

A regular meeting was held by the Town Board of the Town Ballston on Tuesday evening, December 8, 2015 at the Town Hall on 323 Charlton Road, Ballston Spa, New York.

PRESENT:

Patrick Ziegler	-----	Supervisor
Timothy Szczepaniak	-----	Councilman
William Goslin	-----	Councilman
Kelly Stewart	-----	Councilwoman
John Antoski	-----	Councilman
Carol Shemo	-----	Clerk
James Walsh	-----	Counsel

Supervisor Ziegler called the meeting to order at 6:30 p.m. and the Pledge of Allegiance was recited.

In November, Saratoga County honored Town of Ballston Deceased Veteran Herbert D. Gott Jr. at their monthly ceremony. Town Supervisor Ziegler read the following resolution and sent regards to Mr. Gott's family on behalf of all the residents of the Town.

**RESOLUTION 15-190**

**HONORING DECEASED VETERAN HERBERT D. GOTT JR.**

A motion was made by Councilman Szczepaniak and seconded by Councilman Goslin to approve the Resolution Honoring Deceased Veteran Herbert D. Gott, Jr.

**RESOLUTION HONORING DECEASED VETERAN  
HERBERT D. GOTT JR.**

Whereas, Herbert D. Gott, Jr. was a longtime resident of the Town of Ballston; and

Whereas, Herbert D. Gott, Jr. was the son of Herbert D. Gott, Sr. and Alice M. Collins and was born on June 26, 1924 in Cambridge, Massachusetts; and

Whereas, Herbert D. Gott, Jr. graduated from Andrew Jackson High School in Queens, New York; and

Whereas, Herbert D. Gott, Jr. was called to serve his country at the age of 18 with the U.S. Army in World War II; and

Whereas, Herbert D. Gott, Jr. courageously served in the invasion of Normandy Ardennes "Battle of the Bulge", Central Europe, Northern France and Rhineland; and

Whereas, Herbert D. Gott, Jr. was awarded the American Service Medal, the European-African-Middle Eastern Service Medal, and the World War II Victory Medal; and

Whereas, on March 12, 1949, Herbert married Ella Jane Truax and had four children, Herbert D. Gott III, Suzanne, Kathleen and Marianne,

Whereas, Herbert D. Gott, Jr. retired from the New York Telephone Company after 35 years of dedication; and

Whereas, Herbert D. Gott Jr. was a gold star father, losing his son Herbert D. Gott III in Vietnam in 1971; and

Whereas, Herb was a member of the American Legion, VFW, the Elks PBOE#2466, Clifton Park and Telephone Pioneers of America and

Whereas, Herb enjoyed golf and played with the Bells Boys Golf League for 40 years, but loved most spending time with his family; and now, therefore, be it

Resolved, that the Town Board of the Town of Ballston on behalf of all the residents of the town, in grateful recognition of his sacrifice in the defense of our nation, honors the memory of Herbert D. Gott, Jr.

DATED: October 20, 2015

ADOPTED Ayes 5 Supervisor Ziegler, Councilman Szczepaniak, Councilman  
Goslin, Councilwoman Stewart and Councilman Antoski  
Nays 0

### **CORRESPONDENCE**

The Town Clerk read an email from the Co-Chair of the Festival of Trees Sally Longbotham. On behalf of the Burnt Hills-Ballston Lake Women's Club, she thanked the Town for the beautiful and functional Town Hall Community Room. Over 400 people attended the festival and 18 people donated blood to the Bloodmobile.

The Town Clerk read the letter from the Saratoga County Water Authority concerning their public hearing on the proposal to increase water rates by 1.5%. The public hearing will be held on December 17<sup>th</sup> at 2:30 p.m. at the meeting room at the Saratoga County Complex at 40 McMaster Street.

### **REPORTS OF TOWN OFFICIALS**

Building Inspector Thomas Johnson, Highway/Water Superintendent Joseph Whalen, Library Board Trustee Cathy Hayden, Dog Control Officer Thomas Shambo, and Town Clerk Carol Shemo submitted reports for November and they are on file in the Town Clerk's Office.

