

COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
REGULAR TOWN BOARD MEETING  
FEBRUARY 8, 2010-page 1

**DRAFT**

**Opening of Regular Meeting**

Supervisor Susan O'Rorke called the meeting to order at 7:30 pm and the Pledge of Allegiance was said. Also attending: Councilwoman Barbara Finke, Councilmen Art Byas and Christopher Norris, Highway Superintendent Jordan, Town Clerk Brooks, and 36+ members of the public. Absent: Councilman Michael Meredith, Tax Collector Lynn Taylor.

Supervisor O'Rorke thanked all for coming.

**Approval of Minutes**

Motion was made by Councilman Norris and seconded by Councilman Byas that the Minutes of **January 1, 2010 Organizational Meeting** as submitted by the Town Clerk be amended as follows:

On Page 1, Swearing In Ceremony, add "Lynn Taylor, Tax Collector", Page 19, Resolutions #31 and 32 appear twice. Following Resolution #31, strike "Councilman Byas moved, seconded by Councilman Norris" and replace with "Councilman Norris moved, seconded by Councilman Meredith"; Resolution #32, strike "Councilman Norris moved, seconded by Councilman Meredith" and replace with "Councilwoman Finke moved, seconded by Councilman Byas", verified by Clerk Brooks, listening to the recording.

*For the Resolutions provided to the Town Board by Supervisor O'Rorke for their review prior to the meeting, and not previously corrected, Councilwoman Finke requested the following amendments: On Page 1, Index of Resolutions, Resolution #27, strike "2008", replace with "2009"; there is no Resolution #29; strike "29", replace with "30" ; strike "30", replace with "31"; Page 2, strike "31. Appointment of.." Page 3, paragraph 1, line 17, commented that Town of Windham Registrar of Vital Statistics is the Tax Collector; Page 5, Resolution #5, strike (5), replace with (6) Planning Board Members; Page 15, Resolution #22, add "revised January 5, 2009"; Councilwoman Finke commented on the returned check fee.*

The minutes were tabled to the March Regular Meeting.

Motion was made by Councilman Norris, seconded by Councilman Byas, that the Minutes of **January 11, 2010 Town Board Regular Meeting** as submitted by the Town Clerk be amended as follows:

On Page 2, under Correspondence, Line 14, strike what was actually said in the meeting "Councilman Byas, Chair and Councilwoman Finke, Member," and correct to read, "Councilwoman Finke, Chair and Councilman Byas, Member", verified by Clerk Brooks, listening to the recording.

On Page 6, Barb asked if Pat Monks were hired two questions.

On Page 10, following resolution, Clerk Brooks verified by the tapes that it was Supervisor O'Rorke, not Councilwoman Finke, who made the suggestion of \$75,000 and lease payment on the remainder, \$23,000.

On Page 3, 2 lines up from bottom, strike "David" and replace with "Davis".

Councilman Norris moved and Supervisor O'Rorke seconded. The vote was as follows:

|                     | <u>AYES</u> | <u>NOES</u> |
|---------------------|-------------|-------------|
| <b>VOTE:</b>        |             |             |
| Councilman Byas     | x           |             |
| Councilwoman Finke  | x           |             |
| Councilman Meredith |             | absent      |
| Councilman Norris   | x           |             |
| Supervisor O'Rorke  | x           |             |

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**Public Comment Period**

Ron Kent asked for respect for Town justices in choosing their clerks, bothered by Councilman Byas presenting an estimate, a copy of estimate that was different; felt Highway Superintendent Jordan would know better than anyone.

Nils Backlund asked was there a meeting regarding the loader being broken, said Councilman Norris provided information, said Councilman Byas asked him for serial number. Mr. Backlund felt Councilman Byas was proper, did someone insinuate that Councilman Byas lifted report. Mr. Backlund visited Vantage Equipment: 756-2406 is Councilman Byas' home fax number and Councilman Byas asked Vantage to send estimate to that number. Councilman Byas did what he thought was right for the Town, the estimate did not pass through Town Hall, and Vantage Equipment will defend it in court.

John Wallner asked to move forward from this discussion, the taxes are too high, keep good management, and find ways to steer discussion to work together.

**Correspondence**

From **Zoning Board of Appeals** Chair Meave Tooher:

Below is the resolution passed at the February 3, 2010, Zoning Board of Appeals meeting designating David Wukitsch as the Zoning Board of Appeals' Attorney.

