

A regular meeting was held by the Town Board of the Town of Ballston on Tuesday evening, March 12, 2013 at the Town Hall on Charlton Road.

PRESENT: Patricia Southworth ----- Supervisor
Mary Beth Hynes ----- Councilwoman
Timothy Szczepaniak ----- Councilman
William Goslin ----- Councilman
Kelly Stewart ----- Councilwoman
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.

CORRESPONDENCE

The Town Clerk stated that she received the following correspondence: two requests to be added to the BH-BL Water District No. 2 from resident Nancy McCormick and resident Mike Kelley, two emails in opposition to the development of the Janet V Corners PUDD from Marsha McGlynn and Chis Geroux and two requests for funding from Sandra Donaldson of Doubleday Woods and Shannon Hansen of Fan of Ballston Spa.

REPORTS OF TOWN OFFICIALS

Building Inspector Thomas Johnson, Highway/Water Superintendent Joseph Whalen, Supervisor Patricia Southworth, Library Board of Trustee Member Beth Bechtel and Town Clerk Carol Shemo submitted reports for February, and they are on file in the Town Clerk's Office.

Mr. Russell, Chairman of the Parks and Recreation Committee, gave his committee report. He attended the Celebrate 225 Anniversary of Town of Ballston Committee Meeting. He would like to see trails in the Master Plan approach to Parks. He supports Anchor Diamond Park and would like to see it move forward.

RESOLUTION 13-068

APPROVAL OF SUPERVISOR'S MONTHLY REPORT

Supervisor Southworth submitted her report for the month of February.

A motion was made by Councilman Goslin and seconded by Councilwoman Hynes to approve the February Town Supervisor's report.

ADOPTED Ayes 5 Supervisor Southworth, Councilwoman Hynes, Councilman
Szczepaniak, Councilman Goslin and Councilwoman Stewart
Nays 0

Supervisor Report for March

The Supervisor report for March gives an idea of what is involved in the Supervisor's duties. Supervisor Southworth read the report and a copy of the report is available in the Town Clerk's Office. Some of the duties for the month were the following:

- Administered Oath of Office to Burnt Hills Fire Department Officer
- Met with 27 town residents, 13 county residents and 2 County job applicants
- Met with 3 emergency service providers
- Outreached to Supervisor Koetzel and Mayor Kastinberg regarding possible sewer connection
- Working on possible funding for Town projects and follow up on Greenway Grant Application
- Attended an affordable Health Care Seminar
- Attended CEC banquet , retirement celebration, meeting with state representatives
- Attended NYS Association of Towns Conference, 18 county Meetings and 2 meeting with the Governor's staff.
- Worked with the bookkeeper on Town financials and continued to work with IT provider
- Speaker at Leadership Saratoga
- Recently participated in the Municipal Stormwater Storm Sewer System audit conducted by the NYSDEC.

Council Member's Reports

Councilwoman Stewart reported on her attendance at the Association of Towns Annual Meeting. She attended four sessions on Infrastructure Planning, Budget Preparation, Funding for Town Projects and the role of the Town Board in Land Use Planning. Under Infrastructure Planning. She reported that the Town should constantly refer to their Master Plan and the need to update the Master Plan, especially for Towns on the verge of development. With Operations and Budgeting, it is important to have it fact based and not political and the Town Board is challenged to help the public understand the public budget process. The Land Use Planning session stressed the need for the Town Board to monitor the repeated request for variances to the same zoning laws, for these possibly should become laws; there needs to be a searchable data base of Zoning Board decisions to enable consistency in Zoning Board decisions.

Supervisor Southworth noted that the Town does have a minute tracking system for Zoning Board Minutes in place.

Councilman Szczepaniak also attended the Association of Towns Conference. He reported that it was a source of excellent information with good handouts. He questioned the status of the W2s issues of six employees.

Supervisor Southworth answered that the Deferred Compensation figures were incorrect and ADP was contacted. The Bookkeeper offered to assist with this problem at no cost.

Councilman Goslin reported that he has contacted the NYS Comptroller's Office to get an update on the Town Audit that was performed last year. He was told the audit would be out this week. Councilman Goslin is looking forward to do the improvements that are outlined in the audit report. He attended the meeting on the 225th celebration of Town of Ballston with the Town Historian. He is very pleased with the progress on developing the website for this celebration.

Councilwoman Hynes reported on the reopening of Carney's Restaurant. It is great to see a Town institution come back to life.

