

The July 3, 2018 Regular meeting was called to order at 7:00 pm by Supervisor Tollisen in the A. James Bold Meeting Room at the New Town Hall with the following members present:

Kevin J. Tollisen, Supervisor  
Paul L. Hotaling, Councilman  
John P. Wasielewski, Councilman  
Daphne V. Jordan, Councilwoman  
Jeremy W. Connors, Councilman  
Lyn A. Murphy, Town Attorney  
Cathy L. Drobny, Deputy Town Attorney  
Lynda A. Bryan, Town Clerk

## **PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE**

## **COMMUNITY EVENTS:**

The “BUY A BRICK” program for the Halfmoon Veterans Walk of Honor at the Halfmoon Veterans Memorial in the Town Park is now accepting orders. Create a lasting tribute for your veteran. For more information please call 371-7410 ext. 2200 or visit our website [www.townofhalfmoon-ny.gov](http://www.townofhalfmoon-ny.gov).

Town of Halfmoon Farmer’s Market every Wednesday until mid-September from 3:00-6:00 PM by the Gazebo

End of Summer Bash in Town Park with Music & Fireworks – August 24th

Mosquito Dunks: It is that time of year again! The Town of Halfmoon is offering Mosquito Dunks FREE of charge to residents. Please stop by at the Town Clerk’s Office to fill out a short application and pick yours up today!

## **TOWN MEETINGS:**

Town Board Meetings: 1<sup>st</sup> & 3<sup>rd</sup> Wednesday of month at 7:00 pm except May 7<sup>th</sup> at 2:00 pm

Pre-meeting at 6:30 pm

Zoning Board of Appeals: 1<sup>st</sup> Monday of month at 7:15 pm. Pre-meeting at 7:00 pm

Planning Board Meeting: 2<sup>nd</sup> & 4<sup>th</sup> Monday of month at 7:00 pm. Pre-meeting at 6:00 pm

Board of Assessment Review: 4<sup>th</sup> Tuesday in May

Senior Center Business Meeting: 1<sup>st</sup> Wednesday of month at 1:00 pm

Halfmoon Historical Society: Last Tuesday of month at 7:00 pm

Open Space & Trails Committee: Feb 20, April 16, June 18, Aug 20, Oct 15, and Dec. 17, the 3<sup>rd</sup> Monday except Feb due to holiday.

Resident Relations Committee: TBD

Business & Economic Development Committee: TBD

## **PUBLIC COMMENT (for discussion of agenda topics)**

## **REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY**

Kevin J. Tollisen (Town Supervisor)

Paul Hotaling (Deputy Town Supervisor): (1) Chair of Town Infrastructure (Water, Highway, Building & Maintenance), (2) Chair of Recreation and Character Counts, (3) Chair of Personnel Committee, (4) Chair of Safety Committee

I want to thank our Rec Staff. It's been a couple of hot days and they have done a great job taking care of our youngsters. Also, the Spray Park is coming along very well. The guys are working in the heat trying to make things happen!

**John Wasielewski (Town Board Member):** (1) Chair of Ethics Committee, (2) Chair of Committee on Emergency Services and Public Safety (Emergency Corps, Fire Department, Police); (3) Co-Chair of Committee on Resident Relations, (4) Co-Liaison to Planning Board

I have no report this evening, thank you.

**Daphne Jordan (Town Board Member):** (1) Co-Chair of Business and Economic Development (2) Animal Control (3) Liaison to Open Space and Trails Committee, (4) Zoning Board Liaison

I have no report this evening.

**Jeremy Connors (Town Board Member):** (1) Co- Liaison to Planning Board; (2) Chair of Committee on Not for Profit Organizations; (3) Co-Chair of Business and Economic Development Committee (4) Chair of Parks and Athletic Organizations

I just wanted to mention that our thoughts and prayers are with the State Police and Trooper Nicholas Clark and his family for his ultimate sacrifice that occurred yesterday. It was tragic, unwarranted and it just goes to show you that the sacrifice that our law enforcement take on a daily basis, as I know firsthand. Please keep your thoughts and prayers with Trooper Clark and his family. Thank you.