It was moved by Corrado and seconded by Covey that for purposes of simplicity and consistency, the Zoning Board of Appeals similarly select David Wukitsch as Attorney for the Zoning Board of Appeals.

AYES: Tooher, Corrado, Covey  
NAYS: None  
ABSTAINED: None  
ABSENT: None

From **Planning Board** Chair Lee Davis:

Below is the resolution passed at the January 14, 2010, Planning Board Meeting designating David Wukitsch as the Planning Board's Attorney.

It was moved by Davis and seconded by Turner that we designate David Wukitsch, the attorney for the Town, as the attorney for the Planning Board.

AYES: Davis, Kuder, Turner, Murray, Caputo  
NAYS: None  
ABSTAINED: None  
ABSENT: Hoglund

**Central Hudson** has submitted a proposal to Public Service Commission regarding a proposed rise in residential billing of over 3% for electricity and over 3.5% for natural gas; the public comment period remains open until March 17, 2010.

**From Catskill Mountain Housing Development Corporation**, information regarding a mobile home replacement program in Greene County; there is an income qualification and the individual must be current with taxes, mortgage, and insurance. The Corporation is asking for letter of support from the Town Board. As the situation must be substandard, Supervisor and Councilman Norris met with Building Inspector John Cashin to determine if there were any known individuals who may qualify. Attempt will be made to reach out to those individuals in order to show NYS there is need in Greene County.

**From Mark Evans, Mayor of Village of Coxsackie**, continuing correspondence on their ability to patrol the Village of Coxsackie's reservoir, located in the Town of New Baltimore. The only way for the Village of Coxsackie police to have authority is to call upon the Greene County

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Sheriff; all tickets or fines will be adjudicated in Town of New Baltimore. Currently there is no inter-municipal cooperation agreement. The Village of Coxsackie wants authority to exercise its rules on our behalf; Supervisor O'Rorke spoke about confining their authority to the reservoir, and any ticket or arrest would appear in New Baltimore Town Court.

**Old Business**

- **Court Clerk Appointment**

A letter from Town Justices, effective immediately, stated their choice for the open position. Five interviews were held with Councilwoman Finke present, some disqualified because of time constraints; candidate is personable, a good fit, local, and has *dependable flexibility*. Councilman Byas asked about training the person; answer: she will start on Thursday as the day after court is very busy in a very busy court.

**RESOLUTION  
FEBRUARY 8, 2010**

**RESOLUTION APPOINTING PART TIME DEPUTY JUSTICE CLERK**

WHEREAS, a vacancy position exist in the Justice Court, and

WHEREAS, the Town has advertised for the position of Part Time Deputy Justice Clerk, and

WHEREAS, the Town Justices, along with the Town Board's Court Liaison have reviewed the applications submitted and conducted interviews with prospective candidates for this position in response to this advertisement, and

WHEREAS, the Justices and Court Liaison have recommended that this position be filled by Pamela Trombley who meets the qualifications for this position.

NOW THEREFORE, BE IT RESOLVED, that Pamela is hereby appointed to a position as a Part Time Justice Clerk for the Town of New Baltimore Justice Court, effective February 8, 2010, at an hourly wage of \$10.00 per hour, provided that said appointment shall be on a probationary until official approval of title by Greene County Civil Service.

Councilman Norris moved, seconded by Councilman Finke. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

|                       | <u>AYES</u> | <u>NOES</u> |
|-----------------------|-------------|-------------|
| VOTE: Councilman Byas | x           |             |
| Councilwoman Finke    | x           |             |
| Councilman Meredith   |             | absent      |
| Councilman Norris     | x           |             |
| Supervisor O'Rorke    | x           |             |

**New Business**

- **Resolution to pay claims**

**RESOLUTION  
FEBRUARY 8, 2010**

**RESOLUTION TO AUTHORIZE SUPERVISOR TO PAY AUDITED CLAIMS**

WHEREAS, the Town Clerk has presented claims to the Town Board for audit and review and,

WHEREAS, the Town Board has audited claims G20100201-45; H20100201-31; and S20100201-6, for a total amount of \$115,798.05, it is

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RESOLVED, that the Supervisor is hereby authorized to pay claims totaling \$115,798.05.

BE IT FURTHER RESOLVED that the Town Clerk has prepared an abstract and holds it for public review until February 19, 2010.