### **TOWN ATTORNEY'S REPORT**

Town Attorney James Walsh reported the following:

- There has been a decision in the Dolomite Lawsuit from Judge Chauvin. The Board will need to discuss the lawsuit in Executive Session.
- The Town Judge brought a case in law to the attention of the Town Board concerning decreasing the health benefits in the middle of the Judge's term. This item will need to be discussed in Executive Session.
- He received a call from the property owners on Sherwood Lane concerning the trees near the roadway. It appears the problem will be handled amicably.
- The Library had a failure with the heating units. The boxes in the heating units corroded and the exhaust fumes were coming into the library. This was a safety and liability issue. Due to this emergency situation, the Town did not go out to bid. It was decided to replace both heating units so as not to incur additional set-up fees.  
Library Board of Trustee Member Cathy Hayden reported that the Library has installed new carbon monoxide detectors.

### **RESOLUTION 15-191**

#### **APPROVE THE SUPERVISOR'S FINANCIAL REPORT FOR THE MONTH OF NOVEMBER 2015.**

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to approve the Supervisor's Financial Report for the month of November.

ADOPTED Ayes 5 Supervisor Ziegler, Councilman Szczepaniak, Councilman  
Goslin, Councilwoman Stewart and Councilman Antoski  
Nays 0

### **SUPERVISOR'S REPORT**

**Supervisor Ziegler** reported the following:

- The Town has done quite well financially. We are coming in under budget in spending and our receipts are coming in over budget. We should be able to replenish our fund balance as we anticipated. Next year, we will have potential engineering costs with the

upcoming feasibility studies for water on the east side of the lake and the sewer district in Carpenter's Acres. We will need to fund these studies initially but we will be reimbursed.

- When he became supervisor, the Town was under Federal sanctions for not having an audit and an annual report filed with the State Comptroller. We have rebuilt the 2012 finances and the AUD was filed. The auditors will be returning to do the 2013 and the 2014 audits and we will be able to file the AUDs.

## **COUNCIL MEMBERS REPORTS**

**Councilman Szczepaniak** reported the following:

- He thanked Chairman Dick Doyle for his valuable information on billboards and LED signage.
- The Economic Visioning Committee had a meeting and the work is going very well. There are 25 members on this committee and they plan to reach out to the agricultural community.
- He spoke with the school administrators with the Burnt Hills-Ballston Lake High School and the Ballston Spa High School concerning internship programs in communications and IT.
- As the newly elected Town Supervisor, he will take his Oath of Office at the Saratoga County Board of Commissioners at 2 p.m. on Thursday, December 10<sup>th</sup> at the Saratoga County Board of Commissioners Meeting Room. The newly elected Town Board Members will take their Oath of Office on Friday, January 1, 2016 at the Town Hall Meeting Room followed by breakfast in the Community Room. All are welcome to attend.
- Councilwoman Stewart, Chairman of the Planning Board Dick Doyle and Councilman Szczepaniak interviewed Kimberly Kotkoskie for the position of Alternate Member of the Planning Board. They were very impressed with her resume and feel she will be a valuable addition to the Planning Board.

**Councilman Antoski** reported that they had VFW contest winners at the Burnt Hills-Ballston Lake High School. There will be a short presentation of the winning essays and presentation of the awards at the January 12<sup>th</sup> meeting.

**Councilman Goslin** said this is the final formal meeting for the Town Supervisor and Town Clerk. He recognized them as two individuals who have made contributions to the Town of Ballston. He thanked the Town Clerk for her leadership and the seamless transition not only from the former Town Clerk Muriel Swatling but also to the new Town Clerk Carol Gumieny. He realized early on, the enormous amount of work in the Town Clerk's Office. He thanked Carol for a great job.

Patrick Ziegler served a unique role since he arrived in a situation best described as the "Wild West". Patrick did an outstanding job as he immediately engaged all the parties and constituents. He mended many fences. All ideas were considered and it was truly open government. There were many things that he would have liked to accomplish in his term of office, but he had a list items that needed to be done first. Patrick was always very supportive of the Town Board Members. He thanked him for his service and wished him well in his future.

Supervisor Ziegler thanked Councilman Goslin for his kind words. His job was to bring all people together with no political agenda or career plans. We whittled down the topics on that list and we accomplished some good work in the two years. The Supervisor job involves more work than a person can do part-time, especially when he travels. This has been a great Board to work with and he thanked the Town Clerk for her help. The staff is great and they do so much for the Town. He thanked Building Inspector Tom Johnson for his knowledge, expertise and support. He also thanked the Deputy Supervisor for taking care of Town business. He noted that Town

Supervisor-Elect Tim Szczepaniak has already reached out to people as he prepares for the job of Supervisor.

