.M.**

A motion was made by Councilwoman Hynes and seconded by Councilman Goslin to set a public hearing on the 2013 Town Budget for Thursday, November 8, 2012 at 7:15 p.m.

ADOPTED Ayes 4 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak and Councilman Goslin.

Nays 0

**RESOLUTION 1-163**

**APPROVE THE REAPPOINTMENT OF DAVID GILLAN TO THE TOWN OF BALLSTON BOARD OF ASSESSMENT REVIEW FOR A TERM COMMENCING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2017.**

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Hynes to approve the reappointment of David Gillan to the Town of Ballston Board of Assessment Review for a term commencing October 1, 2012 and ending September 30, 2017.

ADOPTED Ayes 4 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak and Councilman Goslin.

Nays 0

Supervisor Southworth asked the Town Board to consider the Clean Water Act Draft Guidance Proposed by the Environmental Protection Agency and to oppose it because it places extra burdens on the Highway Department and farmers.

**RESOLUTION 12-164**

**OPPOSE THE CLEAN WATER ACT DRAFT GUIDANCE PROPOSED BY THE ENVIRONMENTAL PROTECTION AGENCY.**

A motion was made by Councilman Goslin and seconded by Councilman Szczepaniak to oppose the Clean Water Act Draft Guidance proposed by the Environmental Protection Agency.

ADOPTED Ayes 4 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak and Councilman Goslin.

Nays 0

**RESOLUTION 12-165**

**APPROVE THE RESOLUTION RECOGNIZING THAT OCTOBER IS BULLYING AWARENESS MONTH.**

A motion was made by Councilman Goslin and seconded by Councilwoman Hynes to approve the resolution recognizing that October is bullying awareness month.

**RESOLUTION PROCLAIMING OCTOBER, 2012 AS “BULLYING AWARENESS MONTH”**

WHEREAS, we must safeguard schools and communities for our children, and, through our recognition of the serious issues that face them each day, offer our children an environment that holds promise and security; and

WHEREAS, many organizations, school districts, educators and parents have publicly expressed concern about the bullying of children; and

WHEREAS, each day an estimated 160,000 children refuse to go to school because they dread the physical and verbal aggression of their peers, and the loneliness that comes from being excluded and made the target of rumors and cyber-bullying; many more students attend school in a chronic state of anxiety; and

WHEREAS, it is important that we acknowledge and heighten awareness about the serious issues and the negative effects of bullying, including the long-term damage it can cause in our youth as well as the risks of teenage suicide; and

WHEREAS, providing a safe physical and emotional environment is a significant goal and a personal responsibility of each individual; and

WHEREAS, it is time to “Stand UP for Character - DOWN to Bullying!”; now, therefore be it

RESOLVED, that the Town Board of the Town of Ballston hereby proclaims the month of October 2012 as “Bullying Awareness Month” in The Town of Ballston as a symbol of our commitment to the year-round struggle against bullying.

ADOPTED Ayes 4 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak and Councilman Goslin.

Nays 0

**RESOLUTION 12-166**

**APPROVE THE ADDITION OF THE MONTHLY FINANCIAL REPORTS FROM OUR ACCOUNTING SYSTEM TO THE SUPERVISOR’S REPORT. THESE REPORTS INCLUDE STATEMENT OF REVENUES AND EXPENSES, BALANCE SHEET AND OPERATING STATEMENT FOR FUNDS A, B, HIGHWAY, LIBRARY AND JENKINS PARK.**

A motion was made by Councilman Goslin and seconded by Councilman Szczepaniak to approve the addition of the monthly financial reports from our accounting system to the supervisor’s report. These reports include statement of revenues and expenses, balance sheet and operating statement for Funds A, B, Highway, Library and Jenkins Park.

ADOPTED Ayes 4 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak and Councilman Goslin.

Nays 0

Supervisor Southworth noted this action will be taken when the bookkeeper has the reports available.

**RESOLUTION 12-167**

**AUTHORIZE THE MODIFICATION TO OUR TOWN WEBSITE TO INCLUDE A FINANCIAL SECTION ON THE LEFT HAND “HEADINGS” SECTION OF THE TITLE PAGE. BE IT FURTHER AUTHORIZED THAT THE FINANCIAL SECTION BE DIVIDED INTO AN ANNUAL REPORT SECTION CONTAINING BUDGETS WITH ANNUAL REPORTS FOR THE LAST FIVE YEARS AND THE MONTHLY SECTION WHICH CONTAINS THE SUPERVISOR’S MONTHLY REPORTS AND REPORTS FROM OUR ACCOUNTING SYSTEM. BE IT FURTHER AUTHORIZED THAT THE MONTHLY SECTION START WITH AUGUST 2011 FINANCIALS AND INCLUDE THE BALANCE SHEET, TRIAL BALANCE AND CASH FLOW REPORT FOR Fund A, B, HIGHWAY, LIBRARY AND JENKINS PARK.**

A motion was made by Councilman Goslin and seconded by Councilman Szczepaniak to authorize the modification to our Town website to include a financial section on the left hand “Headings” section of the Title Page. Be it further authorized that the financial section be divided into an annual report section containing budgets with annual reports for the last five years and the monthly section which contains the Supervisor’s Monthly Reports and reports from our accounting system. Be it further authorized that the monthly section start with August 2011 financials and include the balance sheet, trial balance and cash flow report for Fund A, B, Highway, Library and Jenkins Park.

