

A public hearing and special meeting of the Town Board of the Town of Livingston, County of Columbia, and the State of New York was held at the town hall, 119 County Route 19, Livingston, NY on the 22<sup>nd</sup> day of September, 2016.

Present: Supervisor James Guzzi Deputy Supervisor Will Yandik  
Councilperson William Bender Councilperson Phil Massaro Councilperson Kelly McDonald  
Town Attorney-Robert Fitzsimmons Esq.

Supervisor Guzzi opened the public hearing at 7:00 pm. The hearing was for the purpose of considering the adoption of Local Law # 2 of the year 2016. This local law, if adopted, would put a 3 month moratorium on all pending and future mine applications in the town of Livingston.

Town Clerk, Tammy Molinski read the public notice on the hearing that had been published.

Resident Marty Hoffman commended the town for considering the moratorium, read a statement against mining in the town and read from various pages of the town Master Plan.

Resident and President of the Livingston Neighbors Association, Joseph Sweeney, read a statement against mining in the town

Ryan Kelleher of the law firm Bond Schoeneck and King, representing Red Wing , spoke for the town not including Red Wing's application in the moratorium, and presented the town with a letter favorable to Red Wing, from the Town of Lagrange, as well as a petition from residents of the town of Livingston opposed to the moratorium.

Jason Shaw of the law firm Whitman Osterman & Hanna LLP, representing the Livingston Neighbors Association, spoke in favor of the moratorium

Resident Jane O'Shaughnessy read a statement in favor of the moratorium.

Resident Trissy Callan spoke in favor of the moratorium.

Resident Cynthia Shea spoke against including the pending application in the moratorium.

Red Wing Owner Frank Doherty spoke about his application, to clear up misconceptions, and give his reasons for having the town not include his application in the moratorium. He said the high truck loads were a worst case scenario he had to give DEC. He has no intention of mining more than the 14.3 acres and his hours of operation would be 7-4:30 Monday thru Friday, no Saturday hours. It has taken him so long due to his changing consultants in mid process.

With no further comment, the public hearing was closed at 7:57 pm.

Supervisor Guzzi opened the special meeting immediately after to discuss the pending Local Law # 2.

Resolution # 90

Motion to adopt Local Law # 2 of the Year 2016, enacting a 3 month moratorium on mines and mining in the town of Livingston including pending and future applications

A motion was made by Deputy Supervisor Yandik, seconded by Councilperson Bender to adopt Local Law # 2 for the year 2016

Votes 4 Ayes, 1 No

With no further business, the meeting was closed.

Respectfully Submitted,

Tammy Molinski

Town Clerk

DRAFT MINUTES