Councilman Goslin reported on the following:

- He gave an update on the Ballston Lake Sewers District. The State Funding List shows the Town of Ballston Sewer Project is one project below the cut off line. He believes that we will probably get funded. The next steps in the process are the approval of the bonding resolution for the project. The bond will be for \$10,000,000. It will not be spent but it is necessary to show the State Comptroller that we have the money in place for this project. It will be necessary to pass the Sewer Use Law. This will consist of the rules for connection and determine the parameters of the district. We will have a draft from the engineers and the Sewer Committee will make their recommendation to the Board.
- We have heard back from the Office of the State Comptroller and there are just a few items that need to be addressed.
- Chairman of the Planning Board Dick Doyle and the Sewer Committee will create a RFP for the Carpenters Acres Sewer District. The Town will go out to bid this month for this project.

Councilman Szczepaniak said it is necessary that we have learned from the previous sewer district. He would like to see a clause that the engineering group can't have any add-ons.

## OLD BUSINESS

### 1. Hawkwood Property

Town Attorney Walsh said there is only one issue on the property. Saratoga P.L.A.N. has an easement and insists on an insurance policy that protects their title. The property has to have the closing by December 18<sup>th</sup>.

### 2. Policy for accepting private roads as Town roads.

Town Attorney Walsh stated that no policy is needed. The Town Board updated our policy with the local law that upgraded our road specs. The Town will not accept a road unless it complies with the new update.

Supervisor Ziegler said a letter should be drafted to the residents who petitioned for Beacon Street to become a Town Road.

## PRIVILEGE OF THE FLOOR ON ITEMS TO BE CONSIDERED FOR ACTION AT THIS MEETING.

No one wished to speak.

## NEW BUSINESS FOR CONSIDERATION AND ACTION

### RESOLUTION 15-192

#### **APPROVE THE APPOINTMENT OF KIMBERLY KOTKOSKIE AS AN ALTERNATE MEMBER OF THE PLANNING BOARD.**

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to approve the appointment of Kimberly Kotkoskie as an Alternate Member of the Planning Board with a term commencing December 8, 2015.

ADOPTED Ayes 5 Supervisor Ziegler, Councilman Szczepaniak, Councilman Goslin, Councilwoman Stewart and Councilman Antoski

Nays 0

### RESOLUTION 15-193

#### **APPROVE THE TRAINING CLASSES FOR THE NEWLY ELECTED OFFICIALS HELD JANUARY 13-15 IN ALBANY AT A COST OF \$150 PER PERSON.**

A motion was made by Councilman Goslin and seconded by Councilman Antoski to approve the training classes for the newly elected officials held January 13<sup>th</sup> – 15 in Albany at a cost of \$150 per person.

ADOPTED Ayes 5 Supervisor Ziegler, Councilman Szczepaniak, Councilman  
Goslin, Councilwoman Stewart and Councilman Antoski  
Nays 0

**RESOLUTION 15-194**

**APPROVE THE FIVE YEAR AGREEMENT FOR THE ROUND LAKE FIRE  
PROTECTION DISTRICT 2.**

A motion was made by Councilman Goslin and seconded by Councilman Antoski to approve the five year agreement for the Round Lake Fire Protection District 2

ADOPTED Ayes 5 Supervisor Ziegler, Councilman Szczepaniak, Councilman  
Goslin, Councilwoman Stewart and Councilman Antoski  
Nays 0

**RESOLUTION 15-195**

**APPROVE THE THREE YEAR AGREEMENT FOR THE BALLSTON SPA FIRE  
PROTECTION DISTRICT 1.**

A motion was made by Councilman Goslin and seconded by Councilwoman Stewart to approve the three year agreement for the Ballston Spa Fire Protection District 1.

ADOPTED Ayes 5 Supervisor Ziegler, Councilman Szczepaniak, Councilman  
Goslin, Councilwoman Stewart and Councilman Antoski  
Nays 0

There were requests by Town employees to defer their vacation hours for the following year. Councilman Goslin asked if there was a cap on the amount of time you can roll over to the following year. He believes the employees should be encouraged to take their vacation time. Councilman Szczepaniak said that this issue will be addressed when we consider the personnel policy.

**RESOLUTION 15-196**

**APPROVE THE DEFERMENT OF VACATION HOURS FOR THE FOLLOWING  
YEAR.**

A motion was made by Councilman Szczepaniak and seconded by Councilman Antoski to approve the deferment of vacation hours for the following employees for the following year:

Joann Bouchard 60 hrs.  
Deb Bradt 30 hrs.  
Leslie Zorn 37.5 hrs.  
Tom Johnson 140 hrs.

