

The June 4, 2014 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
Daphne V. Jordan, Councilwoman
John P. Wasielewski, Councilman
Lyn A. Murphy, Town Attorney
Laurie Sullivan, Deputy Town Clerk

Walter F. Polak, Councilman - Excused
Lynda A. Bryan, Town Clerk -Excused

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

Supervisor Tollisen: During our Moment of Silence tonight, I would like to ask everyone to make a special moment of silence for our colleague Walt Polak.

OPENING OF REIS FOR TRAFFIC ENGINEERING SERVICES

Supervisor Tollisen: First item on the agenda is the announcement of Requests for Proposals with respect to traffic engineering services. I will report to the board that there are twelve (12) responses that we have received

This is the list of the twelve (12) submittals received in response to the Request for Expressions of Interest (REI) for Traffic Engineering Services.

1. T.Y.Lin International (Rochester, NY)
2. Barton & Loguidice (Albany, NY)
3. The Chazen Companies (Troy, NY)
4. Greenman-Pederson, Inc. (Albany, NY)
5. MJ Engineering and Land Surveying, P.C. (Clifton Park, NY)
6. SRF & Associates (Rochester, NY)
7. GTS Consulting (Chittenango, NY)
8. WSP USA Corp. (Albany, NY)
9. BFJ Planning (New York, NY)
10. URS Corporation (Halfmoon, NY)
11. Creighton Manning (Albany, NY)
12. AKRF (White Plains, NY)

Supervisor Tollisen: If anybody would like a copy, they can get one from the Town Clerk. It would be my expectation to refer this to you Paul and your committee, Mr. Harris, our Director of Planning, Mr. Marlow, from our Planning Department and our Planning Board Chairman, John Ouimet for review. I will refer this to you and you can refer it to the Planning Board with respect to the twelve (12) companies.

PRESENTATION: CHANGES TO THE CRESTMORE PDD

Supervisor Tollisen: Mr. Dailey, good evening.

Kevin Dailey: Good evening. My name is Kevin Dailey and I am an attorney from Rexford, NY. I am here representing the Crestmore people and the PDD. In particular this PDD was passed as Local Law #2-2013. The project has now gone through the Planning Board process and has received Site Plan Approval. What I will do is to bring up some maps. This is a map of the plot and we are planning to build there a 133 unit Memory Care Facility. That project should be breaking ground sometime this fall or heading into the winter. We are very excited for this project. At the same time, that occupies 8.47 acres out of the 81 acre parcel that we have available. That parcel had been rezoned as a PDD in 2008. Subsequent to that time, we have asked for an amendment to that PDD to broaden the uses. The uses that we have right now in the PDD, are strictly for a hospital use. We had asked for

additional uses and in particular we were looking at the uses that are already allowed in an R-1 zone by a special permitted use by special permits.

The hospital use would be broadened to include hospital facilities, healthcare facilities, medical facilities, medical offices, bio medical research facilities, nursing homes, convalescent homes, or proprietary adult care homes. John, Walt and I met some time ago and one of the things that Walt specifically asked for, he said, “Now look, you promised us that sometime we would get medical facilities here. We want to make sure that you adhere to that promise because that is something that the town needs.” In our original PDD, we showed 225,000 square feet set aside for medical hospital type uses. We would like to make sure that we preserve that square footage and restrict that square footage for that use. At the same time by broadening those uses, we are able to attract different kinds of activities to our medical campus. So that is what we would like to propose tonight.

Lyn and I have talked about this now for a number of months back and forth. We have involved Mike Bianchino at Clough in terms of total amount of square footage that could be built there. One thing that I do want the board to be aware of is that for the amount of square footage that we are allowed to do, it is always a function between square footage and parking spaces. When you are building a senior care facility with a memory care, we were fortunate in terms of our planning, that with a facility like that, the clientele doesn't drive. So we needed very few parking spaces. However, if we get a use that is more medically intended like doctor's offices, you consequently need many more parking spots. So, we could see the total amount of square footage either go up or down depending on the kind of facilities we are able to attract there. We realize that we want to make sure that you understand that also, the Town Attorney understands that and the town engineer.

We are confident that we can bring these kinds of facilities to the Town of Halfmoon. We would like to work more closely with the Town Board attracting the kind of medical facilities that this community needs. As you know, hospitals in Schenectady and Albany want to give us more Urgent Care Facilities.

I think that in this growing community, which Southern Saratoga County now has over 100,000 people and our community is aging, that we need better medical facilities and something that goes well beyond urgent care. This is probably the best place to do it. We do need to get that first facility in so that we can develop the rest of the project. I can pledge to you that is our intention and we hope to work closely with you to bring that about.

Tonight, what we are asking for is a referral to the Planning Board. Whenever you are looking at amending a PDD and what we are asking for is the uses be changed and the boundaries of the PDD be enlarged so as to include our entire 81 acre parcel. To go through that process, we do need to go to the Planning Board and then the Planning Board will deliberate and hopefully report back with a positive report to the Town Board so that you can amend the local law.