**Supervisor O'Rorke moved, seconded by Councilman Norris.** No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

| VOTE: |                     | <u>AYES</u> | <u>NOES</u> |
|-------|---------------------|-------------|-------------|
|       | Councilman Byas     |             | abstain     |
|       | Councilwoman Finke  | x           |             |
|       | Councilman Meredith |             | absent      |
|       | Councilman Norris   | x           |             |
|       | Supervisor O'Rorke  | x           |             |

- Resolution to correct meeting dates of Planning Board

Planning Board Chair Lee Davis had not spoken with all Planning Board members; notice regarding Veterans' Day meeting may be given to the Planning Board Clerk. With that, Supervisor read.

**RESOLUTION  
FEBRUARY 8, 2010**

**RESOLUTION TO AMEND RESOLUTION 17,  
SCHEDULE OF MEETINGS**

RESOLVED, that resolution #17, dated January 1, 2010, Schedule of Meetings, is amended to change Planning Board meeting schedule as follows:  
The September meeting will be September 9 and the November meeting will be on November 11.

**Councilman Norris moved, seconded by Supervisor O'Rorke.** No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

| VOTE: |                     | <u>AYES</u> | <u>NOES</u> |
|-------|---------------------|-------------|-------------|
|       | Councilman Byas     | x           |             |
|       | Councilwoman Finke  | x           |             |
|       | Councilman Meredith |             | absent      |
|       | Councilman Norris   | x           |             |
|       | Supervisor O'Rorke  | x           |             |

- Resolution to correct Holiday Schedule

Supervisor read.

**RESOLUTION  
FEBRUARY 8, 2010**

**RESOLUTION TO AMEND RESOLUTION 13,  
SCHEDULE OF MEETINGS**

RESOLVED, that Resolution #13, dated January 1, 2010, Paid Holidays, is amended to change the holiday schedule as follows:

Thanksgiving Day    November 25

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Councilwoman Finke moved, and seconded by Supervisor O'Rorke. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

|                       | <u>AYES</u> | <u>NOES</u> |
|-----------------------|-------------|-------------|
| VOTE: Councilman Byas | x           |             |
| Councilwoman Finke    | x           |             |
| Councilman Meredith   |             | absent      |
| Councilman Norris     | x           |             |
| Supervisor O'Rorke    | x           |             |

• Budget Amendments

There are very few budgeting amendments as a result of good budgeting practices of prior Town Supervisor and prior Town Board.

**RESOLUTION  
FEBRUARY 8, 2010**

**RESOLUTION TO AMEND 2009 BUDGET**

RESOLVED, that the following amendments to the 2009 budget are hereby adopted:

GENERAL FUND EXPENDITURES:

| ACCOUNT    |                | CURRENT<br>BUDGET | AMENDED<br>BUDGET | CHANGE  |
|------------|----------------|-------------------|-------------------|---------|
| A7140.2    | PLAYGROUNDS PS | 1,500             | 443               | (1,057) |
| A7310.4    | YOUTH PROGRAM  | 1,500             | 1,557             | 57      |
|            | PARKS RESERVE  |                   |                   |         |
| A9901.9    | TRANSFER       | 0                 | 1,000             | 1,000   |
| NET CHANGE |                |                   |                   | 0       |

HIGHWAY FUND EXPENDITURES:

|            |                 |        |        |       |
|------------|-----------------|--------|--------|-------|
| DA9030.8   | SOCIAL SECURITY | 21,900 | 21,694 | (206) |
| DA9080.8   | OTHER, UNIFORMS | 8,200  | 8,406  | 206   |
| NET CHANGE |                 |        |        | 0     |

Councilman Norris moved, seconded by Councilman Finke. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

|                       | <u>AYES</u> | <u>NOES</u> |
|-----------------------|-------------|-------------|
| VOTE: Councilman Byas | x           |             |
| Councilwoman Finke    | x           |             |
| Councilman Meredith   |             | absent      |
| Councilman Norris     | x           |             |
| Supervisor O'Rorke    | x           |             |

Supervisor said this is the Highway amendment, accomplished by Fund Balance into a line item. Use of the Reserve Fund is subject to permissive referendum, but use of the Fund Balance is not.

