

RESOLUTION OF THE TOWN BOARD FOR THE TOWN OF TYRE CONCERNING RETENTION OF SPECIAL LEGAL COUNSEL TO REPRESENT THE TOWN IN CONNECTION WITH THE ADOPTION OF A MORATORIUM ON ZONING PERMITS AND LAND USE APPROVALS AND WITH THE ADOPTION OF A LOCAL LAW REQUIRING THE REIMBURSEMENT OF EXPENSES ASSOCIATED WITH THE REVIEW OF CERTAIN LAND USE APPLICATIONS

August 21, 2014

WHEREAS, the Town of Tyre (the “Town”) recently adopted a Comprehensive Plan which identified certain weaknesses in the Town’s existing land use regulations, including the absence of site plan and subdivision regulations; and

WHEREAS, the Town’s Comprehensive Plan recommends that the Town adopt both subdivision and site plan regulations to give the Town control over proposed multi-family, commercial or industrial developments that do not qualify for review under the recently enacted PUD provisions; and

WHEREAS, the Town has received an application for a multi-family residential development and it anticipates a number of other applications for multi-family residential, commercial or industrial developments within the Town; and

WHEREAS, the Town wishes to ensure that it has the opportunity to adequately plan and review these types of developments to promote sound development within the Town that is consistent with its Comprehensive Plan; and

WHEREAS, in connection therewith, the Town Board of the Town of Tyre (the “Town Board”) wishes to retain special legal counsel to assist with the adoption of a Moratorium on Zoning Permits and Land Use Approvals (the “Moratorium Law”) and with the adoption of a law requiring reimbursement of certain expenses associated with the review of certain land use applications (the “Reimbursement Law”); and

WHEREAS, the Town Board has previously engaged Bond, Schoeneck & King, PLLC, in connection with the Town’s review of the proposed Lago Resort and Casino; and

WHEREAS, the recommendation of the Town Attorney is to retain the services of Bond, Schoeneck & King, PLLC in connection with the adoption of the Moratorium Law and the Reimbursement Law; and

WHEREAS, the Town Board desires to act on the recommendation of the Town Attorney to select Bond, Schoeneck and King, PLLC to provide the services requested in connection with the adoption of the Moratorium Law and the Reimbursement Law.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. After consideration of the recommendation of the Town Attorney and its prior engagement of Bond, Schoeneck & King, PLLC, the Town Board hereby designates the law firm of Bond, Schoeneck & King, PLLC to assist the Town in the consideration of a Moratorium Law and a Reimbursement Law.

The adoption of the foregoing Resolution was moved by Councilman Aceto, seconded by Councilman Thomson, and duly put to vote, which resulted as follows:

	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Absent</i>
Supervisor Ronald F. McGreevy	[X]	[]	[]	[]
Councilman Joseph Delpapa	[X]	[]	[]	[]
Councilman James Rogers	[X]	[]	[]	[]
Councilman Reginald Aceto	[X]	[]	[]	[]
Councilman Thomas Thomson	[X]	[]	[]	[]

The Resolution was thereupon duly adopted.

August 21, 2014