

**The October 5, 2016 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  
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**

**Supervisor Tollisen:** This evening we have a special board resolution. October is Anti-bullying Month and in honor of that, Mr. Austin is here from Adirondack TaeKwonDo and they are doing a special educational program with respect to bullying and how that affects not only our young people but people of all ages. We have a proclamation that we would like to present this evening

## **PROCLAMATION: TOWN BOARD RECOGNIZES OCTOBER AS ANTI-BULLYING MONTH**

WHEREAS, October is Bullying Prevention Month during which communities unite around the world to educate and raise awareness of bullying prevention; and

WHEREAS, 2016 marks the 10<sup>th</sup> anniversary of National Bullying Prevention Month, during which schools, and local organizations provide parents and students with the educational resources and support to better respond to bullying behavior; and

WHEREAS, Master Michael A Yuhasz from Adirondack Taekwondo, a former Elementary school teacher and a member of Shenendehowa's Character Education Committee, is dedicated to offering his assistance to teach others techniques to stop bullying behavior; and

WHEREAS, Master Michael A. Yuhasz will be offering a free workshop at Town Hall on October 13, 2016 at 7:00pm to educate all those in attendance regarding various methods to help stop bullying; and

**NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. That the Town Board of the Town of Halfmoon hereby recognizes October as Anti-Bullying month.
2. That the Town of Halfmoon desires to host the Anti-Bullying workshop at Town Hall on October 13, 2016, in recognition of the importance of efforts to stop bullying.

## **RESOLUTION NO. 341**

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

**RESOLVED**, that the Town Board recognizes October as Anti-Bullying Month in the Town of Halfmoon.

**Supervisor Tollisen** presented the Proclamation to Mr. Howard Austin along with the Town Board

**Howard Austin:** Bullying is the number one non-academic issue that teachers face. Physical, emotional, verbal and cyber bullying is a daily occurrence in our public schools. One out of every four children is bullied each day. Over 160,000 children stay home from schools each day in fear of being bullied. Statistics show that over 42% of students have been harassed on the internet and sadly any cyber bullying occurrences go unreported and the true number is much higher. Adirondack TaeKwondo and our team of professional black belts understand that this this issue needs to be addressed not with our TaeKwondo skills but rather through education and awareness. Through workshops, TaeKwondo classes, and education, we feel that our community can learn the tools to keep our children and community safe and have a better understanding of how to avoid bullies. Thank you.

**Supervisor Tollisen** please send our best to the organization and we look forward to seeing you on the 13<sup>th</sup>.

## **PUBLIC HEARING: HALFMOON VILLAGE PDD AMENDMENT**

**Supervisor Tollisen:** Asked if anyone wanted the public hearing notice read, hearing from no one he opened the public hearing

**OPENED: 7:08**

**Supervisor Tollisen** asked John Montagne to give a brief summary of the project again giving the basic essentials of the project and going through the public benefits.

**John Montagne, from Greenman & Pederman** (gave handouts of the most recent plans and the PDD legislation draft language to the Board and had a power point presentation of the project)

Thank you very much Mr. Tollisen and board for having us here again tonight for a PDD amendment to a previously approved PDD.

The original PDD known as the Halfmoon Village and Yacht Club was approved in April 2012.

- 244 units in 11 structure with 565 bedrooms and 465 parking spaces (1.9 spaces per unit)

PDD amended July 2014

- Apartment ownership option introduced & updated traffic study based on that change of use
- Kept the same spine that went through the PDD & introduced the 12 and 10 unit structures.

PDD amendment request July 2016 (where we are now)

- 2 year look at final design to devise a marketable program
- Retain primary public benefit
- 244 units in 25 smaller structures, 498 bedrooms (12% reduction) 10 unit buildings, both townhouse type and flat units creating high end esthetics
- ADA parking for each unit & 88 guest parking & 21 handicap spaces
- Lower 2 story housing with setbacks from river
- No dredging or boat slips
- Offsite improvements, updated flood study
- This housing concept has been done before in Sussex County Delaware
- 58% of site is open space and is protected by creating a 5 acre buffer all around the perimeter of the site by the river and connected to the Erie Canal Community Connector Trail just north of the site

PDD plan and language update

- Title change name to Halfmoon Village PDD
- Boundaries addresses
- Public Benefit implementation timing & updates
- Change in architecture 24-10 unit structures all 2 story, clubhouse with 4
- Removal of dredging and boat slips moorings
- Individual parking garages not parking decks
- Update on Storm water compliance requirement

Engineering Notes:

- 2009 Traffic impacts: 244 units= 100 trips weekday am & 98 pm. Saturday =102 trips distributed 5 different directions
- 2014 projected within 15 vehicles of the 2009 study.
- Institute of Transportation Engineers (ITE) states anything less than 100 peak hour trips= no significant change.
- Forecasted 23 max directional trips is less than 25% of that calculation
- Flood Assessment: Updated 2016 doesn't result in any rise in the 100 flood plan. Portion of Towpath/Canal will be elevated to crown at 192 feet because the river is so wide in this area and shallow shore line. At tropical storm Irene, the waters never got this high
- Ice jam- reconstruction of the Crescent Bridge in 1990 took care of that and the state has an early warning system in place
- Sanitary System: Off-site force main recently reviewed by the County stated to maintain the present design
- Single family residents have the option to tie in during construction & must present plans to the county letter will go out to residents for the timing

Public Benefits Summary: Increased the financial contribution from the 2009 plan & identified some of the non-monetary contributions

- Dry sewer from intersection of Beach & Canal to pump station on Grooms Rd = \$40,000, Roadway improvements = \$315,000, Park & Rec fees @ \$1,500/unit = \$366,000. Total \$721,000
- 3 miles of sewer & availability for 75 existing residential properties to tie in
- Extend National Grid gas along portions of Beach/Canal
- Adaptive reuse of commercial property=improved tax base.

**Supervisor Tollisen:** the 3 mile sewer extension, could you provide the details of what that is?

**John Montagne:** The site is low down by the river and we need to get up to the Grooms Road pump station. The path it will take is Canal to Beach, to Clamsteam, over to Dunsbach, across Vischer Ferry Road, and out to Grooms Road. It gets to Grooms Road by going through Breski Lane and through gravity through Timberwick and the flows will be pumped to Grooms Road, to the county system.

**Councilman Connors:** In regard to the road, John the road is going to be raised up. Will it allow for emergency response into the project?

**John Montagne:** We really only have to raise it about 18 " to get it up to the level needed to get it out of the flood zone and above the Irene level.

**Councilwoman Jordan:** The 5 acres of open space along the river that is going to connect to the Erie Canal Connector Trail that is not a specific trail that you are making down there. It is just going to remain wild and connect

**John Montagne:** It's a conservation easement of the open space to ensure that it will always remain open space because it will run with the deed of the property.

**Councilman Wasielewski:** Just following up with Councilman Connors comments, you did meet with Chief Bryans with the West Crescent Fire Department and he is satisfied with the plan as it exists today?

**John Montagne:** He is satisfied with the utilities that we have put on and most of the things. His only reservation is that he is still has concern about ice jamming and I believe that our comments have addressed that. Seeing is believing. He agrees with the design and raising the road

**Councilman Hotaling:** Since you aren't doing the dredging and are going to be bringing in 1,000 loads of fill to raise up the project

**John Montagne:** I'm confused where that number came from because

**Councilman Hotaling:** The comment was that you are going to bring in 5 feet to fill the project.

**John Montagne:** There are certain areas that we will be bringing in 5 feet. We estimate that we will be bringing in between 50,000 and 60,000 cubic yards over a 3 year period. When you take that amount and divide it by 365 days, you are talking about a truck or two a day. There will be periods that we will be bringing in more than that in. It is less than what you see each day here at Town Hall coming out of the Valente quarry operation. I think that there is a misconception that 50,000 cubic yards of material means that you are going to have trucks 24/7, 365 days a year. That is not the case.

**Councilman Hotaling:** but you are still going to have 50,000 cubic yards of fill going over the roads.

**John Montagne:** We have 50,000 cubic yards of fill, yes. What we have agreed to do is to meet with the Highway Superintendent and identify and dedicate a route for those trucks to go that we agree to. That route will be videotaped in advance of construction. During construction any defects that start to develop, the developer will take care of that and that is outside of the \$315,000 contribution. At the end of the 18 month construction period, those monies will be available for the Highway Superintendent to use. We would like to have those funds be allocated for Dunsbach and Canal Road. The likely haul route will probably be Dunsbach Road, it is a better road.

**Councilman Hotaling:** Is the expectation for the Highway Department to do those repairs?

**John Montagne:** No, the repairs during construction will be the contractor's responsibility.

**Councilman Hotaling:** On the sewer extensions, it was brought up originally 88 to 90 and you are down to 75. Did something change in that area?

**John Montagne:** When I went back and looked at the PDD language and it said 75 and all we did was count single family residential properties. It really doesn't matter. We do not expect all 80-90 residential properties will tie in right away, but the capacity is there for it. There is a provision that anybody can tie in to it in the future as long as they were one of the pre-identified existing residential homes along the run.

