

PLANNING BOARD MEETING
August 25, 2015

Susan Hawvermale, Chair
Karen Ellsweig, Steven Budofsky, David Groskin, Robert Sipos
Sandi Burke, Planning Board Secretary

Location of meeting: Forestburgh Firehouse

Planning Board meeting commenced at 7:00 pm.

Pledge of allegiance.

Susan Hawvermale thanked the Forestburgh Fire Department for allowing us to use of the Firehouse premises. Susan Hawvermale informs the attendees that we have to close the meeting at 9:15 as per the Firehouse as they must move the trucks back into the bays.

Susan Hawvermale informed attendees that the September meeting is changed due to it falling on a holiday (Rosh Hashanah) and is scheduled for Thursday, September 24, 2015.

REVIEW OF THE MINUTES FROM THE JUNE 23, 2015 MEETING: Steve Budofsky had changes to the July 2015 meeting minutes as follows:

- *"I noted that the ASTI employees, Christine Schiff and Peter Wikul submitted letters of recommendation, which identifies the proposed business as a tactical training to include police and military training and so I asked the question of how does the town move forward regarding the zoning law as it relates to the definition of recreation? Ken Klein affirmed Steve Budofsky's request for the need to clarify.*
- *At the last meeting, Eric from ASTI said that everything ASTI does is dangerous. I asked Eric what is your response to the safety concerns of the community considering the dangerous nature of your activities?"*
- *There was a discussion regarding the demonstration day, where the Planning Board (Susan Hawvermale, Karen Ellsweig and Steve Budofsky) gave the opinion that it should not occur and Susan Hawvermale stated that the Planning Board does not have the authority to allow or disallow it and that the decision rests with the Town Board. ASTI said that in spite of the Planning Board's opinion, they would go ahead and conduct the demonstration day."*
- *And then last, in the PUBLIC COMMENT section, the minutes note individual names who commented whether or not they were in favor of posting documentation from ASTI and so next to the individual's name, it notes for it or against it. However, there are a couple of people in there that are employees from ASTI, so maybe you should designate it because technically its not public comment if it comes from them".*

Sandi Burke agreed, as did Susan Hawvermale who stated that at the time we were not aware that some of them were employees until we were in the middle of it. Susan Hawvermale also stated that this will not happen again and stated that ASTI cannot comment during public comment. Sandi Burke also stated "and nor can the secretary".

Motion to accept the minutes made by Karen Ellsweig seconded by Bob Sipos. All in favor. None opposed. Carried.

COMMUNICATIONS:

Susan Hawvermale (to Planning Board members) "There are 40 letters for Planning Board correspondence. Do you want Sandi to read them all or do you want it noted for the record? We are in a time crunch here and if all of them are read, it will take away from public comment time". Also, if anybody wants to speak during public comment, there is a sign in sheet here and you have to sign in to be able to speak".

Karen Ellsweig: Are the letters available at the Town Hall if anybody would like to be able to read them?

Susan Hawvermale: "Yes"

Sandi Burke: (Directed to Planning Board members asks) So, even though I am not reading the entire correspondence, do I still go through each and say what its opposed, for, yay or nay or no?"

Susan Hawvermale: "You mean for the minutes?"

Sandi Burke: "For the letters."

Audience member: "We can't hear anything back here. Can you speak louder?"

Susan Hawvermale: "Yes, we will use our stage voices as much as possible. So, could you all speak up when you are talking about this (directed to Planning Board members). So, we want the letters _____ for the minutes?"

Steve Budofsky: "Yes".

Bob Sipos: "Yes".

Sandi Burke: "Do you want me to do that now"?"

Susan Hawvermale: "No. I think we said we decided not to read the letters at this point. In fact, can I get a motion to that effect?"

Sandi Burke: "And I have gotten into the Town's website, so the minutes are up on the website now, yay."