PRIVILEGE OF THE FLOOR

Ms. Windels said at the last Town Board meeting, the Town Board passed a resolution claiming the Town of Ballston was against Agenda 21. She feels most of the people attending the meeting knew nothing about this subject and had nothing to preview. A law was passed without discussion. She encouraged the Town Board never to pass a resolution, unless it is a true emergency, without letting the residents of the Town review it first.

Mr. Simpson spoke concerning the Frank Schizdick Estate and Anchor Diamond Park. He asked the Board to look into what the proposed park property is really worth. The Town Board is not spending free money and they should try to get a better bargain for the Town.

OLD BUSINESS

1. 14 LAKEHILL ROAD

Since the Town was not able to serve papers to the owner of 14 Lakehill Road, Town Attorney Brower will ask permission from the Court to publish an affidavit of service in the Town official newspaper for three weeks in a row.

2. 23 NOLAN ROAD

Supervisor Southworth will try to contact the new owner to get a date for the demolition.

3. ESTATE OF FRANK SCHIZDICK

Councilman Szczepaniak spoke with Mr. & Mrs. Lang concerning the original agreement to buy 100 acres of their property on Middleline Road. The original deal is still on the table and he would like to move forward with the purchase of the property. At the

February 12th Town Board Meeting the Town Board authorized the Town Supervisor to immediately sell stocks from the Schizdick Estate with the advice of the Town Attorney. He asked the Supervisor if she handled this matter with the bank.

Supervisor Southworth stated she has not filed her signature with the bank. She sent a letter requesting a copy of the final decree of the settlement to make sure the Town is in full compliance. The copy of the last document from Surrogate Court was dated 12/20/11. The Town Attorney was not able to attend this meeting at the Surrogate Court and formally accept the stipulations; she is concerned that the decree is not final.

Councilman Goslin replied that the Town Attorney stated that we do not need to do this and the Town should not be holding on to stocks. We should be following the advice of our Town Attorney. The Town Board should work together and progress can be made in the next two weeks.

4. SEWER STUDY

Those people interested in working on the sewer study will have their meeting on Monday, March 18th. We are looking to set up an official committee. The Town Engineer will come and speak with the citizens group. The Town Engineer will go over the ideas of the sewer study that was done six years ago and help with the understanding of the funding sources.

Supervisor Southworth stated this expenditure is not in the budget and needs to be passed by a resolution. She said the Board did not establish a formal committee. There is not a mission statement and there were no interviews of the committee. She cannot vote on spending Town dollars on an informal process.

Councilwoman Hynes stated she does not have a problem appropriating a reasonable amount of money to provide information on the sewer study.

RESOLUTION 13-069

APPROPRIATE FIVE HUNDRED DOLLARS (\$500) FROM THE CONTINGENCY ACCOUNT TO PAY FOR TOWN ENGINEER, CT MALE, TO REVIEW THE INFORMATION ON THE SEWER STUDY.

A motion was made by Councilman Goslin and seconded by Councilman Szczepaniak to appropriate five hundred dollars (\$500) from the Contingency Account to pay for the Town Engineer, CT Male, to review the information on the sewer study.

APPROVED. Ayes 4 Councilwoman Hynes, Councilman Szczepaniak,
Councilman Goslin and Councilwoman Stewart
Nays 1 Supervisor Southworth

Supervisor Southworth was opposed to this resolution for the reasons stated above.

5. HAWKWOOD PROPOSAL – in progress

6. ROUTE 50 TURN LANE – in progress

7. BIKE PATH EXTENSION – in progress

8. WATER DISTRICT CONSOLIDATION – in progress, waiting to hear on our Greenway Grant

9. WHITE BEACH ROAD - in progress

10. CONNOLLY ROAD CLOSURE

11. INDUSTRIAL ZONING LEGISLATION – update at the March 26th Meeting

12. SECURITY CAMERAS FOR THE TOWN HALL – in progress

13. COMPUTER SECURITY SOFTWARE – in progress, we will receive an updated price on the software

14. TOWN SPEED LIMITS

Councilwoman Stewart spoke on Town speed limits. The State Legislature can give permission to lower speed limits on Town roads or a particular road. The first procedure is to petition State Senator Farley and State Assemblyman Tedisco to introduce special legislation to request the Department of Transportation to look at the issue and decide the proper speed limit. This would be sent to the Governor for his signature. The second procedure is for the Town to pass a resolution for DOT to consider lowering the speed limit on a particular road. DOT would study the area and would decide the appropriate speed limit.