**Councilman Hotaling:** In 2014 you presented 20 buildings and a common community room. Now you are looking to go to 24 buildings

**John Montagne:** The reason for that is that the larger 12 unit building and the esthetics of it just didn't work; they looked too long, so instead of doing that we have gone to all 10 unit buildings. It is believed that the architecture is better in that format.

**Councilman Hotaling:** Who is going to maintain the 5 acres of open space?

**John Montagne:** The 5 acres of open space is part of the common ground and all of the grounds will be maintained by the management company.

**Councilman Hotaling:** I do have a serious concern on the density here. We have gone from 8 buildings to 21 buildings to 24 buildings. The density has stayed the same but the improvements have fallen off. I sat on the board when we voted on this and the density was upon some of the improvements. I just feel that it is lacking something. That is all that I have.

**Supervisor Tollisen:** The density and the number of units have not changed.

**John Montagne:** Correct

**Councilman Hotaling:** It went from a full blown yacht club and that was one of the reasons why we went to the density. It is the biggest project ever in town. Now we are still keeping the same density and we scaled it way back.

**Supervisor Tollisen:** Any other questions of the Board? There was an email that was received and I will read her comments into the record.

**Arlene Clements, 20 Beach Road:** I live adjacent to their property at 20 Beach Rd. The density of the project is intense and the amount of cars that will be generated in and out of there is obscene for the exit roads. I am also concerned about flooding since they are raising their property. Thank you for considering my concerns

**John Montagne:** Supervisor, do you want me to address those 3 questions? Her first comment was will the pump station make any noise especially because she is a resident next door to it. The answer to that is no. The pumps themselves are in a large pit low in the ground, the pumps themselves are quiet. There is a generator that if the power ever goes out and the generator has to run and the county has to come and make sure the generator is working. That is the only time that you would have noise. The other two comments had to do with the flooding and the emergency access and I believe that we have discussed those fairly well here tonight.

**Greg Manupela, Canal Road:** The capacity of the sewer pipe that is going on there, how many people can fit on that totally?

**John Montagne:** The capacity is not the issue. The 8" line is designed because of the pumps themselves. They have to have a certain amount of fluid that they pump through a line so that is why there is an 8" line. It can more than handle the homes

**Greg Manupela:** Considering the 192' of elevation, is that the way that I understand that? Were you going to increase that to 192' I believe? That is not going to work for a flood. It's not going to work. The telephone poles ripped right down with the ice, the ice up and over. It will be under water. When it is under water, who is liable for saving those people? The local fire department?

**Supervisor Tollisen:** Obviously if there is an emergency issue, the fire departments and the emergency responders would take care of that.

**Greg Manupela:** at a cost to whom, the development or us as taxpayers?

**Supervisor Tollisen:** I think the response to your question is, Mr. Montagne has explained what they went through and the hydrological review that they went through

**Greg Manupela:** Thank you very much, I'm all done.

**John Montague:** Just to answer that, detailed engineering studies, they are signed by licensed PE's, they were done by flood consultants, A.E. Knapp one of the most renowned flood consultants in the Capital District did the study. As I said, during the tropical storm Irene event, we were at the intersection and that elevation is 192. The site itself when we talked about the site being regraded will be up above 194.2 that is the 100 year flood event level. We believe that we are more than adequately to be covered on this.

**Supervisor Tollisen:** Just so I'm clear, Mr. Montagne, you say that this renowned expert in this field is who you choose but, who exactly is it that they said and do we need to be at all concerned about any sort of flood or anything like that in this particular area.

**John Montague:** No, we do not. There will be no risk to the residents or the properties that are either adjacent to us or to the buildings that we have and because of changing the elevation we are even protected from ice jamming. Even if ice jams along the river may be fairly substantial, they can knock down trees, the water elevation itself this far in is what you are more concerned about not the ice itself along the shoreline, so we are perfectly fine on that.

**Supervisor Tollisen:** Is this particular report that has been prepared for this project is something that can be certified to the town, something that we can rely upon in case this ever did happen?

**John Montague:** As part of the public record, the documents that have been submitted to the town engineer Clough Harbour, it is part of the site plan review package and it is also actually very similar to the study that was done in part of the SEQRA findings for the original environmental impact statement that I got that these measures will protect the town and resident's in the town.

**Councilman Hotaling:** Mr. Montagne, you should explain to the residents that live down there. What is the lowest elevation there now and what are you going to do to get to the 192?