Motion made by Karen Ellsweig not to read individual letters at the meeting and that a summary of the letters go into the minutes, which are also available at the Town Hall, seconded by Bob Sipos. All in favor. None opposed. Carried. (See attached correspondence letters in entirety attached to these minutes).

REVISION OF PLANNING BOARD APPLICATION: Sandi Burke provided each Planning Board member the revised Planning Board application after all Planning Board members notations, corrections and revisions were completed. The notations were made by Susan Hawvermale, Steve Budofsky, Bob Sipos and Karen Ellsweig. The only portion not added to the application was where Karen Ellsweig wanted a "table of contents", however, due to confusion in the way Karen Ellsweig made her written notations on the old application, these were left out and Sandi Burke question Karen Ellsweig as to what she meant by certain things. It was agreed

that Karen Ellsweig will email Sandi Burke a more concise "table of contents" to be added to the Planning Board application. The application will be tabled until the next meeting so that the Planning Board has time to peruse the application. All agreed. The Planning Board will agree on the amounts for escrow for each application taken before the Planning Board. All agreed.

Tim Gottlieb: Provided a checklist for all applicants so there is no confusion when they submit their application, which will be attached to all applications upon receipt. Tim will set the escrow amounts for the applicants when they come in for the application.

Susan Hawvermale: "Isn't the escrow amount in the application now?"

Tim Gottlieb: "Not an amount".

Ken Klein: "I think what Tim is saying is maybe have an initial base amount that every applicant has at the very initial intake and review by an engineers office."

Tim Gottlieb: "Yes".

Susan Hawvermale: "This will be helpful certainly for Sandi Burke to know?".

Sandi Burke: "On the part of the application where it breaks down the fees, do you want me to add it to that or do you want to let me know at a later date where to add it in the application?"

Susan Hawvermale: "Lets go through this first. The escrow fees are separate. So, Tim if you could get back to me and Sandi and the board, it would be helpful for the escrow fees and the checklist for the action".

Tim Gottlieb agreed.

Susan Hawvermale: "Does anyone have any questions about the attachment we are going to put on the application?"

Steve Budofsky: "Some people had questions about whether it was going to be officially the 20 days and I see that it's in the new application. So, for anyone who was wondering, it is 20 days for submissions."

Sandi Burke: "It is 20 days? Because nobody has made a motion for this to go into effect as of the last Planning Board meeting. So, we need a motion please."

Susan Hawvermale: "Yes, we will make the motion to approve the application. This is all just draft."

Sandi Burke: "Because that is why people are getting confused when they would bring stuff in and they were rushed because they thought that they had to do it 20 days before the next Planning Board meeting; like when they brought in letters and things like that, the things that they wanted read at the board meeting."

Susan Hawvermale: "Hey, that's a good question. What about the letters?"

David Groskin: "Somebody has to drop off a letter 20 days before the next Planning Board meeting, which only gives them 10 days after the last one to write the letter seems a little rushed."

Susan Hawvermale: "I mean I'm okay with letters being read the day we receive them, but (never finished sentence)."

Steve Budofsky: "Well, if we pick up our correspondence packets the Monday of the week prior to the next Planning Board meeting, which would give it 7 business days before the meeting."

Susan Hawvermale, Karen Ellsweig, David Groskin, and Bob Sipos all agreed.

Sandi Burke: "So, not to confuse everybody, it will be the 8 days prior to the Planning Board meeting for all correspondence. Can I get a motion from the board please?"

Motion made by Steve Budofsky, seconded by Karen Ellsweig that all letters need to be received eight (8) days prior to the next meeting. All in favor. None opposed.

CURRENT APPLICATIONS:

Susan Hawvermale: "Before we go on to public comment, I want to go off the agenda for just a very brief time. ASTI is here and representatives. I was just wondering if you could give us an update since you made it to the meeting.