Councilwoman Stewart stated one problem with the Chapel Hill Development is that it is now a pass through street for Stonebridge Development. With the neighborhood development design, the streets are narrow and this is a drawback of the Master Plan.

Supervisor Southworth added that Chapel Hill is requesting a 25 mph speed limit but would be happy with a 30 mph speed limit.

15. WESTWIND FARMS EASEMENT ACCEPTANCE – in progress

16. FINANCIAL UPDATE

Councilman Goslin is pleased with the progress. However, the Town Board can't determine the financial condition of the Town until the bookkeeper closes out last year. He stated the sales tax money should be distributed as budgeted each month.

Supervisor Southworth stated that the bookkeeper has reviewed every entry, every bank deposit and every check withdrawal. The finances have had a complete overhaul.

A motion was made by Councilman Goslin that the statements from the accounting system be put on the network share that the Board has access to. There was no second to this motion.

Mr. Osher was at the meeting to do a presentation on the Janet V Corners PUDD providing updated material on this project. Supervisor Southworth recused herself from the presentation and the voting on the resolutions due to a prior interaction. Deputy Supervisor Stephen Merchant presided over the meeting during the presentation and the vote on the Janet V Corners PUDD.

PRESENTATION ON JANET V CORNERS PUDD

Mr. Osher presented handouts, dated February 26, 2013, on the latest update to Janet V Corners PUDD. The changes represent the comments from the Town Board and the residents on Cindy Lane. The page of the handouts titled Site Statistics show the most outstanding changes: 1) increase of commercial/retail space in front, losing first floor units in one of the two buildings 2) reduce the number of market rate units that abuts Cindy Lane. Two large buildings with 36 units are now 30 units in 2 story units. The most significant change is that he reduced the project by 105 units in total and increased the retail.

In the development of the PUDD, Mr. Osher said they need to see how the project fits with the Town's Comprehensive Plan. There are preliminary meetings and they share the plan with Town Planners for concept review. They received a lot of comments from the residents, the Planning Board, Saratoga County Sewer, Schools, DOT, Water Resources Technology and CDTA. The developers took the Master Plan and incorporated as many aspects of the Comprehensive Plan as was possible. They took it a step further creating a LEEDS (Leadership in Energy and Environmental Design) neighborhood. The Army Corps of Engineers walked the property and determined 6 acres of wetlands that cannot be impacted. Due to an earlier violation or disturbance on the property, they will have to have a 10 year monitoring plan of wetland growth and wells and will have to maintain the existing wetlands. The water from Cindy Lane runs downhill to his property. There is a water problem caused by a culvert pipe that runs under Route 50 that is completely clogged and does not drain. This has increased the water problem and there are valid concerns that need to be addressed in the planning process. CT Male reviews the project

as does the Town and the Army Corps of Engineers and they address these concerns through the process to make sure the Town Code is met.

Councilwoman Hynes likes the direction of PUDD with the changes to increase the retail and commercial and the adjustments made in the residential units. She thanked Mr. Osher for hearing what the Board said and addressing the Comprehensive Plan. It matches up more closely with the added 37,000 sq. ft of retail. How did you achieve this?

Mr. Osher replied that they lost all first floor units in one building and flipped retail from one building to another.

Councilwoman Hynes asked about the proximity to the school and the problems with students cutting through the property.

Mr. Osher answered that he has met with the school superintendent to coordinate together with the school on this project. The school is looking to develop the piece of property at the back of his property for recreation fields and he hopes to be able to use this property for overflow parking. He also stated that they are meeting with CDTA to further the idea of a community connection with two potential shuttle stops for the Luther Forest Campus.

Councilwoman Hynes asked Mr. Osher the difference between the apartments and the units.

Mr. Osher replied that the units are Townhouse style units. There have flat roofs behind false gables. In a Net Zero Community they have to maintain the amount of solar energy greater than 70% to meet the requirements of NYSERDA. The flat roofs are also used for Stormwater Management. Since the site does not have sufficient green space, where the roof drain exists, it is 2-3'' higher so that water is retained on the roof and then evaporates.

Councilwoman Hynes asked about calming traffic within the Mixed Use District. What traffic calming devices are you proposing?

Mr. Osher stated he has a book with the guidelines on infrastructure perspective on what walkable and pedestrian roads look like.

Councilwoman Hynes asked what is the planning beyond the project so as not to push all the traffic on to Route 50 and Ballston Avenue. There needs to be a plan for the future, a back road connection to alleviate traffic.