**RESOLUTION  
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**RESOLUTION TO AMEND 2010 BUDGET**

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**DRAFT**

RESOLVED, that the following amendments to the 2010 budget are hereby adopted:

HIGHWAY FUND EXPENDITURES

| ACCOUNT    |           | CURRENT<br>BUDGET | AMENDED<br>BUDGET | CHANGE |
|------------|-----------|-------------------|-------------------|--------|
| DA5130.2   | Equipment | 0                 | 70,000            | 70,000 |
| NET CHANGE |           |                   |                   | 70,000 |

HIGHWAY FUND REVENUES

|                              |   |        |        |
|------------------------------|---|--------|--------|
| APPROPRIATED<br>FUND BALANCE | 0 | 70,000 | 70,000 |
| NET CHANGE                   |   |        | 70,000 |

**Councilman Norris moved, seconded by Supervisor O'Rorke.** Nils Backlund and Ellie Alfeld asked for bonding consideration; Supervisor answered that there is still Reserve and Reserve Fund, and if another situation arose, bonding or a loan could be considered. [inaudible] Supervisor O'Rorke said she is not inclined to pay interest when an item has been anticipated and money has been set aside, adding that bond counsel is an additional expense. If the Town Board does not want to take the money from Reserve, the Board could bond the \$28,000. Councilman Norris reiterated that the Town wanted to eliminate debt; use a bond if needed later on, and yes, the rates may rise. John Wallner offered that since Supervisor Skip Curtis' tenure there has been a plan for the Highway Department to start setting aside money. Councilman Norris said the Town put money in Highway Fund in hopes that there would be no need to bond. John Wallner felt that rates would not rise in the near future. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

|                     | <u>AYES</u> | <u>NOES</u> |
|---------------------|-------------|-------------|
| <b>VOTE:</b>        |             |             |
| Councilman Byas     |             | abstain     |
| Councilwoman Finke  | x           |             |
| Councilman Meredith |             | absent      |
| Councilman Norris   | x           |             |
| Supervisor O'Rorke  | x           |             |

- Resolution to approve attendance at Association of Towns' annual training school

**RESOLUTION  
FEBRUARY 8, 2010**

**RESOLUTION TO AUTHORIZE ATTENDANCE BY TOWN BOARD MEMBERS AT  
ASSOCIATION OF TOWNS ANNUAL MEETING**

RESOLVED, that the Town Board does hereby authorize the Councilwoman Finke and Councilman Byas to attend the Annual Meeting of the Association of Towns of the State of New York to be held from February 14-17, 2010, and authorizes reasonable expenses for commuting, transportation, lodging and meals.

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**Councilman Norris moved, seconded by Supervisor.** No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

|                     | <u>AYES</u> | <u>NOES</u> |
|---------------------|-------------|-------------|
| <b>VOTE:</b>        |             |             |
| Councilman Byas     | x           |             |
| Councilwoman Finke  | x           |             |
| Councilman Meredith |             | absent      |
| Councilman Norris   | x           |             |
| Supervisor O'Rorke  | x           |             |

- Resolution approving Town Clerk's attendance at Town Clerks' training school

**RESOLUTION  
MONDAY, FEBRUARY 8, 2010**

**RESOLUTION TO AUTHORIZE ATTENDANCE BY TOWN CLERK AT NEW  
YORK STATE TOWN CLERKS' ASSOCIATION MEETING**

RESOLVED, that the Town Board does hereby authorize Janet Brooks, Town Clerk, to attend the New York State Town Clerks' Association Meeting to be held on April 25-28, 2010, in Saratoga Springs, New York, and authorizes expenses for registration and transportation as a commuter.

**Supervisor O'Rorke moved, seconded by Councilman Norris.** No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

|                     | <u>AYES</u> | <u>NOES</u> |
|---------------------|-------------|-------------|
| <b>VOTE:</b>        |             |             |
| Councilman Byas     | x           |             |
| Councilwoman Finke  | x           |             |
| Councilman Meredith |             | absent      |
| Councilman Norris   | x           |             |
| Supervisor O'Rorke  | x           |             |

- Resolution to advertise surplus highway equipment

Supervisor O'Rorke reviewed that the boom mower and the bulldozer have been out to bid before and suggested a minimum or best offer of \$1,000/boom mower and minimum or best offer of \$5,000/bulldozer. Councilman Byas said the boom mower was purchased for \$25,000 and was used one year; Superintendent Jordan corrected: 3 years. Councilman Byas suggested keeping the head; Superintendent Jordan responded the fitting and motors are different, and ears on the drum would have to be cut and changed. Councilman Norris reminded that it has been out to bid already and didn't Councilman Byas have an interested party; Councilman Byas does not want to scrap and has others interested in it but didn't want to push it, and would like to wait. Supervisor felt, either minimum bid or scrap metal, some value could be gotten for the boom mower. Councilman Byas said most equipment is stored outside and has already been depreciated to "\$0". Councilman Norris offered it previously on craigslist also with no result and the manufacturer has gone out of business; he advertised model and serial numbers, found one in England. Councilman Norris asked would Councilman Byas be interested in it; Councilman Byas felt as a Board member he should not purchase from the Town. Ellie Alfeld asked, if no offers, will it go to scrap? Councilman Byas said if there are no bidders, it can sit where it is; Ellie Alfeld offered, if it has no value, dispose of it- just as cleaning up around the house. Supervisor read.