Javid Afzali: "Thank you Madame Chairwoman Hawvermale. Again, my name is Javid Afzali, ASTI's counsel. As you recall from the last meeting, we had public comment and we have heard opinions from members of the public both in favor of the project and many voices against the project and we have received numerous letters mostly focused on the noise issue. We have asked the board to table our application to relook at our project to see if we could come up with any sort of mitigation or modifications to our project that would be more in line with the comments here and to that effect, we did request and receive tabling of our application. Now, the modifications of mitigation that we are looking at right now is proposing to convert the sporting course to all electric motorcycle use only. What this means is that we would not be using any gasoline engine bikes. These electric bikes are all silent. There is no gasoline use. There is no emissions relations with the motorbikes. We proposed that. We went around, we looked at the feasibility and that is something that we are going to be able to work with. In addition to that, we further talked to our consultants. We talked to the town attorney looking at what could we do with the noise that is being generated by the gun range. We looked at additional mitigation there and finally we came up with the proposal and the thought that we are going to eliminate the use of live ammo for the gun range and use the gun course strictly for air soft type machines that will be firing pellets that have no noise and again air. Both sources of the noise of concern, the gun range including the motocross would be eliminated. We will still have the bikes there, but we won't have the noise associated with that and we would also have a similar gun range, but it would be used for air soft training, maybe paintball, something to that effect and these are our proposals we are working on and while our application is tabled, we will submit more written details of these new components of these new measures for the board's consideration."

Susan Hawvermale: "Any questions? Are you going to have anything for the next meeting?"

Javid Afzali: "I guess that really depends on where our application stands and feasibility. If we are going to go back on the agenda, we will be sure to get you at least 20 days in advance if they will be wanting to come before it in September."

Susan Hawvermale: "The only way a project goes back on the agenda is if we get paperwork that this board can discuss vis-a-vis the project."

Javid Afzali: "Absolutely, so we will submit that either for the next board meeting or the following board meeting, but no later than two (2) board meetings."

Susan Hawvermale: "Okay. Its not up to us, its up to you and if we get that, we will put you back on the agenda. If we do not get that, then you are not on the agenda."

Javid Afzali: "Works for us".

Susan Hawvermale: "Any questions? Okay, then we will look forward to receipt of that?"

Okay, public comment, anyone wishing to speak, Sandi do you have the list? Did everyone sign in who wanted to speak? Yes? No? There is a 3 minute limit to speaking, so edit your remarks."

PUBLIC COMMENT:

David Wallace: "I want to thank the honorable board for the opportunity to make public comment here tonight and thank you for your consideration of this application. I am a resident of Glen Spey, I am a member of Merriewold. I am a member of Susan Hawvermale and many people in this room. I think that uniting to be Forestburgh United is a great thing and you need to keep coming to these meetings united to see this thing through to the end to accomplish what you need to accomplish. I am not entirely convinced that denying this application would result in a united Forestburgh. I think that the process of being here and commenting and communicating in a civil fashion is resulting in the actual concessions from this applicant which you've heard tonight and the process appears to be working. And again, you don't resolve these things by fighting, but more often than not you resolve them by talking, dialog and taking their time to get the full motion of information out so that everyone can see it and be here to discuss it. In terms of keeping Forestburgh united, continuing to include this board in these communications is essential as well. I'm glad that there has been an opinion rendered to the chairwoman, I believe, on the issue or comments of interest and just as the applicant has come forward with some very useful concessions to try to get this down to hopefully a win/win position, I would just ask if you can assemble here to similarly take your time to let there be a process only to understand whether there is a real conflict of interest issue here or whether there isn't. As a licensed attorney, having done many of these applications, I would like to say I'm not convinced that there is a conflict of interest, but I may be wrong, I've been wrong before, but the process is just what you're doing, you show up, the applicant speaks, the board makes their requests, things get narrowed and focused until hopefully you come to a win/win for the citizens, the applicants, for Mr .Lam and for the board. When all are considered, we avoid undue expense which would impact our taxes. It seems to me like the process is working very nicely here and I look forward to seeing this outcome."