Supervisor Tollsen: Mr. Dailey, just so we are clear, I believe that everything that you have said and it is my understanding as well, the only clarification that I want to make sure that we are all on the same pages as far as the community benefit for the particular pieces, you would be required to come back to the Town Board to determine what the community benefit would be. Whether the community benefits are a hospital in of itself, or if there would be another community benefit that would be part of this final approval.

Kevin Dailey: Yes, Supervisor, that is the case. In the discussions now going back on this project a half a dozen years, we have always talked about community benefits. In many of the facilities that are medically orientated, are in of themselves community benefits. They are a not for profit organizations and they would probably be the kind of facility that this Town Board would like to have in the

community. If they are a more for profit orientated, that doesn't distinguish them in any way from a lot of the other things that also urban communities deal with. Then in that particular case, there should be more community benefit given to this community, the Town of Halfmoon. So, since we don't know exactly what is going to be here in the future, what I had worked out with you and with Lyn is that prior to any site plan approval, we need as developers to come back to this board, show you our project, talk about the community benefit and by resolution or however Lyn wants to set it up, it would require further action on the subject of community benefit before that project could go forward, and we are agreeable to that.

Supervisor Tollisen: I know that you and I had spoken about that and that was the discussion with the town attorney, I just wanted to make sure the board was aware of it and that it is in future years however this is developed, if I'm not here and someone else is, this is obviously preserved that the Town Board has the final decision with respect to the community benefit.

Kevin Dailey: We understand that and we support that.

Attorney Murphy: Mr. Dailey, just so the public is aware, can you explain the name change. You don't even have to tell us why but what it was before so people understand when they are looking at the minutes what PDD is being amended because it is not called that right now.

Kevin Dailey: We had originally the Halfmoon Healthcare Campus in 2008. The PDD when it went through for just the Crestmore project in June of 2013 was called the Halfmoon Healthcare and Assisted Living/Memory Care Campus Planned Development District, a bit of a mouthful. I think the shorthand on that was called the Crestmore Project.

Attorney Murphy: Just for people who weren't present and can't see the map so they can read the minutes and know what we are talking about.

Kevin Dailey: Yes.

Supervisor Tollisen: Are there any other questions from the Board?

Councilman Hotaling: I just had one question to clarify. I know that you are being positive about the project, but you made a comment about coming back with a positive recommendation from the Planning Board. They can go either way

Kevin Dailey: We understand that

Councilman Hotaling: I know that you are doing it as a positive, but I wanted to have that put into the minutes.

Kevin Dailey: Yes Paul, I have talked to Rich, John Ouimet is aware of what we are doing. Actually we started this process seeking this amendment in 2011 with a letter and that time the hospital had St. Peter's Hospital asking for these additional uses. They are uses that are allowed anyway under the R-1. But, when you are dealing with an 81 acre parcel, probably the best way to plan something that large is with a PDD.

Councilman Hotaling: It is going to be reviewed by the Planning Board and they will make a recommendation

Kevin Dailey: That's correct. In a lot of ways it's helpful for us to have additional uses, but at the same time, this is probably the best vehicle to move forward in terms of a planning process.

Supervisor Tollisen: Are there any other questions from the Board? I think at this point, the next step would be, if the board is ready to and if it is the board's pleasure, to refer this to the Planning Board

Councilman Wasielewski: I would like to make a motion to refer this to the Planning Board for further review and their recommendation.

RESOLUTION NO. 190

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

RESOLVED, that the Town Board refers the Crestmore PDD to the Planning Board for further review and their recommendation.

Kevin Dailey: Thank you Supervisor and members of the Board. I appreciate it.

Supervisor Tollisen: You are welcome and have a good night.

I guess what I will do is that on Resolution #3 with respect to scheduling a Public Hearing for the Halfmoon Village & Yacht Club PDD Amendment. What I will do at this point is ask you to come up and give us a short presentation of what your PDD amendment is. I know that you have done this in the past meeting of the Town Board, but so we are clear as to what the request is, then we will schedule the public hearing with that resolution. I will give you a couple of minutes if you want, to one more time, give us the amendment to the PDD.

HALFMOON VILLAGE & YACHT CLUB PDD AMENDMENT

John Montagne: Thank you Supervisor. I am John Montagne with Greenman and Pederson. We are here tonight seeking a date for a public hearing on the Town Board for PDD Amendment. This is the Halfmoon Village & Yacht Club PDD. It is a 244 unit PDD that has existing approval for condominium use. We are seeking to expand the allowed use to also include apartments at this time, primarily to get financing for the project. That is the only amendment that is being requested. All other conditions, public benefits and all of the issues of the site remain the same. Public benefits include a 1.15 acre park, improvements to the local roads, extension of a sewer along Beach and Dunsback Roads, provision to allow for tap in for up to 80 residential homes along that route. I think that is all that I really have. Oh, and we have natural gases coming down Beach Road.