Councilwoman Stewart shares the concerns about the traffic situation. You will be putting that many more cars onto Route 50; there will be an increased number of people going to work from this area.

Mr. Osher said the Comprehensive Plan is a guide and the details are worked out in Planning. The retail space is for a grocery-type tenant and he is waiting for the commitment to go forward from four other tenants. Due to the way it is being built there is flexible space; mixed use is a balanced project

Councilwoman Hynes added that the people in this area want a grocery store so if you can get a bigger grocery store bring it. The look of this development is important; walk the village and see the buildings there; this will be a gateway to the village.

Mr. Osher stated that during the planning process the site plan will be on a website and will give visuals in 3D perspective, so you will see and feel what the buildings will look like.

Public Comment:

Mr. Bissnett has a real concern about water and runoff in this area. He gave a petition to the Town Board from the residents of Cindy Lane. They would like to see the following

1) an independent study for traffic. This should show not only the Janet V Corners project but the Traditional Builders project, the Senior Citizens Complex, the apartment complex and the impacts on Route 50 and Brookline Road 2) Concern that we do not make mistakes on how we handle the high water table. There were major problems in this area 20 years ago with the Roberts Drive Development. 3) Concern with the heavy density of this project. It is not compatible with the single family homes around the perimeter. 4) Concern with the work force personnel. A transient community will reduce the value of their homes.

Mr Bedard spoke concerning the housing density in this quiet neighborhood. He sees the markers on this property and he is concerned with the closeness to the houses on Cindy Lane.

Mr. Osher added that some of the markers are for wetlands and some are from test areas. The shortest area between the development and the houses on Cindy Lane is 40'.

Ms. Kinsella questioned whether the back setback is trees or is there a fence. She is concerned with trespassing. She asked the price of the rents for the market value apartments. Also what about the proposed traffic circle?

Mr. Osher answered the questions that there will not be a fence; the rents for the market value apartments are between \$900 and \$1800 per month and DOT is not going to construct the traffic circle in that area.

Mr. Adams said the problem with the development is the railroad bridge over the Mourningkill and over the highway. It is a knot tying up the traffic. It can't be widened and it can't be relocated. It was designed in 1914 and it is out of context with modern traffic.

Mr. Billa spoke concerning his concern with drainage in this area. Between his neighbor and his house they have a combined 5 sump pumps in their basements. The developer of Ballston Manor changed the swall to improve his property and the backed up water comes back to Mr. Billa's property. The drainage needs careful consideration. There is clay on top of shale so the water can't be absorbed into the ground.

Mr. Osher stated that he has to follow the guidelines of the State of New York and the Federal Government as they relate to this project. The Stormwater issues are crucial and they have increased the high level of standards.

Attorney Brower asked with the changes made from the original PUDD have you update your EAF?

Mr. Osher stated his attorneys said the changes did not change any of the impacts on the EAF. He was advised that they do not need to do an update.

Ms. Walker works as a clerical sub at the Middle School and High School. She is concerned for the impact of this development on the students. It is a very busy school with a lot of traffic going in and out for special events. Your proposal will increase the number of cars already in a congested area.

Mr. McNamara stated that 400 apartments are too much for this area.

Mr. Yeager said he wasn't expecting a change like this proposal. This is a quiet neighborhood. The size of this development will change his neighborhood.

The Presentation of the Janet V Corners PUDD and the question and answer period was concluded at 10:00 p.m. Deputy Supervisor Merchant stated that any resident that had any further comments could send their emails to the Town Clerk and they would be forwarded to the Town Board members.

Councilman Goslin appreciated all the residents who came to the meeting to express their comments on this proposal. He listened to all comments. He would first like to make a

motion that this petition that was given to the Board be sent to the Planning Board. He requests that the Planning Board meets with these people and address their needs. The Town Engineers need to look at what we are doing and make sure their needs are being addressed.

Councilwoman Hynes does not see the need for a motion. She is not comfortable with instructing the Planning Board to meet with the people who signed the petition. As part of the process, the Planning Board will receive the minutes of the Town Board Meeting will see the concerns and consider all the comments.

Councilman Szczepaniak stated why separate out the comments. All points captured are sent to the Planning Board.

Councilman Goslin is concerned that 60 residents in this area have concerns with this PUDD and they need to be addressed.

Councilman Goslin amended his motion as follows:

RESOLUTION 13-070

FORWARD THE PETITION FROM THE RESIDENTS CONCERNING THE JANET V CORNERS PUDD TO THE PLANNING BOARD, ASK THAT EACH POINT IN THE PETITION BE ADDRESSED AND PUBLIC COMMENT BE ALLOWED.