David Bavoso: "My name is David Bavoso. For those of you who haven't met me, I am an attorney with the law firm of Bavoso and Plotsky in Port Jervis, New York. A month ago, you listened to my father speak of the numerous ways _____ one application _____ just to supplement that slightly, I don't want to rehash everything that has already been said. I know you guys have had time to consider it and you will continue to consider it as this application progresses. This evening, I have provided a letter to the members of the board and I am respectfully requesting that sooner as you _____ applications primarily because of one application. I just want to give some substance as to a letter that I provided, most notably in section 263 of the town law and the State of New York the land use regulations in New York State _____ by that particular town. In Forestburgh's own Comprehensive Plan, section 2b, the plan itself actually references that particular New York State law and having had a chance to review the Comprehensive Plan of the town, both as a past attorney for the town and also as the attorney for some residents in the Town of Forestburgh now, it is clear that the primary goals of the comprehensive plan is to maintain the peace and tranquility of a rural nature of this particular _____ comprehensive plan by state law creates essentially a _____ regulations are to be formulated and implemented within a municipality and in this particular case, this municipality

has adopted a Comprehensive Plan, which seeks to preserve certain _____ and I ask that this board, as you continue with your deliberations with regards to this particular application, consider what those goals are as they are stated in the Comprehensive Plan and keep them in mind as you ask questions, as you make determinations moving forward. Thank you very much for the opportunity to speak at this meeting."

Emily Colson: "I regretted not speaking at the last meeting, so I signed up tonight. I am third generation Forestburgh Town citizen and what I regretted saying last time, specifically to you (pointing to James Sherman of ASTI) is that although I appreciate your business plan, I think this is the wrong place for you. I wish you the best of luck somewhere else, but I don't want you in my backyard and you would be in my backyard and I think that its very commendable that you think your going to use electric bikes now, great or you're not gonna use real guns, but that certainly has nothing at all to do with what you said last time. At that time, it was all about teaching our youth about guns and I have lots of youth who have grown up here and done well here and I just beg you to find somewhere else to go (audience laughs, shouts and applauds).

James Sherman: "So you don't want American values here..."

Sandi Burke: "Your time is up Emily, sorry."

Susan Hawvermale: "All comments must be directed to the board."

Richard Pink: "My name is Richard Pink. I'm a resident of Forestburgh and I live on Lakeside Road. I wrote a letter to the Planning Board and copied many of our representatives in town and in the state and so forth. I don't want to reiterate all that. You've all heard the comments in the last meeting. What I do wanna say though is that I've spent the majority of my adult life as a lender, an investor, and in fact a developer of nature, real estate and business properties and I'm no stranger at all to the Planning Board or the Zoning Board process. I don't know if the money behind this is here today, but if I were the money behind this, I'd be running as fast as I could because I have never seen a proposal that has the degree, the number, the percentage of opposition into it represented here. I think that there are other pieces of property. I know there are 250 acres in Monticello across from the Raceway that is probably a much more friendly environment for this organization. I've never seen, not only as big, but as passionate a group, as well organized, as sophisticated and also as well healed. So, they aren't going away. This opposition isn't going away. Its gonna cost a lot of money and a lot of time if in fact you ever succeed in getting your approval and also if I were the money behind it, I would be concerned about that. I would also be concerned about the fact that this group isn't going away and they're gonna be up your butt from the time if you open your doors and I will repeat, a very well funded group and they're not going away any time at all. So, enough said about that. I would be very cautious."