Supervisor Tollisen: Are there any questions from the Board for Mr. Montagne? We will deal with the actual resolution under item #3 of the agenda.

COMMUNITY EVENTS:

Heroin: Not my kid, What if it was your kid? June 4th 6:30pm – 8:00pm at the Clifton Park-Halfmoon Library

Pilates for a Purpose: Sat. June 7th at 10:00 am at Reform Pilates Studio
Fundraiser for After the Fire

Concert in the Park on June 12th at 6:30 -9:00 pm featuring “Crossroads” Acoustic Duo Country Music

Relay for Life Opening Ceremony on June 13th at 6:00 pm to 6:30 am at the Shen Track, supporting the Cure for Cancer

Sundae of the Farm, Sunday, June 15th celebrating Saratoga agriculture

Movie Night: June 20th Shown at Dusk weather permitting at Town Park

**6th Annual Thundervolts Pig Fly: June 21st at 9:00 am on Pryun Hill Rd
Fundraiser for Wounded Warriors**

The Twin Bridges Council of the Saratoga Chamber of Commerce Lunchtime Employee Wellness Walk: June 13, 2014, Clifton Park-Halfmoon Emergency Corps, 15 Crossing Boulevard, Clifton Park. Registration starts at 11:30 a.m. and walk begins at 12:00 p.m.

TOWN MEETINGS:

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

Zoning Board of Appeals: 1st Monday of month at 7:00 pm.

Planning Board Meeting: 2nd & 4th Monday of month at 7:00 pm.

Board of Assessment Review: 4th Tuesday in May

Senior Center Business Meeting: 1st Wednesday of month at 1:00 pm

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

Zoning Review Committee: 3rd Thursday of month June 19th at 7:00 pm

Open Space & Trails Committee: Will resume meetings in July

Resident Relations Committee:

Business & Economic Development Committee: Thursday, June 26th 7:00 pm

Senior Center

Ethics Committee:

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Walter Polak; 1) Liaison to Planning Board, 2) Liaison to Zoning Board, 3) Chair of Zoning Review Committee, 4) Chair of Personnel

Paul Hotaling: 1) Chair of Parks & Recreation, Infrastructure (Water, Highway, Building & Maintenance), 2) Chair of Committee on Not for Profit Organizations and Character Counts, 3) Chair on Committee on Baseball/Athletic Organizations

We have a lot of young adults that don't get recognized for their accomplishments. Back in 2007, we had an ice storm here. We had a Mother and two daughters and they helped the whole weekend to take care of our seniors and our people that were housed here during the ice storm. This past weekend a young woman from town Rachel Boudreau, who is a former Shen Crew member who moved on to University of Mass., been second to none on everything that she has done as a person and as an athlete. U Mass went to the National's this past weekend, and they finished second. Hat's off to the family for all of their support to our town and a great job well done.

The Relay for Life Carnival that was next door, thank you to all that showed up in support. They raised \$10,000 for the charity. It is a big event!

July 18th at our Town Park, we have a bunch of people pulling together, we have the Mechanicville Varsity Basketball Team along with their Coach, the Clifton Park-Halfmoon Ambulance Emergency Corps are doing a seminar in Bowling. We are going to have a Character Counts night. We have someone coming to play basketball along with many others that have signed up already. Character Counts and Halfmoon Celebrations will have a movie afterwards. If you can make it, it starts at 6:00 pm. Thank you.

John Wasielewski; 1) Chair of Ethics Committee, 2) Chair of Committee on Emergency Services and Public Safety (Emergency Corps, Fire Department, Police, Animal Control), 3) Chair of Committee on Resident Relations

Thank you. I have a few items tonight. **The Ethics Committee**, it is a busy time of year for many people and we had scheduling conflicts with meeting with applicants for that committee. We will be meeting next Wednesday night, the Supervisor and myself to interview them and hopefully form a committee very quickly and have one established as soon as possible.

Emergency Services: I met with them. A number of community agencies in Southern Saratoga County met last Monday night. We are planning a mutual aid drill, involving many different agencies that will be covering the southern part of Saratoga sometime in the fall. It is going to be a very dynamic drill and a good learning experience for everyone involved.

Resident Relations Committee: We are still awaiting the website, phone numbers and some printed materials to be resolved. We are ready to rock and roll as soon as those issues are settled. That is all that I have right now. Thanks.

Daphne Jordan: 1) Chair of Business and Economic Development, 2) Chair of Insurance (Liability and Medical), 3) Liaison to Open Space and Trails Committee

Tomorrow, the **Health Insurance Committee** will be having a public workshop to review and discuss changes in the health insurance for new future hires for the town. That is tomorrow at 7:00 pm right here.

The **Business and Economic Development Committee** met a couple of weeks ago and we did come up with three (3) recommendations to the Board for sign ordinances. At our next Town Board Meeting we will have a resolution to set a public hearing for those sign ordinances. I believe that is it.

