

**TOWN OF KIRKWOOD
PUBLIC HEARING**

December 29, 2009

A public hearing regarding the adoption of a Local Law of the Town of Kirkwood for the year 2009 which would amend Section 3 of the Town of Kirkwood Ordinance Licensing and Regulating Amusement and Forms of Entertainment, was held on December 29, 2009 at 6:28 PM at the Joseph A. Griffin Town Hall with Supervisor Gordon Kniffen presiding.

Present: Supervisor Gordon Kniffen
Councilman Lewis Grubham
Councilwoman Linda Yonchuk
Councilman William Diffendorf, Jr.

Absent: Councilman Robert Weingartner

Also Present: Herbert Kline, Town Attorney
Gayle Diffendorf, Town Clerk
Raymond Coolbaugh, Deputy DPW Commissioner

Supervisor Kniffen verified that he had affidavit of posting and affidavits of publication in the Press & Sun Bulletin and The Country Courier.

Supervisor Kniffen explained that in this ordinance, specific to the race track, a license is required every week to run races and it currently reads to a specific date. He noted that there are times when the event is rained out and it does not seem fair that another license should be required. This amendment would allow the event to be rescheduled without the payment of an additional license fee to another date within seven days from the cancellation date.

Supervisor Kniffen opened the hearing to public comment.

Lois Whittemore of 30 Roberts Street said that she does not feel seven days is necessary and noted that he tends to run races on Sunday. She said this is a concern since it is the only day anyone in the neighborhood can schedule home events; this is not fair to residents. She added that for weeknight events he should try to be finished by 9:00 PM and not race on Sundays. She added that if they are amending this ordinance number 3 should be changed since Kirkwood does not have police officers or health officers.

Hearing no additional comments, Supervisor Kniffen ordered the hearing closed at 6:32 PM.

Respectfully submitted,

Gayle M. Diffendorf
Town Clerk

Note:

After the public hearing was closed it was determined that the amendment suggested by Ms. Whittemore had already been made.

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March 4, 2008