Richard Robbins: "One good thing that coming to this town has done, is to make us all recognize just how great a town we have and how focused it is on the peace and tranquility that graces all of our shirts, except mine cause I forgot. It's been terrific and there's nothing like having a common adversary to bring people together and I'm glad at least for that but what they represent and what they've represented until a moment ago when they said their plan now is completely different, what they still have on their website, there's a free wireless network in this building and I'm looking at the courses that are still on their website are basic intermediate pistol,

rifle, cover and concealment, basic sniper, intermediate sniper, this is still what their application is as it is now and when they change it, I'll believe it and the fact that they said so, well lets see what happens, but what I see in this application is an existential threat to what we are. This is just not the kind of place that will continue to be as it always has been with this kind of a neighbor. I just can't stand by quietly and accept the idea that well let the process take its course, the right end will come, there are procedures, we'll follow procedures, everything will turn out okay. I'm a lawyer, I know what the importance of process and I know the process isn't done until judgment has been entered and the time for appeal has ended. So, we continue this fight. I can't face a fight like this without giving it everything, everything and in doing that, I know that I've pissed people off and I apologize for that. I know I've been aggressive. I know that I've changed by activating a lot of people in this fight to send letters to kind of overwhelm Town Hall and its operations and I regret the spot that has put the people in who work at Town Hall like you Sandi. I apologize for that. The fact is that, however, and I don't mean this with respect to you, but one of the key elements in a fight like this is the free and open exchange of information and that's not been happening. The website, months and months ago I heard our Town Supervisor say that the website should be the last priority in terms of getting work down in the Town Hall and I'm afraid that that does nothing but frustrate the process. I'm not suggesting you do it. You're hired to do someone else's work. You do your job. I understand that. I'm not criticizing that, but the fact is that it frustrates the process when information flow is frustrated. It also continues though beyond the website. When I see in minutes and I was at the meeting and I don't see things in meetings. The minutes that were just approved make no reference to the fact that at the last meeting, a new 20 day rule for submissions were just dropped, just all of a sudden there was a new rule, 20 days. That's not in the minutes. There were other things that happened at that meeting that also aren't referenced. The content of what people had to say, gone. Stating so and so spoke in opposition, that didn't convey the actual meaning of what had happened. The minutes of that meeting don't actually reflect and aren't therefore included in the legal record of this proceeding what actually happened in that overcrowded Town Hall meeting nor was there a reference in those minutes to the fact that the..."

Sandi Burke: "Time. I was kind of enjoying hearing you apologize and your time went a few seconds over on accident, sorry."

Nancy Orr: "So, I'm Nancy Orr. I associate with Richard Robbins. A Forestburgh resident for 35 years? 40 years, thank you. Some of the other things about the town process that has not been very clear to us is in some cases the letters are received by the Planning Board and are read out loud and other times they are not. For instance, there were 4 letters submitted by Merriewold's attorneys that have yet to make it into a public record and yet the applicant's letters do get read at the meetings, even within 20 days, so we suggest that's not a fair process. So, I'm sorry, I don't know this part. So, there seems to be missing from this process a certain fairness, an appearance of fairness. There is, in our opinion and in the opinion of many in the room quite a conflict with the chairperson presiding over this matter. In the event that this is decided against ASTI and its on the record that a member in standing of Merriewold which is pretty uniform against this process, of which her family is a member, then I think ASTI has a very strong argument that that has not been, that she had a great conflict of interest and this has colored the decision of the Planning Board because she is a member of an organization and her family members are a member of an organization that opposes this. So it puts at risk any challenge that ASTI could make against the whole process. Woops. So, I think that what we want to just

emphasize is just 3 main things: That there should be no barriers to the flow of information by the Planning Board and there have been adjustments that have been made, but we think more are necessary. Basic rules of procedure have to be established that are fair and reasonable and we ask you to consider very seriously please the board about this conflict of interest. We don't want a decision that you guys make perhaps against the applicant to then be challenged successfully in court because of this major conflict of interest and I'm sure you had other great things to say."