A motion was made by Councilman Goslin and seconded by Councilwoman Hynes to forward the petition from the residents concerning the Janet V Corners PUDD to the Planning Board, ask that each point in the petition be addressed and public comment be allowed.

Roll Call:	Councilman Szczepniak	yes
	Councilwoman Stewart	yes
	Councilman Goslin	yes
	Councilwoman Hynes	yes
	Supervisor Southworth	abstain

MOTION CARRIED.

Councilwoman Stewart has faith in the Planning Board's ability to deal with the specifics, the requirements as traffic, drainage and engineering issues. She still has a concern that the Comprehensive Plan calls for more retail, this is the area of the Town for commercial development and the amount of residential area here is a concern.

Councilman Goslin stated that there is considerable support for a grocery store, although the square footage is concerning to everyone. There is considerable support to see a project on this site. A plan developed according to the Plan Project Mixed Use gets rid of the big box concept and this is an improvement. His vision for this area is that it is a unique area of the Town that utilizes assets nearby. The area is close to the school, bus route, village, county complex, churches, retail, banks and employment. It is the one place in the Town where residents could live without a car. It is a great location for those people starting out who can't afford a house. It is an ideal area for people to live, work and have a retail center nearby. It should be a complement to the village. He has a concern about the density. The Townhouses height has been changed for the better. The drainage in this area needs to be addressed. His biggest concern is for the traffic. Traffic study needs to take into account that V Corners is the gateway to Ballston Spa, the Rossi PUD approved across the road, proposed Black Top Plant, Brookline Road and Route 67. The traffic study was done during a non school period. Councilman Goslin is pleased with the Ballston Area entrance, sewer extension and sidewalks.

Councilman Szczepaniak said the Janet V Corner PUDD's outstanding issues will be addressed by the Planning Board. They will take a hard look at this development. He questioned Mr. Osher about getting a grocery store. Councilman Szczepaniak contacted many grocery stores in the past and he didn't get one to make a commitment. On a separate but related topic, the Route 67 Corridor has great potential for economic development and does need to be fixed; the Town Board will need to address this at another time.

Councilwoman Hynes said with this PUDD application she has the following points to make: 1) she encourages and strongly suggests that the Planning Board have Planning Services brought in to assist the Planning Board with reviewing the application. The Planning Board does not normally do this, but we have seen the consequences of not doing this. The Town of Ballston does not have the benefit of a full-time or part-time planner. County Planning is not going to be able to lead through this level of planning on this project. She and Councilwoman Stewart learned at the Saratoga County Planning and Zoning Conference, that communities that do not have full-time planning services, are having developers pay for the planning services so that the Town can use them. This is the cost of presenting their application, just as the developer pays for the engineering review. 2) We need to address not only traffic, drainage and other valid concerns raised by the residents, but also, it needs to look right. If it is not address before it get back to the Town Board, she will want each unit drawn and it needs to look good and be benefit to the community. 3) Residential density is still a concern to her. She is concerned about 400 residential units in the Town. 4) The Town Board needs to look at doing the GIS for the northern part of Town now. All that traffic will be moving towards the Northway with more backups. Adding more roundabouts will not correct the problem. We need a fair share way for development coming into the Town to contribute towards those improvements that are necessary. At this point Mr. Osher has addressed the concerns of Town residents and she has a greater comfort level allowing it to go to the Planning Board for review.

RESOLUTION 13-071

NAME THE TOWN BOARD AS LEAD AGENCY FOR THE JANET V CORNERS PUDD.

A motion was made by Councilwoman Hynes and seconded by Councilwoman Stewart to name the Town Board as Lead Agency for the Janet V Corners PUDD.

Roll Call:	Councilman Szczepaniak	yes
	Councilwoman Stewart	yes
	Councilman Goslin	yes
	Councilwoman Hynes	yes
	Supervisor Southworth	abstain

Motion Carried.

RESOLUTION 13-072

ACCEPT THE AMENDED APPLICATION FOR THE JANET V CORNERS PUDD AND SEND IT TO THE PLANNING BOARD.

A motion was made by Councilman Goslin and seconded by Councilman Szczepaniak to accept the amended application for the Janet V Corners PUDD and send it to the Planning Board.

Roll Call:	Councilman Szczepaniak	yes
	Councilwoman Stewart	yes
	Councilman Goslin	yes
	Councilwoman Hynes	yes
	Supervisor Southworth	abstain

Motion Carried.