ADOPTED Ayes 5 Supervisor Ziegler, Councilman Szczepaniak, Councilman  
Goslin, Councilwoman Stewart and Councilman Antoski  
Nays 0

**RESOLUTION 15-197**

**AMEND RESOLUTION 15-186 BY CHANGING LOCAL LAW 4 OF 2015 (FLAG LOTS)  
TO LOCAL LAW 1 OF 2016 AND CHANGE THE DATE AND TIME OF THE PUBLIC  
HEARING TO JANUARY 12, 2016 AT 6 P.M.**

A motion was made by Councilman Antoski and seconded by Councilman Goslin to amend Resolution 15-186 by changing Local Law 4 of 2015 to Local Law 1 of 2016 and change the date and the time of the Public Hearing to January 12, 2016 at 6 p.m.

ADOPTED Ayes 5 Supervisor Ziegler, Councilman Szczepaniak, Councilman  
Goslin, Councilwoman Stewart and Councilman Antoski  
Nays 0

**RESOLUTION 15-198**

**AMEND RESOLUTION 15-189 BY CHANGING LOCAL LAW 5 OF 2015 (ZONING  
CHANGES) TO LOCAL LAW 2 OF 2016 AND CHANGE THE DATE AND TIME OF  
THE PUBLIC HEARING TO JANUARY 12, 2016 AT 6:10 P.M. THIS LAW NEEDS TO  
BE RECLASSIFIED AS TYPE 1 SEQRA ACTION.**

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to amend Resolution 15-189 by changing Local Law 5 of 2015 (zoning changes) to Local Law 2 of 2016 and change the date and time of the Public Hearing to January 12, 2016 at 6:10 p.m. This law needs to be reclassified as a Type 1 SEQRA Action.

ADOPTED Ayes 5 Supervisor Ziegler, Councilman Szczepaniak, Councilman  
Goslin, Councilwoman Stewart and Councilman Antoski  
Nays 0

**RESOLUTION 15-199**

**APPROVE THE C.T. MALE PROPOSAL FOR ENGINEERING SERVICES FOR A  
FEASIBILITY STUDY FOR MUNICIPAL WATER SERVICE ON THE EAST SIDE OF  
THE LAKE AT A COST OF \$4,600.**

A motion was made by Councilman Szczepaniak and seconded by Councilman Goslin to approve the C.T. Male proposal for engineering services for a feasibility study for municipal water service on the east side of the lake at a cost of \$4,600.

ADOPTED Ayes 5 Supervisor Ziegler, Councilman Szczepaniak, Councilman  
Goslin, Councilwoman Stewart and Councilman Antoski  
Nays 0

Councilman Goslin asked the Town Board to table the resolution for a feasibility study for a sewer district for Carpenter's Acres. There will be a RFP and the Town will go out to bid.

**RESOLUTION 15-200**

**TABLE THE C.T. MALE PROPOSAL FOR ENGINEERING SERVICES FOR A  
FEASIBILITY STUDY FOR SANITARY SEWER FOR CARPENTER'S ACRES AT A  
COST OF \$3,700.**

A motion was made by Councilman Goslin and seconded by Councilwoman Stewart to table the C.T. Male proposal for engineering services for a feasibility study for sanitary sewer for Carpenter's Acres at a cost of \$3,700.

ADOPTED Ayes 5 Supervisor Ziegler, Councilman Szczepaniak, Councilman  
Goslin, Councilwoman Stewart and Councilman Antoski  
Nays 0

**RESOLUTION 15-201**

**APPROVE THE AUTHORIZATION OF THE ISSUANCE OF A REFUNDING BOND  
TO FINANCE THE CONSTRUCTION OF A PUMP STATION FOR THE BURNT  
HILLS-BALLSTON LAKE WATER DISTRICT NO #2**

The following resolution was offered by Councilman Szczepaniak, seconded by Councilman Goslin, to wit;

**REFUNDING BOND RESOLUTION DATED DECEMBER 8, 2015.**

A RESOLUTION AUTHORIZING THE ISSUANCE OF A REFUNDING BOND IN A PRINCIPAL AMOUNT NOT TO EXCEED \$475,000 OF THE TOWN OF BALLSTON, SARATOGA COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BOND TO BE REFUNDED THEREBY.