Bill Sipos: "Good evening everybody. My name is Bill Sipos. I'm the past supervisor. I held office 18 years here. I represented the people, the majority of them when supervisor. I first would like to start by thanking the board chairperson here and the board for allowing me this time to talk and whatever happens, I'm here to tell you, they're doing a good job and the job is the process and the due diligence is what they're here to do and need to do. I am the first to tell you, look at this, Forestburgh broken. Well, where does this come from? These are filled pages of propaganda and misinformation. All this is individual writing with information that is being fed to this group that is not factual and I can give you the facts. The last I remember, America was a free country and if you wanted to do something, you are entitled to do it or at least make the application to the process. If the process don't work, get out, get out okay. We have protocol to follow and they're following their protocol. I think they are gonna do a good job in whatever happens. Meanwhile, this says why wasn't the exaggerator told his visions and dreams are a nightmare for anybody and everybody who has any sense of what this town is, why don't you explain to Mr. Sherman and the war heroes he has in tow have no business here and what they want will destroy what we stand for. It doesn't meet town requirements. Then they should be rejected, discrediting the men that served our very armed forces and represent us in this country. They want to take them out and _____. Maybe a little thank you and a thank you for the great job you've done. ASTI is doing their due diligence. I'm not in favor of it, I'm not opposed to it. A lot of circulation that I do all their catering, well if I am I haven't gotten a check yet, so I have a problem. Secondly, I'm told that I'm favoring them because I favor the noise of the racetrack, well I don't cater for the racetrack either, so there's no big deal about that. What we know is that we need to go through a process. They're going through the process. If they don't accept the application, it moves to the next process. I'm not here representing ASTI or Forestburgh, I'm here representing the misinterpretation that we're getting. Peace and tranquility, if that's what we're about then...."

Sandi Burke: "Time Bill."

Bill Sipos: "Just one second".

Sandi Burke: "No Bill, its time."

Chuck Vassallo: "Sandi, I put my name on the list and you didn't call me."

Sandi Burke: "Oh Chuck, I'm so sorry. You were suppose to be after Emily and I didn't even see your name. I'm so sorry."

Chuck Vassallo: "It's okay. All I wanna say is that I'm not clear about the motions that were approved earlier tonight with regard to the letters that have been submitted but my request is that in the interest of transparency and I know this is gonna make more work for you (pointing to Sandi), but in the interest of transparency that those letters be posted somehow to the website."

Susan Hawvermale: "The letters are available. You can get copies at the Town Hall and Sandi will have them for you. We are following Town Board procedures and posting in the public comments section."

Not signed in for public comment but then spoke from audience, therefore, audible unclear:

Heather Ross: "Susan, I'm sorry, I would have signed my name into the public comment section had I been aware you ____ I would just like to say my name is Heather Ross and I am a resident of Forestburgh. As most of us now, ASTI is still actively fundraising, which ____ on their website. They're actively getting people to sign memberships ____ the project and they're still advertising automatic weapons and motocross _____. If I were their attorney, I would be asking who are you being defiant against? Us or your potential investors because I think in both cases, you're crossing a legal _____.

Sheldon Pasternack: "I didn't sign up, but I want to speak."

Susan Hawvermale: "This is our agenda and I asked that everybody who wanted to speak to sign up. You can have 3 minutes and then I'm going to close the forum."

Sheldon Pasternack: "____ hi my name is Sheldon Pasternack ____ the problem is that the area that you wanna put it is in 307 acres okay which used to be a golf course was originally ____ at the time ____ 20 years ago ____ private family, private use only, not commercial. Okay? So what happens is there was already set a precedent that that was not ____ okay? Now, ____ for commercial. The thing is that we have commercial ____ Forestburgh okay? I don't think personally that's what we want but that's what we're here for and I think that's how I feel. Thank you."

Susan Hawvermale: "I am closing public comment".

Public comment closed at 7:48 p.m.

Susan Hawvermale: "At the next meeting, if you need to speak, please come and sign up. It makes it easier for Sandi to know who is speaking, we have some sort of order and some sort of procedures but that is the procedure for public comment and we would like you to speak, so just sign up at the next meeting if you want to be heard."

OTHER BUSINESS:

Susan Hawvermale: "We are trying to follow town procedures as much as possible at these meetings and we are getting into the groove, so if you have other things that we need to do for these procedures speak up. We are trying to get minutes similar to Town Board minutes. I think Sandi is doing a really good job. David?"