Supervisor Tollisen: Miss Jordan, before the next meeting, if you could just have a summary sheet of those proposed changes that we could pass out at the next meeting and post to the website that would be great. We could make sure that the public is aware of the changes that are being proposed.

Also with respect to the Health Insurance Workshop tomorrow night, that is open to the public. If you are interested in talking about the Town's health insurance for future hires, you are welcome to attend.

Lynda Bryan: 1) Chair of Senior Programs, 2) Chair of Committee on Historical Archives

Supervisor Tollisen: Thank you. I know that there is a number of residents here from Rolling Hills and surrounding neighborhoods tonight with respect to one of the items that is listed on Correspondence on our agenda. I have responded to a number of different residents' concerns by email and by phone over the last couple of days. I just want to say that the letters, which we have made copies and they are available if anybody would like a copy. With respect to the proposed asphalt plant, understand that this is only on as correspondence this evening. There is no actual application pending. There is no formal fee paid to the Town Clerk, so there will be no action by the Town Board. I will tell you, some of the residents who have asked; how do we know if this comes up and things of that nature. We will make sure that it is posted on the website and my secretary is actually starting an email list of individuals that have already emailed me so that we will make it known to everyone if in fact that project does move forward. I do know that there are people here that want to speak and that is certainly fine, but I at least wanted to let you know that we are fully aware of your concerns and your concerns are included in this folder that my secretary created and organized all nice and neat for me. All of your emails and concerns are here, and if this does move forward or a formal application is submitted, your comments and concerns will all be included. There will be public input at different times for you to be able to speak on these issues as well. I do not want you to think that this is an approved project. There was a couple people that have already told me that they thought it was an approved project. It is

not approved. It is actually not even an application at this point. Typically when I get something like this, it is my expectation that it goes on the agenda so that the public is fully aware of everything that is going on in the town government. The people can look and respond and comment just like you've been doing. I just wanted to make that clear. You certainly can still speak tonight if you would like to and address your concerns or any questions that you might have. I will tell you that anyone who is here and those who are not, if you would like to meet with me, my office is always open to help with this.

PUBLIC COMMENT (for discussion of agenda topics)

Kimberly Davis: Good evening Supervisor Tollisen and members of the Board. My name is Kimberly Davis and I reside at 22 Rolling Hills Drive in Rolling Hills Estates with my husband Michael. We have lived there since early 2007. We were one of the first houses to build in Rolling Hills Estates. I was asked to speak this evening on behalf of a committee. The Committee of Concerned Citizens of Rolling Hills Estates that has now been formed to present opposition of the proposal that has been sent by Spec Engineering on behalf of New Castle Asphalt. Right at this time, the committee has several members. The people that are sitting over there, if you want to stand up please feel free to do so. These people are all from the neighborhood and this is based on us finding out about this late last week that this is going on.

Our purpose here tonight, we know that at this point that there is no application. Our concern is that, I can say that I believe that this to be true for all of us. At least in particular my husband and I went there, we were assured that the gravel pit that is on the west end of the property, was going to stay on the west end of the property on Route 9 and that it was never going to encroach into our development and Phases 1-4 were going to be totally residential. Now currently as certainly you all know, this proposal poses a site that is for heavy industrial use. The current zoning in that area, at most, is mixed and provides for light industrial. So right now zoning would not permit them to go in there. What they have done in the years since we have built our homes in good faith there is that they are slowly encroaching in our residential property. There are warehouses there. There used to be one and now there are two. Now there is a third one being built. There are sale signs all over the place for commercial development, approximately 500 yards from the last house that terminates from the last house on Rolling Hills Drive. This is a residential community of \$300,000 to \$400,000 homes and perhaps some more where there are children and there are families, and I can only speak for my husband and myself, but when we went there, we choose Halfmoon over Clifton Park because we thought Clifton Park was too congested and Halfmoon by their own Comprehensive Plan has a goal toward remaining a more residential and more rural and less busy. Well now, knowing that this is even a mere possibility that this application could even come in, I think frankly, that I made the wrong choice and I should have built in Clifton Park because living behind the Price Chopper, I think is better than living next to an Industrial plant.

So, in any event, we know that you only have a letter at this time and we really know that this is not the time for our fight to take place. Having said that, we would like you to know that beyond our committee, we have started a neighborhood petition that is about three or four days old. At this point there are approximately 140 houses in that development and we already have 143 signatures. I am here tonight to tell you that we will register our dismay politely, we will use every resource and every avenue that we have in that community to keep it a residential community. An asphalt plant is not welcome on Liebich Lane. We are uniform in our agreement about this in our community. We want our community to stay a community. So what we ask, we know that there is no current application, but what we would like to bring to your attention is that this company has a similar business in the County of Albany, Port of Albany and they are manufacturing 400 tons an hour where they are mixing sand, gravel and asphalt in a heavily industrial area