**Supervisor Tollisen:** Also, our thoughts and prayers are with Supervisor Lent's family. Supervisor Lent from Galway was tragically killed several days ago, so thoughts and prayers to his family.

**Lynda Bryan (Town Clerk):** (1) Chair of Senior Programs, (2) Chair of Committee on Historical Archives, (3) Co-Chair of Committee on Resident Relations

I have no report this evening Mr. Supervisor

**Lyn Murphy, Esq., (Town Attorney)**

At this point, I would like the Board to consider for two separate resolutions for two separate issues. The first would be a resolution to expend funds from the Special Revenue Fund Recreation Fees in the not to exceed amount of \$75,000 for the crossing of the railroad which would connect the Champlain Canal Trail to the Lighthouse Park.

#### **RESOLUTION NO. 242-2018**

**Offered** by Councilwoman Jordan, seconded by Councilman Wasielewski: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, Jordan & Connors

**RESOLVED**, that the Town Board approves expending funds from the Special Revenue Fund Recreation Fees in the not to exceed amount of \$75,000 for the crossing of the railroad which would connect the Champlain Canal Trail to the Lighthouse Park.

**Councilwoman Jordan:** I would just like to comment that it is a nine year project and we would like to get done. It is through no fault of the Town that it is taking that long, but because we have been dealing with the railroad and the price keeps going up, so let's get it done.

**Town Attorney Murphy:** The second resolution would authorize in the not to exceed amount of \$10,000, payment for legal services for Nolan & Heller in the Article 78 proceedings to prohibit the Colonie Landfill from going forward based on the approval of their recent permit.

#### **RESOLUTION NO. 243-2018**

**Offered** by Councilman Connors, seconded by Councilman Wasielewski: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, Jordan & Connors

**RESOLVED**, that the Town Board authorizes payment for legal services for Nolan & Heller in the not to exceed amount of \$10,000 in the Article 78 proceedings to prohibit the Colonie Landfill from going forward based on the approval of their recent permit.

**Supervisor Tollisen:** This is an additional amount of \$10,000. We have already done a resolution previously, but there have been a number of legal matters and motions that have gone on, hence requiring these additional monies.

**Cathy Drobny, Esq. (Town Attorney)**

**PUBLIC COMMENT (for discussion of agenda topics)** No one came forward

**DEPARTMENT MANAGER MONTHLY REPORTS – (Can be viewed at the Town Clerk’s Office) Building & Planning, Receiver of Taxes**

#### **DEPARTMENT REPORTS –**

- |    |                       |  |                     |
|----|-----------------------|--|---------------------|
| 1. | Senior Express        | Total # Riders – 411                     | Total # Meals – 677 |
| 2. | Town Justice Suchocki |  |                     |
|    | Total # Cases – 246   | Total Fees Submitted to the Supervisor - | \$32,594            |
| 3. | Town Justice Fodera   |  |                     |
|    | Total # Cases – 213   | Total Fees Submitted to the Supervisor - | \$26,297            |

**DEPARTMENT MANAGER MONTHLY REPORTS – (Can be viewed at the Town Clerk’s Office) Building & Planning, Receiver of Taxes**

#### **CORRESPONDENCE**

1. **Received** from the Town Planning Board Resolutions approved at the June 25, 2018 meeting: Approval of a Sign Application for Secure-It Self-Storage, 443 Route 146, for a Change of Use/Tenant Application for Adam’s Express Inc., 3 Liebich Lane, for Relocation of a Telecommunications Tower, Related Ground Equipment & Existing Antenna (T-Mobile), 1525 Crescent Road, for Co-Location of Telecommunications Equipment for Verizon Wireless, 1525 Crescent Road, for Site Plan Approval for the 25 Route 146 Duplex and for Curvy Girl’s Food Truck & Catering, 1541 Route 9, (Lindsay’s Country Store), for Preliminary Subdivision Approval of the proposed Pinebrook Hills Residential Planned Development District, Farm to Market Road, for a Minor Subdivision for the Gier Lot Line Adjustment, 10 Sunny Hill Court, and for the 412 Halfmoon Flex Park in the Parkford Planned Development District (PDD), 421 Route 146, for a Minor Subdivision & Lot Line Adjustment for the McBride Irrevocable Trust & St. Luke’s Episcopal Church, 12 McBride Road & 40 McBride Road, and Regarding a Negative Recommendation for the Betts Farm Residential Planned Development District, Betts Lane & Hayner Road.