David Groskin: "So, I don't know whether you charge for the copies of the letters if they aren't on the website."

Susan Hawvermale: "What's the Town Board's procedure for that Sandi".

Sandi Burke: "Well, if I have to make photo copies then I have to charge 0.25 cents. If you want me to post them on the website, I will do whatever you want, but that is going to take time. There's a stack of them like 4-5 inches thick. To make that a complete packet I can do it and as long as I'm left alone I can do it."

David Groskin: "When people come in do they ask you for one specific thing or..."

Sandi Burke: "It depends. Actually, its been really quiet this past week and I've been able to catch up on so much other work. So if I'm not bombarded while we're trying to work, you know

we've got the town's budget coming up right now for next year, but I can get it all up there if I'm let alone for a bit I can get it all in there and then its easy to just add to it from there. But I don't want to get accused of adding stuff in bits and pieces, so I want to add it all in its entirety at once. You know what I mean? I have to put it all in chronological order and then scan it in but our copier won't let me do it all in one group, I will have to do it in groups because it will say there's too much data."

Susan Hawvermale: "I would like to defer to the Town Board to see how they feel about it."

Sandi Burke: "They don't post their letters because we had asked about that, so I don't know. I mean, Ken is there any legal issue as to why I wouldn't be able to post all correspondence to the website?"

Ken Klein: "You can't give too much information."

Steve Budofsky: "Which would be more efficient? Is it more efficient to post it all or to do it as people come in and ask for entire packets?"

Sandi Burke: "Oh, its a lot easier if I could just take a day and get it all in there, this way nobody has to come see me, although I do like seeing some of you I have to say, but yeah, I could, I could. See the thing of it is, I can't add things to the website that the board members have not had a chance to review yet. So if things come in, don't get upset and accuse me of hiding things as I have to wait until the board reviews it and then I can put it up. So, if everybody understands that process, then yeah."

David Groskin: "I would say that the bulk of the letters, I mean I doubt that anybody's gonna write a 3 page letter this week."

Sandi Burke: "Shush David....they will accept that challenge! All kidding aside, I will do whatever pleases the board."

Susan Hawvermale: "How long do you think it would take Sandi?"

Sandi Burke: "I would say within 48 hours after the meeting would give me enough time to scan it in. Of course, for the first time, give me a few more, maybe, I don't think it will take me too long to do it, but the first time all the correspondence on file currently will take time, a week or two. I can scan them as they come in and stick them in a folder on my desktop and then once the board has a chance to review them, upload them."

Susan Hawvermale: "I know it has been a struggle because you would post things and they would disappear."

Sandi Burke: "Not only me, Joanne Nagoda's stuff also was disappearing. This was also going back to before I even had logins, but I have gotten this all taken care of with our website developer. We have changed passwords and locked other people's access who should no longer have access and Joanne Nagoda and myself are the only 2 people with passwords and logins."

Susan Hawvermale: "Is everyone okay with that then? "

Planning Board members: "Yes".

Susan Hawvermale: "Then can I have a motion please?"

Motion made by Steve Budofsky that Sandi scan all letters submitted and not upload the public's letters to the town's website until the day after the Planning Board meeting. Karen Ellsweig seconded. All in favor. None opposed. Carried.

Karen Ellsweig: "The application that ASTI has submitted and all the attachments are all also available at the Town Hall for anyone and everyone to review. I don't think at this time we are prepared to make a decision on uploading that because at this point the application is..."

Sandi Burke: "The application is already on the website."

Susan Hawvermale: "Any additions or amendments to the application will be...Did you do that Sandi?"

Sandi Burke: "No that was done before I was Planning Board secretary. Someone had already done that. I don't know if it was Katie or what. Nobody can upload anything to that website, well I don't know about before, but now its locked down."

Susan Hawvermale: "SEQR forms were available on the website."