and that is where it belongs. There is no way it belongs 500 yards from our development. If that should happen and an application comes in, I would also like to tell you that in the Town of Ballston last year, another company proposed a similar plant to go into the Curtis Industrial Park where they are zoned as heavy industrial use, and the town changed their zoning back to light industrial use and didn't let them in because there was such a huge outcry by the people in the town that this would not work on a residential area. Who builds a 140 home development on the backside on an industrial area? We were told that wasn't going to happen. The builders here, the developers and the owners have to show some good faith. They haven't even erected the berms, the trails and the tree lines. They were supposed to erect them when it was all residential and yet they are doing something different. Ironically so, they waited until every last lot practically had been built on and they are turning round and doing this despite the fact that two LLC's that are involved in this were formed in 2010. Obviously, there was some intent here, they just did not let the residents, the neighborhood know about it.

So, we know that there is no application. What we would like to ask, because this would cause air pollution, water pollution, noise pollution, plant odors, safety problems, increase traffic, reduction in the value of our properties, which by the way there is already a diminution in value problem because the first developer who came in had the house in one set of prices and he dropped the first phase of the development onto another developer who diminished them \$80,000 to \$100,000. So there is already a problem with the tax base there. There is already a problem with diminution with property. If this goes in, our house will probably be worth 50 cents on the dollar. So it is going to make it hard to pay taxes that way. It will also diminish the tax base. In addition to that, it won't just effect our development; there are developments all around there. We are the closest one, but there are several Belmonte ones, there are several Tanski ones and pollution will not contain itself to west of Liebich Lane, it will come all over the place. It is obviously a public health concern. These things cause nasal congestion, they cause sore throats, they cause breathing problems, they cause burning and itchy eyes and after the benzene and the others that leaches into the soil, which already has enough problems from previously being a gravel pit certainly then we will have our own little area of the Town of Halfmoon that will be a carcinogen area.

So, put all of that together and we've also got a nuisance issue. In short, we have a lot of unhappy residents that this is even a possibility. So, we would like to let you know that we will be copying our petition. We will be sending you a formal letter letting you know our opposition in writing and letting you see all of the people who have signed it. We do intend to get our legislatures involved, if we need to do that, and we will use everything we have to try and prevent this. If it goes to application, what we would like to ask the Town Board, is that you not refer it to the Planning Board in the first instance, if you have that as an option, because the current PDD doesn't allow for this, it is a violation of the statue and there is absolutely zero community benefit to doing this. In this company's Albany location, they are paying \$150,000 on a lease at the Port of Albany while they discharge and make that 400 tons per hour of the product, they are only employing, as far as I can tell from public records, as many as six people with potential to have 10 transportation jobs for trucking. It certainly seems a shame to disrupt an entire community, in fact, most of the town, for the possibility of maybe 16 jobs.

So, we would like to ask, because there is no community benefit, if they make an application, please don't send it to the Planning Board, if that is at all possible. If your intent is to send it to the Planning Board, we will make sure that you have the committee's title, the chair people's addresses and all of the emails of the people in the town that have joined that committee and are interested citizens, and we will be here for the public comment and we will be here as long as it takes to make sure we do what we can to make sure this doesn't happen. Thank you.

Supervisor Tollisen: Miss Davis, do you mind if I just ask you a quick question? You had stated in the beginning of your comments that you were assured by someone and I don't know who that was, that the gravel pit would stay there and not encroach

Kimberly Davis: Cory Lewindowski, of Charlew Construction

Supervisor Tollisen: I was just making sure that I didn't know if the town said that or who had said this so I just wanted to be clear who

Kimberly Davis: also, that was represented and if I recall correctly, also by the real estate company that represented Charlew

Supervisor Tollisen: OK

Kimberly Davis: You have to understand, when we went there it was just still undeveloped land, we were perhaps the third or the fourth house in the development. So, we relied on what they said. The plan has changed several times. If they had kept the plan as originally stated, then they couldn't be doing what they are doing now but they changed a couple of times because the builder changed.

Supervisor Tollisen: OK. I just a couple of other little things. Under the current zoning, this is not an allowed use. This is a PDD, Planned Development District, so they would have to actually make an application to the Town Clerk and pay a fee to amend the PDD. What they are basically doing, is looking to amend their PDD and it would be a change in the zoning law that they are requesting. Now you had said that we not refer it to the Planning Board if it were an option. I will tell you that under the current rules and laws, it is a requirement that if an application for a PDD comes in, or an amendment, we have to refer it to the Planning Board. Whether or not the Town Board likes it or not likes it. It is a requirement that we refer it to the Planning Board. Once it goes to the Planning Board, it would be an expectation if was to proceed, that they would have a public information meeting at the Planning Board and comments are welcomed there. Then it would be referred back with a recommendation to the Town Board and the Town Board at that point would have the final decision and vote on it.