RESOLUTION 13-073

APPROVE THE TOWN HISTORIAN'S REQUEST TO ATTEND THE ANNUAL APHNY'S CONFERENCE IN SYRACUSE, NY ON APRIL 18TH AND 19TH.

A motion was made by Councilwoman Hynes and seconded by Councilman Szczepaniak to approve the Town Historian's request to attend the annual APHNYE Conference in Syracuse, NY on April 18th and 19th .

ADOPTED	Ayes	5	Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak, Councilman Goslin and Councilwoman Stewart
	Nays	0	

The seniors at Doubleday Woods request funding for their senior trips. Many of the residents of Doubleday Woods have very limited income and need assistance with the

trips. Attorney Brower said these are private people asking for tax dollars and this cannot be done. Supervisor Southworth said she would meet with them to explain about funding for organizations and the possibility of reaching out to other senior organizations for help with their trips.

RESOLUTION 13-074

TABLE THE REQUEST FROM THE SENIORS AT DOUBLEDAY WOODS TO HELP FUND THEIR TRIPS.

A motion was made by Councilwoman Hynes and seconded by Councilwoman Stewart to table the request from the seniors at Doubleday Woods to help fund their trips.

ADOPTED Ayes 5 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak, Councilman Goslin and Councilwoman Stewart
Nays 0

RESOLUTION 13-075

APPROVE THE REQUEST FROM NANCY MCCORMICK FOR HER NEW RESIDENCE AT 1 SHIRE LANE, SBL 238.-1-92.2, TO BE ADDED TO THE BH-BL WATER DISTRICT NO. 2 EXT #14.

A motion was made by Councilman Goslin and seconded by Councilwoman Stewart to approve the request from Nancy McCormick for her new residence at 1 Shire Lane, SBL 238.-1-92.2, to be added to the BH-BL Water District N0.2 Ext #14.

ADOPTED Ayes 5 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak, Councilman Goslin and Councilwoman Stewart
Nays 0

RESOLUTION 13-076

APPROVE SUPPLYING HIGHWAY TRUCKS AND BAGS TO THE BALLSTON LAKE IMPROVEMENT ASSOCIATION FOR THEIR MAY 4TH CLEAN UP THE ROADWAYS IN THE TOWN OF BALLSTON.

A motion was made by Councilman Goslin and seconded by Councilwoman Hynes to approve supplying Highway trucks and bags to the Ballston Lake Improvement Association for their May 4th Clean up the Roadways in the Town of Ballston.

ADOPTED Ayes 5 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak, Councilman Goslin and Councilwoman Stewart
Nays 0

The discussion on the water rates and the possible Capital Reserve Fund will be considered at the next Town Board Meeting.

The Town Board received a letter from Mr. Mike Kelley requesting to tap into the existing water line on Eastline Road. They are in an emergency situation and need water. Discussion was held on how to establish this water district and how to pay for extending the line. Town Attorney Brower said the Town Board would establish the district as follows: get a description of the district, set a Public Hearing and pass a resolution to establish the district. It is necessary to have a description of the district, the properties involved in the district and the cost of construction. CT Male can update their reports for \$600. The Town Board can set a Public Hearing at the March 26, 2013 Town Board Meeting.

RESOLUTION 13-077

APPROVE THE COST OF \$600 TO CT MALE TO UPDATE THE PROPOSED WATER DISTRICT EXTENSIONS FOR SCOTCHBUSH ROAD, MORNINGDALE COURT AND OAK STREET.

A motion was made by Councilwoman Stewart and seconded by Councilman Szczepaniak to approve the cost of \$600 to CT Male to update the proposed water districts extensions for Scotchbush Road, Morningdale Court and Oak Street.

ADOPTED Ayes 5 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak, Councilman Goslin and Councilwoman Stewart
Nays 0

Town Attorney Brower said that the Morningdale Court would include the properties along Eastline Road, Round Lake Road and the Gaydushek subdivision.

Councilman Goslin asked the Town Board about the correspondence they received from a resident concerned about adding a Distillery to the Curtis Industrial Park since this is not a permitted use in this area. This is an Agribusiness and an up and coming industry.

Supervisor Southworth stated that a change to the Code would need a Public Hearing and be changed by a Local Law.

Attorney Brower stated this change will be included in the Light Industrial Legislation.

A motion was made by Councilman Goslin and seconded by Councilwoman Hynes to adjourn the meeting.

Respectfully submitted,

Carol R. Shemo
Town Clerk