ADOPTED Ayes 4 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak and Councilman Goslin.

Nays 0

Supervisor Southworth asked the Board to consider setting a Public Hearing for Local Law concerning the Tax Cap as a precautionary measure. If no Local Law concerning exceeding the Tax Cap was in place, and there was a budget mistake that caused the Tax Cap to be exceeded, the Town would need to set up a Reserve Fund for future use. This would create a burden for our Special Districts because their tax money would not be readily available to fund their operations.

**RESOLUTION 12-168**

**SET A PUBLIC HEARING FOR LOCAL LAW CONCERNING THE TOWN BUDGET AND THE TAX CAP FOR TUESDAY, OCTOBER 30, 2012 AT 7:15 P.M.**

A motion was made by Councilwoman Hynes and seconded by Councilman Szczepaniak to set a Public Hearing for Local Law concerning the Town Budget and the Tax Cap for Tuesday, October 30, 2012 at 7:15 p.m.

ADOPTED Ayes 4 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak and Councilman Goslin.

Nays 0

**DISCUSSION ON WATER EXTENSIONS**

Timber Creek Phase II would like to enlarge the current district by extending their water line. The cost will be absorbed in the cost of the homes. The Town Attorney, the Town Engineer and the Water Superintendent will consult on this water extension, set a Public Hearing and the Board will pass a resolution concerning this extension. The Town Board tabled this water extension until we receive a plan, parcel number and description of the boundary of this water district.

Town Attorney Brower stated the Morningdale Court Water Extension can proceed in either two ways. The first method would be to accept the engineer's plan and map include another water district and set a Public Hearing. The second method would be by petition; 50% of the property owners and 50% of the total assessment value must approve this water district. The Town Board will set a Public Hearing and then this water district would be subject to a permissive referendum.

The Town Attorney said that the Town is missing the waterline easement for Springwood Meadows Condominiums. The Town Board decided to table this until the next meeting. Mr. Whalen, Water Superintendent, stated he has the waterline easement and R J Taylor's Springwood Meadows should not have to wait until the next Town Board meeting for acceptance of this waterline. The Town Board set a Special Meeting for Tuesday, October 9<sup>th</sup> at 6:45 p.m. to consider accepting the waterline for Springwood Meadows.

Councilman Goslin said there is inequality in the water districts that need to be addressed. He stated all the water districts should be incorporated into one water district. CT Male has a booklet on the Niskayuna Water District; he will study this booklet and share this information with the Town Board.

The Town received two reports from CT Male and Laberge Group concerning a property condition study on 14 Lakehill Road and 23 Nolan Road. The property condition study of 14 Lakehill Road showed structural damage and deterioration; the building is in violation of numerous sections of the Property Maintenance Code of New York State. Under Chapter 52 of the Town of Ballston Town Code, this building is currently unfit for human occupancy and contains potentially unsafe conditions. The building does not require demolition at this time, but there is a list of recommended actions to be taken.

The property condition study of 23 Nolan Road showed significant damage and deterioration of the structure; the building was unsecured and easily entered. This building is unsafe, dangerous to the public and unfit for human occupancy. The demolition of this building is the appropriate course of action. The owner's son was present at this meeting and is willing to take on the necessary actions to deal with this building. The Town Board will table this motion for demolition while they work with Mr. Van Allen and he will report back to the Town Board on November 8<sup>th</sup>.

**RESOLUTION 12-169**

**AUTHORIZE THE BUILDING INSPECTOR TO PLACARD 14 LAKEHILL ROAD AS PRESCRIBED IN TOWN LAW.**

A motion was made Councilman Goslin and seconded by Councilman Szczepaniak to authorize the Building Inspector to placard 14 Lakehill Road as prescribed by Town Law.

ADOPTED Ayes 4 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak and Councilman Goslin.

Nays 0

**RESOLUTION 12-170**

**AUTHORIZE THE TOWN ATTORNEY TO PROCEED TO SUPREME COURT FOR THE PROPERTY AT 14 LAKEHILL ROAD IN ACCORDANCE WITH CHAPTER 52-6 OF THE TOWN CODE. IN ACCORDANCE WITH THE TWO INSPECTION REPORTS PROVIDED, MAKE REPAIRS, SECURE THE BUILDING AND REMOVE RUBBISH ACCORDING TO THE RECOMMENDATIONS LISTED IN THE REPORTS.**

A motion was made by Councilman Goslin and seconded by Councilman Szczepaniak to proceed to Supreme Court for the property at 14 Lakehill Road in accordance with Chapter 52-6 of the Town Code. In accordance with the two inspection reports provided, make repairs, secure the building and remove rubbish according to the recommendations listed in the reports

ADOPTED Ayes 4 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak and Councilman Goslin.

Nays 0

**RESOLUTION 12-171**

**TABLE THE MOTION FOR DEMOLITION OF 23 NOLAN ROAD.**

A motion was made by Councilman Goslin and seconded by Councilman Szczepaniak to table the motion for demolition of 23 Nolan Road. Mr. Van Allen will report back to the Town Board on November 8, 2012.

ADOPTED Ayes 4 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak and Councilman Goslin.

Nays 0

On a motion of Councilman Szczepaniak and seconded by Councilwoman Hynes, the meeting was adjourned. Carried unanimously.

Respectfully submitted,

Carol R. Shemo  
Town Clerk