I think that I said to you on the phone, that under our new requests which will be later on in the meeting, we are actually looking to change that zoning law for PDD's where the language is that we SHALL refer it to the Planning Board in 60 days. We are actually looking to change that to MAY refer it so if there is a project which we would consider dead on arrival at the Town Board, instead of being required to refer it, we would then be able to say NO, we are not referring it.

So, I just wanted to make that clear that there is a process to go through. You will

Kimberly Davis: With respect, I understand that. It's just that all of us in the community and I think that this is a uniform feeling, we feel threatened by this. I mean, here we were not eight years ago that was just some empty land and we all specifically gone there to build and now we are being told that a company who last year tried to do this in Clifton Park. Apparently there was a Business Review article that one of the neighbors said it is the same company, they attempted to do this Clifton Park, there was an article in the Business Review in May and they got rejected in Clifton Park. There seems to be a general sense that asphalt facilities don't belong in a residential areas. Ballston went to the point of changing their zoning back the other way. So in fact Ballston has the Curtis Industrial Park where it is now zoned for light industrial and they've some companies in there with heavy industrial. There was all sorts of litigation and all of that kind of thing. One would hope that we could all conduct ourselves as adults and come out with a solution that is best for the community and not have to resort to litigation or writing legislators

or anything like that, because, I mean, all of you live here too and it is going to be a community wide problem.

Attorney Murphy: Just for classification purposes, is the article that you are talking about in May? I believe that was a Halfmoon application that was turned down.

Kimberly Davis: As I told Supervisor Tollisen on the phone, I have been told this by one of the people, I have not been able to confirm it.

Attorney Murphy: because it was a different company.

Kimberly Davis: OK

Attorney Murphy: This Board worked and that plan did not go through.

Kimberly Davis: OK. I know the one in Ballston what they did because I personally read about it and I know what they did. I was pleased to see at least in that particular situation, that they stood up for the residents, regardless of the fact that there was a threat of litigation from the asphalt company that they were going to sue the Town Board and in fact what the Town Board did was go ahead, they backed down, they changed the zoning and they had happy residents and constituents. Appreciate your time Ladies and Gentlemen, and I am sure we will all see you again if they decide to go forward. Thank you.

Supervisor Tollisen: Thank you for your comments.

DEPARTMENT REPORTS- Month of April

1. Building -

Total # permits 56 Total fees remitted to the Supervisor \$8,356

2. Fire -

Total # permits 7 Total fees remitted to the Supervisor \$345

3. Dock -

Total # permits 4 Total fees remitted to the Supervisor \$248

DEPARTMENT REPORTS - month of May

1. Town Justice Suchocki

Total # Cases - 271 Total fees remitted to the Supervisor \$28,361

2. Town Justice Wormuth

Total # Cases - 298 Total fees remitted to the Supervisor \$30,318

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CORRESPONDENCE

1. Received from the Town Planning Board Resolutions approving the following: Change of Tenant/Use Application for Laier Enterprise LLC, 3 Plant Road, Change of Tenant/Use Application for Ferguson Financial Planning, 2 Executive Park Drive and Regarding a Negative Recommendation for the Proposed Amendment to the Halfmoon Village & Yacht Club PDD.

Received & Filed

2. Received from US Army Corps of Engineers, copy of a letter to Thomas J. Farone of Tra-Tom Development about their request to discharge fill material into waters of the US to facilitate the construction of Plant Road Estates with the Army Corps conditions.

Received & Filed

3. Received from New Castle Asphalt, LLC, their proposal for a five (5) Ton Portable Asphalt Batch Plant to be sited off Liebich Lane on lands owned by Clifton Park Materials Group, LLC in the Town of Halfmoon.

Received & Filed

4. Received from Henry Pelo, his letter of resignation as a Transfer Station Laborer, effective May 13, 2014.

Received & Filed

Supervisor Tollisen: With respect to Mr. Pelo, our thanks from the Town Board for his longevity of service. In an effort to save town funds, Mr. Pingelski, our Highway Superintendent is not going to fill that position at this time. Thank you John for saving money where we can.

5. Received from the Town Supervisor, notification that the Town will be seeking applications for a part-time Grant writer. Please submit applications to the Town Clerk's Office.

Received & Filed

6. Received from the Town Supervisor, notification that the Town will be holding a Public Workshop to discuss Health Insurance for future hires to be held Thursday, June 5, 2014, at 7:00PM at Town Hall

Received & Filed

7. Received from American Red Cross-Adirondack Saratoga Chapter, Disaster Services Volunteer Meeting Minutes for meeting held on May 10, 2014.

Received & Filed

NEW BUSINESS

RESOLUTION NO. 191

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

RESOLVED, that the Town Board approves and orders paid Vouchers numbered 586, 1003 through 1086, as detailed.

===== FUND TOTALS =====

10 GENERAL FUND	\$785,791.35
20 HIGHWAY FUND	\$261,406.97
25 SPECIAL REVENUE	\$474.00
30 CONSOLIDATED WATER	\$421,116.12
35 MISC. CAPITAL FUNDS	\$28,756.02

ABSTRACT TOTAL:	<hr/>	\$1,497,544.46
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RESOLUTION NO. 192

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

RESOLVED, that the Town Board approves the minutes of Town Board meeting of, May 21, 2014 as presented.

