

STATE OF NEW YORK }
 COUNTY OF ALBANY

**TOWN OF NEW SCOTLAND
 NOTICE OF PUBLIC HEARING**

Please take notice that a public hearing will be held by the Town Board of the Town of New Scotland on February 11, 2009 at 6:30 p.m. at New Scotland Town Hall, 2029 New Scotland Road, Slingerlands, NY 12159 regarding the adoption of Proposed Local Law K of the Year 2008. The Proposed Local Law would extend the provisions of Local Law #3 of the Year 2008 to September 1, 2009. If adopted, the Proposed Local Law would, until September 1, 2009, prohibit officials or boards of the Town of New Scotland from accepting or considering applications for building permits, subdivision approval, site plan approval, special use permits, or applications for planned unit developments in the Commercial Zone of the Town of New Scotland wherein the proposed building or buildings relating thereto exceed in area a total of 30,000 square feet. The foregoing restrictions would not apply to agricultural uses or residential uses.

Copies of the proposed Local Law are available for review at New Scotland Town Hall.

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 All members of the public wishing to be heard concerning Proposed Local Law K of the Year 2008 will be allowed to comment concerning the same at the Public Hearing.

By Order of the Town Board of the Town of New Scotland on December 17, 2008.

Diane Deschenes
 New Scotland Town Clerk

The Town of New Scotland is an equal opportunity provider and employer.
 (3-29)

JAMES E. GARDNER of the Town of Guilderland, being duly sworn, says that he is the publisher of THE ALTAMONT ENTERPRISE AND ALBANY COUNTY POST, a weekly newspaper printed and published in the Village of Altamont, County of Albany, and that the notice of which the annexed is a true copy, has been regularly published in said ALTAMONT ENTERPRISE AND ALBANY COUNTY POST

Once each week for one week.

consecutively commencing on the 5th day of

February 20 09

James E. Gardner

[Signature]

FILED
 PUBLIC CLERK
 COUNTY OF ALBANY
 2009 FEB 11
 313-2009

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

**Town of New Scotland
Local Law #1 of the year 2009**

A local law Providing a Second Extension of Local Law No. 3 of the Year 2008, to September 1, 2009.

Be it enacted by the Town Board of the Town of New Scotland as follows:

SECTION I.

PURPOSE

On May 7, 2008 the New Scotland Town Board enacted Local Law No. 3 of 2008 (the "Moratorium"), which temporarily suspended large scale commercial development in the Commercial Zone. Subsequent to the enactment of the Moratorium, the New Scotland Town Board created a committee ("CZAC") to study the advisability of amending the Town of New Scotland Zoning Law as it pertains to the commercial zone and to make recommendations to the Town Board concerning the same. On August 13, 2008 CZAC reported to the Town Board that it had made substantial progress toward achieving its goal. It was further reported by CZAC, however, that it was unlikely their recommendations would be complete in time for the Town Board to act upon them prior to the expiration of the Moratorium. On November 12, 2008 that Town Board passed Local Law No. 6 of the year 2008, which extended the Moratorium to March 1, 2009.

Subsequently, various members of CZAC reported recommendations to the Town Board. The Town Board finds that a further extension of the Moratorium is necessary and desirable to allow the Town Board time to review those recommendations and act upon them.

SECTION II. AUTHORITY

This local law is enacted by the Town Board of the Town of New Scotland pursuant to its authority to adopt local laws under Article IX of the New York State Constitution and Municipal Home Rule Law Section 10.

SECTION III. EXTENSION

Local Law No. 3 of 2008 of the Town of New Scotland is extended until September 1, 2009 and all provisions thereof shall remain in effect until that date.

SECTION IV. VALIDITY

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law which can be given effect without such invalid part or parts.

SECTION V. REPEAL OF OTHER LAWS

All local laws in conflict with the provisions of this local law are hereby superceded and suspended until September 1, 2009 and for any other additional period that Local Law No. 3 of 2008 may hereafter be extended.

SECTION VI.

EFFECTIVE DATE

This local law shall take effect immediately, as provided by law, upon filing with the Secretary of State and shall remain in force and effect until September 1, 2009.

Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2009 of the Town of New Scotland was duly passed by the New Scotland Town Board on February 11, 2009, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20 ____ of the Town of New Scotland was duly passed by the New Scotland Town Board on _____, 20 __, and was (approved) (not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20 __, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20 ____ of the Town of New Scotland was duly passed by the New Scotland Town Board. _____ on _____ 20 __, and was (approved) (not approved) (repassed after disapproval) by the _____ on _____, 20 __, Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and

received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special)(annual) election held on _____ 20 ____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20 ____ of the Town of New Scotland was duly passed by the _____ on _____, 20 ____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20 ____ . Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____, 20 ____, in accordance with the applicable provisions of law.

*** Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.**

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20 ____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____, 20 ____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20___ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20___, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph one, above.


New Scotland Town Clerk

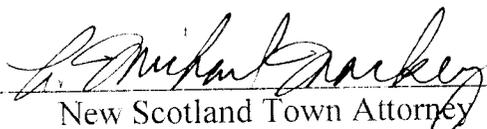
(Seal)

Date: 2/12/09

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF ALBANY

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature 
New Scotland Town Attorney

Date: 2/12/09