**RESOLUTION  
FEBRUARY 8, 2010**

**RESOLUTION TO AUTHORIZE ADVERTISEMENT FOR BIDS  
FOR SALE OF USED EQUIPMENT NO LONGER NEEDED  
BY TOWN HIGHWAY DEPARTMENT**

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RESOLVED, that the Town Clerk is hereby authorized to advertise for bids for the sale of the following surplus equipment no longer needed by the Town Highway Department:

2005 Mow Master Boom Mower, minimum bid \$1,000  
1967 Caterpillar D4 Bulldozer, Model D4D, minimum bid \$5,000

Said bids are to be submitted no later than 4 pm on Monday, March 8 at the Town Clerk's Office, New Baltimore Town Hall, 3809 County Route 51, Hannacroix, NY 12087, and opened at 7:15 pm on Monday, March 8, 2010.

**Councilman Norris moved, seconded by Supervisor O'Rorke.** No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

|                     | <u>AYES</u> | <u>NOES</u> |
|---------------------|-------------|-------------|
| <b>VOTE:</b>        |             |             |
| Councilman Byas     | x           |             |
| Councilwoman Finke  | x           |             |
| Councilman Meredith |             | absent      |
| Councilman Norris   | x           |             |
| Supervisor O'Rorke  | x           |             |

• **Reappointment of Jeff Flack to Greene County Planning Board**

Town resident Jeff Flack currently serves a 3-year term, is willing to continue serving, and attends meetings on the third Wednesday of the month. Councilman Byas asked if he attended those meetings and does he give a report. Supervisor said he represents the Town having to do with planning issues involving 500 feet proximity of another municipality or state/county road/line. Councilman Byas has not seen minutes in his tenure. Councilwoman Finke wanted to speak with Mr. Flack. Tabled to Regular Town Board meeting.

• **Presentation by Attorney for the Town**

As the expected Executive Session this night was not necessary, the Attorney for the Town is not present, hence this presentation is tabled until Regular Town Board meeting.

• **Renewal of Ravena Ambulance Contract**

Supervisor stated that \$1,700 has been received from Ravena Rescue Squad in insurance recoverables. She added that the total amount of the contract is \$2,000 lower than their summer prediction of \$20,000.

**RESOLUTION  
FEBRUARY 8, 2010**

**RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE AGREEMENT WITH  
RAVENA RESCUE SQUAD FOR AMBULANCE SERVICE PROVIDED TO  
NEW BALTIMORE AMBULANCE DISTRICT NO. 1**

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute an agreement with Ravena Rescue Squad for the period January 1, 2010 -December 31, 2010 for basic ambulance service provided to New Baltimore Ambulance District No. 1, at a total cost of \$18,000.

**Councilman Norris moved, seconded by Councilwoman Finke.** No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

|                     | <u>AYES</u> | <u>NOES</u> |
|---------------------|-------------|-------------|
| <b>VOTE:</b>        |             |             |
| Councilman Byas     | x           |             |
| Councilwoman Finke  | x           |             |
| Councilman Meredith |             | absent      |
| Councilman Norris   | x           |             |



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Supervisor O'Rorke

x

- Town Hall technology issues

Councilman Meredith has been called out of town; Councilman Byas added that he had been asked to contact vendors. Supervisor O'Rorke asked if Councilman Meredith would be present to show them around. Councilman Byas said one vendor does websites. Supervisor asked if an RFP (Request for Proposal) had been put together; answer: no. Councilman Byas found three companies. Councilwoman Finke will check with Councilman Meredith; tabled to Town Board Work meeting.

**Biannual reports by the Planning Board and the ZBA**

Planning Board Chair Lee Davis stated that at the time of the new zoning amendments passage in 2008 a resolution was passed by the Town Board requesting that the Planning Board and the Zoning Board of Appeals report back to the Town Board on perceived negative and positive impacts of those zoning amendments. He read.