RESOLUTION NO. 193

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

RESOLVED, that the Town Board schedules a public hearing for June 18, 2014 at 7 p.m. or as soon thereafter as its agenda allows for the Halfmoon Village & Yacht Club PDD amendment.

Supervisor Tollisen asked for a Poll of the Board

POLL OF THE BOARD:

Councilwoman Jordan:	Aye
Councilman Hotaling:	Aye
Councilman Wasielewski:	Aye
Supervisor Tollisen:	Aye

RESOLUTION NO. 194

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

RESOLVED, authorizing the Town Board to schedule a Public Information Hearing for June 18, 2014 at 7:05 p.m. or as soon thereafter as the agenda allows for the Zoning and Code Amendments.

Supervisor Tollisen: This is again with respect to the Zoning & Code Amendment changes that we've been working on for quite some time. There have been two public workshops. We now have summarized the consensus of those workshops and we are scheduling one more workshop so that everyone is aware of the proposed changes. Mr. Harris, our Director of Planning will have those posted on the website and they will be available at the Town Clerk's Office as well if people would like to get them ahead of time. One of the changes to the PDD is to change the language from SHALL to MAY for referrals.

RESOLUTION NO. 195

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

RESOLVED, authorizing the Town Board to submit to Auctions International, an email auction site, one (1) Kimball upright piano that is no longer needed by the Town of Halfmoon.

RESOLUTION NO. 196

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

RESOLVED, that the Town Board authorizes closing Route 236 from Guideboard Road to New Country on September 20, 2014 at 11.45 a.m. for approximately one (1) hour for the Fall Festival Celebration Parade, and further to close all ancillary side roads, Commons Blvd., Knox Blvd. (2 entrances), Fellows Road, Harris Road, Hayner Road, Betts Lane, and Falcon Trace Drive and further authorize the Highway and Park's departments to assist the Celebration Committee throughout

the event. The parade will begin at noon at Knoxwood and proceed to the Town Park where the festivities will continue until 5:00 p.m.

Supervisor Tollisen: Again, this is just the closure of the roads during the period of the parade so there is no traffic interrupting the parade.

RESOLUTION NO. 197

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

RESOLVED, that the Town Board authorizes the Supervisor to execute any and all documentation necessary to extend the time period for the Hudson River Park Connecting Trail per the review and approval of the Town Attorney.

RESOLUTION NO. 198

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

RESOLVED, to authorize the Town Board to schedule a public hearing subject to permissive referendum, for June 18, 2014 at 7:10 p.m., or as soon thereafter as the agenda allows, for the purchase of a salt shed for the Highway Department in the not to exceed amount of \$320,000 from the General Fund Capital Reserve.

Supervisor Tollisen: With respect to this specific item, we have been working on this for quite some time. The Highway Department, with respect to salt and salting roads during the winter, when the current salt shed was built, there was approximately 69 miles of road and I believe that since then, the number of miles of road in Halfmoon has nearly doubled in size. It has been recommended for quite some time that the Town Board proceed with the construction of a newer and bigger salt shed that would be able to hold enough salt to be able to take care of the town when we have these repeated snow events that we've had this past winter and to ensure that we have for the safety of our residents. Based on the need of making sure that we have enough salt with respect to the amount of roads that we have to cover, I do believe that this is in the best interest of the town to move this forward.

RESOLUTION NO. 199

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

RESOLVED, that the Town Board authorizes the refunding of approximately (I) \$630,000 1984 USDA Rural Development Serial Bonds, (II) \$266,148 1996 USDA Rural Development Serial Bonds, (III) \$2,075,000 Public Improvement Serial Bonds-2005 of the Town and (IV) \$3,640,000 Public Improvement Serial Bonds – 2006 of the Town, stating the plan of the Refunding, appropriating a maximum aggregate amount of \$7,000,000 therefor, authorizing the issuance of a maximum \$7,000,000 refunding serial bonds-2014 to finance said appropriation and the costs related thereto, and making certain determinations all relative thereto.

Supervisor Tollisen: I believe with respect to the full resolution, that has been requested by Bond Council that that would authorize Bond Council as well for their services and also Fiscal Advisors. They are included in that resolution. While we are doing this specific item, with respect to refunding of outstanding bonds, the projected savings when we refinance these bonds combined together, the budgetary savings, we are projecting is over \$400,000 savings over time. Also within the refunding, we are also refunding the Halfmoon portion of the Library project and

the Library bonds. So, when we do the Library bonds, that savings will be another \$197,000 to the taxpayers in the library district as well. Overall, the refunding of these bonds projected savings is \$600,000 over the terms of these bonds. Obviously that savings is a great number and that is why we are moving ahead with this.