WHEREAS, the Town of Ballston, Saratoga County, New York (the "Town") heretofore issued its \$586,000 principal amount Town (Statutory Installment) Bond, Series 2011A (the "Prior Bond"), pursuant to a bond resolution dated May 4, 2010 (the "Bond Resolution"), to finance the construction of a pump station for Burnt Hills Ballston Lake Water District No. 2 and its connection to the Saratoga County Water Authority System, as set forth and described in Exhibit A attached hereto and made a part hereof, such Prior Bond being dated June 17, 2011 and maturing, or matured, in the amount of \$29,300 on June 15th in each of the years 2012 through 2031, both inclusive; and

WHEREAS, the Town has the power and authority to issue a refunding bond of the Town for the purpose of refunding and thereby refinancing the Prior Bond, including provision for incidental costs of issuance in connection therewith, pursuant to the provisions of Section 90.00 of the Local Finance Law of the State of New York; and

WHEREAS, it would be in the public interest to refund the \$468,000 outstanding principal balance of the Prior Bond (such outstanding principal balance being stated as of

December 8, 2015), by the issuance of Refunding Bond pursuant to Section 90.00 of the Local Finance Law, since such refunding will result in present value savings in debt service;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. For the object or purpose of refunding all or a portion of the \$468,000 outstanding principal balance of the Prior Bond, including providing moneys which shall be sufficient to pay (A) the principal amount of the Prior Bond and (B) the costs and expenses incidental to the issuance of the Refunding Bond herein authorized, there are hereby authorized to be issued the refunding bond of the Town in a principal amount not to exceed \$475,000 pursuant to the provisions of Section 90.00 of the Local Finance Law (the "Refunding Bond"). The Refunding Bond shall be dated December 15, 2015, or such later date as shall hereafter be determined by the Town Supervisor pursuant to Section 4 hereof and shall be in the form of a Statutory Installment Bond. Sixteen (16) annual installments shall be paid on the 15th day of June in the years 2016 through 2031, both inclusive, and the Refunding Bond shall bear interest on the unpaid balance of the principal sum. Interest payments shall be paid on June 15, 2016 and annually thereafter on the 15th day of June in each year until this bond matures, or such other dates as shall be determined by the Town Supervisor pursuant to Section 4 hereof, at the rate of interest per annum as may be necessary to sell the same, all as shall be determined by the Town Supervisor.

SECTION 2. The Refunding Bond shall be executed in the name of the Town by the manual or facsimile signature of the Town Supervisor, and a facsimile of its corporate seal shall be imprinted thereon and attested by the Town Clerk. The Refunding Bond shall contain the recital required by Section 90.00(g)(4) of the Local Finance Law and the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals as the Town Supervisor shall determine.

SECTION 3. It is hereby determined that:

(A) The maximum amount of the Refunding Bond authorized to be issued pursuant to this resolution does not exceed the limitation imposed by Section 90.00(b) of the Local Finance Law;

(B) The maximum period of probable usefulness permitted by law at the time of the issuance of the Prior Bond for each of the objects or purposes for which the Prior Bond were issued is as shown upon Exhibit A; and

(C) The last installment of the Refunding Bond will mature not later than the expiration of the maximum period of probable usefulness of each of the objects or purposes for which the Prior Bond was issued in accordance with the provisions of Section 90.00(a)(1) of the Local Finance Law.

SECTION 4. The Town Supervisor is hereby authorized and directed to determine the amount of the Refunding Bond to be issued, the date of such bond and the date of issue, maturity and terms thereof, the provisions relating to the redemption of the Refunding Bond prior to maturity, and the rate of interest to be borne thereby, and all powers in connection therewith are hereby delegated to the Town Supervisor; provided, that the terms of the Refunding Bond to be issued, including the rate of interest borne thereby, shall comply with the requirements of Section 90.00 of the Local Finance Law. The Town Supervisor shall file a copy of his certificate determining the details of the Refunding Bond with the Town Clerk not later than ten (10) days after the delivery of the Refunding Bond, as herein provided.

SECTION 5. The faith and credit of said Town of Ballston, Saratoga County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on the Refunding Bond herein authorized as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the installments of and interest on such bond becoming due and payable in such year. Should the assessments upon benefited real property be insufficient to pay the principal of and interest on such bond, there shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such bond as the same become due and payable.

SECTION 6. All of the proceeds from the sale of the Refunding Bond, including the premium, if any, shall immediately be used to currently refund the Prior Bond and to pay issuance costs of the Refunding Bond.

SECTION 7. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Refunding Bond, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code").