***Received & Filed***

2. **Received** from the Department of Public Utilities, notification that the water rate for May 1, 2018 to April 30, 2019 will be \$2.06783 per thousand gallons. This rate will be used for the August and November 2018 and February and May 2019 water bills.

*Received & Filed*

## OLD BUSINESS

Supervisor Tollisen stated that the next two items will continue to be tabled as the Town Board is still reviewing those projects.

1. **Resolution** that the Town Board addresses the Betts Farm PDD that was TABLED from the May 16, 2018 Town Board meeting.

2. **Resolution** that the Town Board addresses the Mott Farm PDD that was TABLED from the June 6, 2018 Town Board meeting

## NEW BUSINESS

### RESOLUTION NO. 244-2018

**Offered** by Councilman Wasielewski, seconded by Councilman Connors: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Connors  
Abstained: Jordan

**RESOLVED**, that the Town Board approves the minutes of Town Board Meeting of June 20, 2018 as presented.

### RESOLUTION NO. 245-2018

**Offered** by Councilman Connors, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, Jordan & Connors

**RESOLVED**, that the Town Board approves the Comptroller's Report for the month of May 2018, as presented.

### RESOLUTION NO. 246-2018

**Offered** by Councilman Connors, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, Jordan & Connors

**RESOLVED**, that the Town Board authorizes the Town Attorney to execute any documents associated with transfer of the water line constructed and currently owned by the Environmental Protection Agency that is utilized to transport potable water to the towns of Waterford and Halfmoon to the Town of Halfmoon.

### RESOLUTION NO. 247-2018

**Offered** by Councilman Wasielewski, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, Jordan & Connors

**RESOLVED**, that the Town Board authorizes the renewal of the Mobile Home Park License for the 2018-2019 licensing year, per the inspection and approval of the Coordinator of Building, Planning and Development as follows: D&R Village MHP and West Crescent MHP.

**RESOLUTION NO. 248-2018**

**Offered** by Councilman Wasielewski, seconded by Councilman Connors: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, Jordan & Connors

**Farm to Market and Route 9 Intersection Improvements**

**Resolution Number: 248-2018**

Authorizing the implementation, and funding in the first instance of the State Multi-Modal Program-aid and State administered federal program-aid for eligible costs of a capital project, and appropriating funds therefore.

WHEREAS, a Project for the Town of Halfmoon, to add a turning lane at the intersection of Route 9 and Farm to Market Road, P.I.N.s 1MS571.30A and 1MA247.30A (“the Project”) is eligible for funding under New York State’s Multi-Modal Program administered by the NYS Department of Transportation; and

WHEREAS, the Town of Halfmoon desires to advance the Project by making a commitment of advance funding of the non-local share and funding of the full local share of the costs of the Project; and

NOW, THEREFORE, the Town Board, duly convened does hereby

RESOLVE, that the Town Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Town Board hereby authorizes the Town of Halfmoon to pay in the first instance 100% of the federal and non-federal share of the cost of construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$250,000.00 is hereby appropriated from Highway Fund and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Town Supervisor of the Town of Halfmoon be and is hereby authorized to execute all necessary Agreements, Certifications or Reimbursement Requests for Federal aid and/or Multi-Modal Program Funding on behalf of the Town of Halfmoon with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality’s first instance funding of project costs and permanent funding of the local share of federal-aid and all the Project costs that are not so eligible, and it is further

RESOLVED, that a certified copy of this Resolution be filed with the Commissioner of Transportation of the State of New York by attaching it to any required and/or appropriate Agreements executed in connection with the Project between the Town of Halfmoon and the State of New York, and it is further

RESOLVED, that this Resolution shall take effect immediately.