RESOLUTION NO. 200

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

RESOLVED, that the Town Board appoint Paul Hotaling as Temporary Acting Deputy Supervisor effective immediately until such time as the Deputy Supervisor resumes his duties, and further authorize Paul Hotaling to sign any and all documents and perform all duties of the Town Supervisor in his absence.

Councilman Hotaling: I just wanted to ask that everyone keep Walt in your prayers. He really could use them right now. He has done so much for this town. Thank you.

Supervisor Tollisen: Again, this is a temporary measure until Walt is able to resume his duties. That has been made clear in the resolution here.

Supervisor Tollisen asked for a Poll of the Board

POLL OF THE BOARD:

Councilwoman Jordan:	Aye
Councilman Hotaling:	Aye
Councilman Wasielewski:	Aye
Supervisor Tollisen:	Aye

RESOLUTION NO. 201

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

RESOLVED, that the Town Board authorizes the temporary re-assignment of the following Town committees: Planning Board Liaison- Councilman Hotaling & Councilman Wasielewski; Zoning Board Liaison – Councilman Hotaling & Councilwoman Jordan; Zoning Review Committee – Supervisor Tollisen & Councilman Hotaling; Personnel – Supervisor Tollisen.

Supervisor Tollisen: Again, I appreciate the hard work of the Board to pick up these committees for the foreseeable future and again wishing our colleague well with his recovery.

RESOLUTION NO. 202

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

RESOLVED, that the Town Board authorizes Paul Hotaling, Temporary Acting Deputy Supervisor, to hold a Town credit card with First Niagara Bank with a credit limit of \$9,500, and further reduce the credit limit on the card currently held by Deputy Supervisor Walter Polak to \$500.

RESOLUTION NO. 203

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

Supervisor Tollisen: With respect to Dodd/Frank Act, it is basically a requirement that all municipalities have a contract with a Municipal Advisor in place. So, this would be a blanket resolution for not only this refunding, but future refunding until a change by the Board.

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

A resolution is needed to create the following budget amendment of appropriations and revenues in the Special Revenue Fund for engineering fees for on site quality inspections. These funds are developer's monies held in escrow by the Town in a regular checking account and used for the payment of costs for that particular project. This resolution is necessary to comply with proper accounting procedures as set forth by NYS Department of Audit and Control.

Information Only: The above was derived from the following breakdown of charges to be paid on the June Abstract for engineering and related fees:

Transfers between Appropriations

A resolution is necessary to close out the Crescent Park Feasibility Study that was created to study the potential trail alignments to extend the Crescent Trail along the Mohawk River in the vicinity of the Interstate 87 Bridge. Money left over will be returned to General Fund.

DEBIT:	Appropriations	35-960	\$50,000.
	Subsidiary: Parks – Capital Outlay		
	Other Culture & Recreation	35-5-7989.20 -	\$50,000
CREDIT:	Estimated Revenues	35-510	\$50,000
	Subsidiary:		
	Culture & Recreation Capital Grants		

	35-4-4889 - \$25,000
Interfund Transfers	35-4-5031 - \$25,000

A resolution is necessary to close out the Woodin Road Culvert Replacement Ph II project that was a long term solution in this area to prevent further deterioration. Money left over will be returned to Highway Fund.

Debit:	Appropriations	35-960	\$300,000
	Subsidiary:	35-5-5112.22 - \$300,000	
		Highway Improvements –	
		Woodin Road Ph II	
Credit:	Estimated Revenues	35-510	\$300,000
	Subsidiary:	35-4-5031 - \$300,000	
		Interfund Transfers	

A resolution is necessary to setup the Town Park Improvements including gutters on parks buildings; sprinkler system on major field; playground equipment and exercise equipment on trails, authorized May 21, 2014 from Recreation Fees held in the Town of Halfmoon Special Revenue Fund in the amount of \$100,000 for accounting purposes as follows:

Debit:	Appropriated Fund Balance	25-599	\$100,000
Credit:	Appropriations	25-960	\$100,000
	Subsidiary:	25-5-9901.90 - \$100,000	
		Interfund Transfers	

A resolution is necessary to create the following appropriations within General Fund from Recreation Fees held in the Town of Halfmoon Special Revenue Fund for the Town Park Improvements including gutters on parks buildings; sprinkler system on major field; playground equipment and exercise equipment on trails in the amount of \$100,000.

Debit:	Appropriations	10-960	\$100,000
	Subsidiary:	10-5-7110.41 - \$100,000	
		Parks–Contractual-Improvements	
Credit:	Estimated Revenues	10-510	\$100,000
	Subsidiary:	10-4-5031 - \$100,000	
		Interfund Transfers	

PUBLIC COMMENT (for discussion of non-agenda items)

There being no further business to discuss or resolve, on a motion by Councilman Wasielewski and seconded by Councilwoman Jordan, the meeting was adjourned at 8:02 pm.

Respectfully Submitted,

Laurie Sullivan, Deputy Town Clerk