SECTION 8. The Town hereby determines that issuance of the Refunding Bond is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedure under the State Environmental Quality Review Act ("SEQR") is required.

SECTION 9. The Town Supervisor and all other officers, employees and agents of the Town are hereby authorized and directed for and on behalf of the Town to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

SECTION 10. All other matters pertaining to the terms and issuance of the Refunding Bond shall be determined by the Town Supervisor and all powers in connection therewith are hereby delegated to the Town Supervisor.

SECTION 11. The validity of the Refunding Bond may be contested only if:

(1) (a) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

(b) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(2) Said obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 12. Upon this resolution taking effect, the Town Clerk is hereby authorized and directed to publish the same together with a notice in substantially the form set forth in Section 81.00 of the Local Finance Law.

SECTION 13. This resolution shall take effect immediately upon its adoption.

The question of the adoption of the forgoing resolution was duly put to vote on a roll call, which resulted as follows:

Patrick Ziegler	VOTING	YES
John Antoski	VOTING	YES
William Goslin	VOTING	YES
Kelly Stewart	VOTING	YES
Timothy Szczepaniak	VOTING	YES

The foregoing resolution was thereupon declared duly adopted.

## **DISCUSSION**

1. Language for Local Law 3 of 2016 for Removal of the Density Bonus and Local Law 4 of 2016, Billboards.

The Town Attorney has prepared the language for both local laws. He asked the Town Board to review the language. The Board will set public hearings for both local laws.

**RESOLUTION 15-202**

**SET A PUBLIC HEARING FOR LOCAL LAW 3 OF 2016, REMOVAL OF THE DENSITY BONUS, FOR JANUARY 26, 2016 AT 6:10 P.M.**

A motion was made by Councilman Szczepaniak and seconded by Councilman Goslin to set a public hearing for Local Law 3 of 2016, removal of the density bonus, for January 26, 2016 at 6:10 p.m.

ADOPTED Ayes 5 Supervisor Ziegler, Councilman Szczepaniak, Councilman Goslin, Councilwoman Stewart and Councilman Antoski

Nays 0

**RESOLUTION 15-203**

**SET A PUBLIC HEARING FOR LOCAL LAW 4 OF 2016, LED BILLBOARDS, FOR FEBRUARY 9, 2016 AT 6:10 P.M.**

A motion was made by Councilman Szczepaniak and seconded by Councilman Goslin to set a public hearing for Local Law 4 of 2016, LED Billboards, for February 9, 2016 at 6:10 p.m.

ADOPTED Ayes 5 Supervisor Ziegler, Councilman Szczepaniak, Councilman Goslin, Councilwoman Stewart and Councilman Antoski

Nays 0

2. Direction for the Zoning Committee.

Councilman Goslin said the meeting on zoning issues with Nan Stolzenberg from Community Planning and Environmental Associates was very good. He suggested the Board create a workshop and include specific groups that have concerns about zoning. Also the Planning and Zoning Boards should be included to present their issues. It would be helpful to have a moderator at the meeting. Once heard, the Board could meet to discuss the direction the Zoning Committee should take in conjunction with the Planning and Zoning Boards. We could formulate the direction for Nan to work throughout the year.

Councilman Szczepaniak agrees with having a workshop to discuss the issues and hiring a moderator. This meeting should be scheduled for the first part of the year, a stakeholders meeting. It could be a State of the Town Meeting, an annual event.

Supervisor Ziegler added that Nan can provide the next steps with the Zoning Committee. He has volunteered his services to chair the committee.

**PRIVILEGE OF THE FLOOR**

*Mr. Tom Minnick*, a Town resident and a member of the Timber Creek Preserve Homeowners Association, is seeking a 20 mph speed limit in Phase I of Timber Creek Preserve. There are 96 residences that were built in the TND design. It is a high density walkable community. The single family homes are on .2 of an acre and the townhomes are on less. The HOA would be willing to write letters to our State Assemblyman and State Senator to have DOT take the new style of their development into consideration for a speed limit reduction.

Town Attorney Walsh states that Vehicle and Traffic Law 1622 prohibits the speed limit below 30. The only exception for a reduced speed limit is adjacent to schools.

Councilwoman Stewart stated that DOT does not allow speed limits less than 30 mph without state legislation. This applies to all roads within a bounded area; a single road would be different. In the interim, we can post flashing speed signs to make people aware of their speed. We can request additional stop signs; that might be easier to apply for than a lower speed limit. The HOA