STATE OF NEW YORK)

COUNTY OF SARATOGA) SS:

I, Lynda Bryan, Town Clerk of the Town of Halfmoon, New York, do hereby certify that I have compared the foregoing copy of this Resolution with the original on file in my office, and that the same is a true and correct transcript of said original Resolution and of the whole and that the same is a true and correct transcript of said original Resolution and of the whole thereof, as duly adopted by said Town Board of the Town of Halfmoon at a meeting duly called and held at the Town Hall on July 3<sup>rd</sup>, 2018, by the required and necessary vote of the members to approve the Resolution.

WITNESS My Hand and the Official Seal Halfmoon, New York, this 3<sup>rd</sup> day of July, 2018.

**RESOLUTION NO. 249-2018**

**Offered** by Councilman Hotaling, seconded by Councilman Wasielewski: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, Jordan & Connors

**RESOLVED**, that the Town Board authorizes hereby authorizes the Building, Planning and Development Coordinator to execute Certificates of Occupancy, Building Permits, and/or Certificates of Compliance pursuant to Title 19 of Chapter XXXII of the Division of Code Enforcement and Administration.

**RESOLUTION NO. 250-2018**

**Offered** by Councilman Wasielewski, seconded by Councilwoman Jordan: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, Jordan & Connors

**RESOLVED**, that the Town Board of the Town of Halfmoon hereby congratulates Kevin Huerter for all of his achievements and recognizes him as a person who demonstrates the value of hard work, determination and effort.

**RESOLUTION NO. 251-2018**

**Offered** by Councilwoman Jordan, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, Jordan & Connors

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to enter into a Memorandum of Understanding with the Hudson River Valley Greenway to receive ten thousand dollars (\$10,000.00) pursuant to Grant 18-08-03-S to be utilized to conserve and protect the Vosburgh Road Preserve and to create a rustic trail network, and execute any documents necessary to complete the project, subject to the review and approval of the Town Attorney.

**RESOLUTION NO. 252-2018**

**Offered** by Councilman Connors, seconded by Councilman Wasielewski: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, Jordan & Connors

**RESOLVED**, that the Town Board authorizes the Comptroller to make the attached Creations of Appropriations.

A resolution is necessary to create appropriations within the Special Revenue Fund from Recreation Fees in the amount of \$7,263.63 per resolution #223-2018, June 20, 2018 for Marco Clay from Northern Nurseries, Inc. for ballfields at the Town Park.

DEBIT:	Appropriated Fund Balance	25-599	\$7,263.63
CREDIT:	Appropriations	25-960	\$7,263.63
	Subsidiary: Parks-Improvements		
	25-5-7110.21		\$7,263.63

A resolution is necessary to create the project budgetary accounts within the Miscellaneous Capital Projects Fund for the Champlain Canal Trail from Upper Newtown Road to State Routes 4 & 32 (Empire State Trail). The funds for this Trail Project will come from a NYS Hudson River Valley Greenway grant in the full amount. The General Fund will advance the money for the project and will be reimbursed as grant funds are received.

DEBIT: Estimated Revenues	35-510	\$2,470,000	
	Subsidiary: Cul & Rec Cap Proj-Grant		
	35-4-3897.00		\$2,470,000
CREDIT:	Appropriations	35-960	\$2,470,000
	Subsidiary: Cul & Rec-Champlain Canal Trail-North Segment		
	(Empire State Trail)		

**PUBLIC COMMENT (for discussion of non-agenda items) No one came forward**

There being no further business to discuss or resolve, on a motion by Councilman Wasielewski and seconded by Councilman Connors, the meeting was adjourned at 7:08 pm.

**Respectfully Submitted,**

**Lynda A. Bryan, Town Clerk**