Following is the Planning Board's semi-annual resolution/report for the period July – December 2009:

**WHEREAS**, the Planning Board is required by Town Board resolution to provide a semi-annual report to the Town Board on the positive and negative impacts of the Zoning and Subdivision Regulations passed in 2008, it is hereby reported for the period July through December, 2009 as follows:

- No major subdivisions came before the Planning Board thereby invoking new Subdivision Regulations.
- One business owner was favorably impacted by receiving a stream-lined approval process pursuant to a Minor Site Plan, a process added in the new zoning. This allowed the applicant to proceed without the need for an additional meeting and public hearing.
- Another business owner was neutrally impacted, not positively or negatively, by the Site Plan process. As part of the SEQR notification process for this Site Plan, New York State Department of Transportation advised that our concepts under the Supplemental Regulations were very positive and good for commercial growth and expansion on 9W.

It was moved by Davis and seconded by Murray to submit the above resolution/report to the Town Board.

AYES: Davis, Kuder, Turner, Murray, Caputo

NAYS: None

ABSTAINED: None

ABSENT: One

Planning Board Chair Lee Davis quoted Director of Transportation Planning Robert S. Cherry, PE, NYS Department of Transportation, in his November 10, 2009 letter to Mr. Davis;

Page 1, paragraph 2, item 1:

*We commend the Town on the supplemental regulations contained in the new zoning ordinance (Chapter 112-25) regarding vehicular and pedestrian circulation (4) (b) under the Site Guidelines and Standards (D), in particular the stipulation for future connections among adjacent properties (i). We are pleased to see that this site shows a cross access connection to the future driveway to the lands of William Brandt.*

Also, page 2, paragraph 1:

*We applaud the Town of New Baltimore's effort to incorporate access management principles along the Route 9W corridor. Together we can ensure that future development along the corridor is consistent with the Town's and DOT's vision for 9W – controlled access facilitating safe conditions and ease of traffic flow, while enhancing economic development opportunities.*

Councilman Norris asked about the first commercial site plan. In the criteria, he asked if it was attached, it could be made a minor; answer: yes, without the benefit of the Code in front of him, Mr. Davis added that there would be another list of things to look at. Councilman Norris asked if the key element was the fact that it was attached- Mr. Davis added that the old zoning had no minor site plan, it was a "one size

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fits all" and the new amendments anticipates small businesses with small expansion and large businesses with large expansions and tries to streamline it for the small businesses.

Zoning Board of Appeals Chair Meave Tooher read.

Pursuant to Town Board December 8, 2008 resolution, we submit report for the period July 1, 2009 through December 31, 2009 as follows:

It was moved by Corrado and seconded by Covey that there have been no actions by the Zoning Board of Appeals that have been impacted by the new Zoning Code.

AYES: Tooher, Corrado, Covey

NAYS: None

ABSTAINED: None

ABSENT: None

There were no questions.

Supervisor O'Rorke stated that she is impressed with the professionalism of the two Boards, and complimented the two Board Chairs. [applause]

Rich Guthrie asked whether there were still vacancies. Supervisor said the vacancies were: 2 on Zoning Board of Appeals, 1 on Planning Board, and 1 on Board of Assessment Review; they have been advertised. Rich Guthrie asked if there is a danger of the Town having to accept by default any plans or appeals that may be coming before either Board brought on by a lack of quorum; Supervisor O'Rorke tried to research the Town Code for the Zoning Board of Appeals question that night and could not find any penalty or default that would fall back on the Town; she did not research that for the Planning Board. Planning Board Chair Lee Davis answered; the Town Code requires a certain period of time between a public hearing held on an application and when the vote to approve or disapprove that application must take place, he believed it to be 61 days, so, if unable to hold a vote due to lack of quorum, there would be a default approval. Supervisor hoped the committee chairs would have candidate recommendations for the Town Board to vote on at the March meeting, and invited those present to consider these opportunities. Supervisor and Ellie Alfeld confirmed that Grievance Day provides a choice of pizza or submarine sandwiches to the Board of Assessment Review members; the training for that is usually 3 hours in one evening.

With no more from the Town Board or from the public, **Councilman Norris moved to adjourn the meeting, seconded by Supervisor O'Rorke.**

**Motion Carried      Ayes-5    Byas, Finke, Meredith, Norris, O'Rorke**  
**Nays-0**

The meeting was adjourned at 9:50pm.

Respectfully,

Janet A. Brooks  
Town Clerk