Ken Klein: "Questioned whether they were available on the website."

Sandi Burke: "I don't know if there are any links, but if you want me to create links I can."

Ken Klein: "There is a link from the DEC website for SEQR."

Anthony Kane: "What type of letters are you referring to in response to what is put up on the website...are these letters from attorneys for ASTI or others or residents? Your category is much too broad. We won't know what's on your agenda."

Audience member: "_____ application process _____."

Ken Klein: "_____ whether its a _____, report from a consultant _____ the documents _____."

Audience member: "_____."

More than one person speaking at a time and entire audible unclear.

Sandi Burke: "Things like that I can always scan so that you are all getting it at the same time if you want? The board and the town. I can upload it and send it to you in email form and then I can upload it to the town's website something like that. Up to you."

Susan Hawvermale: "We need a motion, so how are we going to word this?"

Steve Budofsky: "Sandi's right. When I made that motion it wasn't in the context of the public submitting letters and not to be part of the legal process regarding the application, so I need to amend it."

More than one person speaking at a time, audible unclear.

Motion made by Karen Ellsweig that any materials received by the applicant in furtherance of an applicant's application should be immediately scanned and emailed to all planning board members and then uploaded to the Town's website in a separate section for that specific applicant by name. Seconded by Steve Budofsky. All in favor. None opposed. Carried.

Audience member: "I'm kinda confused. Normally when there's a meeting, there should be policies and procedures that should be followed to a T. There seems to be like discussions about whether we can upload or download. I think that should be a discussion and a policy that should be created, not discussed at a meeting on a different topic. I feel like we went in the wrong direction and I just think just for organizational reasons if we are going to scan everything, that should be written and that way as a constituent of yours, which I am of 37 years, I can go on and read exactly what your expectations are when I attend the meeting and not only that, after a meeting is over, when I can see the minutes of that meeting, when it will be uploaded. I mean you know sometimes we develop things as time goes on _____ and I just think as a constituent it is just easier to read _____ those letters so we have internet access at this point and we should avail our constituents of that make it a lot easier for me. I dunno if anybody agrees with me or not. Its important to be knowledgeable, aware and should made decisions openly."

Susan Hawvermale: "You must realize we cannot discuss any of this outside of a Planning Board meeting. So we have got to establish policies and procedures at these meetings. It is against the law for us to determine anything like that."

More than one person speaking at once, inaudible audio.

Karen Ellsweig: "And what you have to realize is that in doing this, we just changed policy right now, so I mean its established that when someone has feedback from the audience as a comment to what we had just done helps us improve what we had discussed, which we would be discussing at our meeting if you weren't here. So, I think that there's a benefit to be seen by having it happen and we can appreciate any comments from the public to help us in creating our own procedures."

Susan Hawvermale: "Comments from over here."

Steve Budofsky: "Yeah, I agree. I think that regarding transparency that when policy and procedure is established at a meeting where the public can see it being established, it is more transparent than us meeting separately, which we cannot do anyway. So, in that event, it works to the benefit of all."

Susan Hawvermale: "For the next meeting in September..."

Audience member: Interrupts Susan Hawvermale, however, cannot hear her as she is speaking too low. Many people speaking at once. Inaudible audio.

Steve Budofsky: "Sandi, have the town board letters ever been available to the public?"

Sandi Burke: "No never on the website."

Steve Budofsky: "Once they are entered into the public record at the meeting, they then become available? That has been the process?"

Sandi Burke: "Yes. Correct."

Susan Hawvermale: "At this point, because we don't know if we are going to be here at the Firehouse for the September 24th meeting, how many of you are planning on being here for the September 24th meeting by a show of hands? Alright, thank you."

ADJOURNMENT: Meeting adjourned at 8:13 p.m.

UPCOMING MEETINGS:

- September 24, 2015.
- October 27, 2015
- November 24, 2015

Respectfully submitted by

Sandi Burke
Planning Board Secretary