**John Montague:** 192 is about the highest elevation along that road. We are going to be going from 192 to 193 and back down to 192 to give a little bit of a pattern so we don't have any excess fills. The elevations there right now on the shoulders are 189. The houses that are in that area are actually above that 189 and about 190. It doesn't take much to get it up. If anybody was there during Irene, you end up with 2 or 3 feet of water. 2 or 3 feet of water will float a car. 4 feet of water is the height of the top of a truck and most people are 5 feet tall and can look over the top of the car. That is what we are looking in that area, so you will be safe.

**Supervisor Tollisen:** Any other questions from the board? Mr. Manupela?

**Mr. Manupela:** said something about the floods and ice jams from the audience and could not be heard.

**John Montague:** As I identified before, the Crescent Bridge was rebuilt in 1999 which was after the dates of those floods you just reported. We have a warning system that is in place and we have a site that has a big open space buffer so we are not worried about ice coming up on the land. This will provide better protection for the 3 existing homes that are down on that section of Canal & Beach Roads.

**Mr. Manupela:** Thank you very much.

**Deb Kwacz, 89 Old Canal Road:** I have been to several of these meetings and my concern is still the same; the density, the increased traffic and the safety of the residents around Canal Road. The number of apartments/condos remains the same. I also have a concern about the condo people take ownership of it, the apartments sometime people do not, it is totally a different thing. I realize that there are going to be benefits to some people such as the sewer hookup and gas, I unfortunately am only going to be getting increased noise, increased traffic and the problems with the safety of people. The park at the end of Canal Road is very nice and a lot of people are using it and there is traffic on both sides of the road now for a long distance. There are not enough parking spaces; it already is a safety concern. You add the increased traffic from this project it is going to be even more of a problem. Cars are going back and forth at a very high rate of speed which is a concern. Anytime that here is a problem with eth Northway, the traffic is unbelievable. I know that the Town Planning Board has recommended rejection on this at least 3 times for the same concerns that I have; density, increased traffic and public safety. Thank you.

**Ed Deno, 123 Canal Road:** My family has been on the canal for 3 generations, so we have been around for a while. Mr. Montagne, the first time that you came before us, you said that the sewer line just a had a little bit of excess over the number of houses that were going to tie in including Dunsbach Road. Now we have this station down here on Canal that you are referring to but we don't have the capacity in the main according to the first time that you spoke to us. Am I confused? Is the capacity really there with 8" main to connect Canal to it, because it wasn't originally

**John Montague:** I believe that you are referring to the 2012 analysis. In 2012 the design had a 6" force main. There is an 8" force main that is going to be installed. The 8" is required for the hydraulics that we need for the pumping, so there will be excess capacity. The pumping is what really drives that, the pumping is a cycle. It has a wet well; it has a tank that fills up to a certain level. There is excess capacity.

**Ed Deno:** That is really good news for us down on Canal. Ultimately, you are going to have issues with flooding. We had 3 pumps going with Irene in the basement with 3 feet of water. We ran up to the fire department begging them to help us pump out trying to keeping the water under the power meter and the power box and we lose the pumps and the water goes up to the first floor. They can't drive those trucks through that water. The rivers coming up and they can't drive those trucks. In the last 20 years we have had three 100 year events. Irene really is just the tip of the iceberg. You are going to have issues down the road and you have to know how to deal with them. The density is a real problem. In the original study we had an intersection that had an F, D & C, state rating and those haven't changed and we've added another development on Dunsbach. The traffic is going to be an issue. I have heard of 5 ways out of there. I live there and there is pretty much 3 ways so those people are going to go to that C rating to try to get out of there during the day. Your C rating is going to turn into an F also. That is going to be a real issue and it equals death. I hate to be morbid but I have had people die on my front lawn from that

road. It's a tough place when you put too many people in one spot. The density is an issue. I thought that it was originally against town policy to put that many people per acre and yet we've done it. This has been like the ultimate bait and switch. We were presented with one project with all of these benefits to the town; launches, green spaces and what we end up with is just unfortunate.

**John Montagne:** Traffic studies are always something that people will have a lot of trouble understanding. One of the things that we have made very clear that the traffic that is generated from this project is actually less than the traffic that you see from some of the larger grove events that you see all of the time. The intersections that have been referred to are intersections that have been driven by volumes of traffic that are on Vischer Ferry Road, not by the local roads. NYS DOT is the body that regulates any improvements that can happen to the intersections along Vischer Ferry Road. One of the things that everybody has been looking at over time and all of the other projects that the Boards have been looking at the intersection of Dunsbach and Vischer Ferry Roads and when DOT finally gets to the point where there have been enough warrants, there will be modifications made there, but they have yet to agree to that. Primary reason for that is they don't something at that intersection to slow down traffic off the Northway. That would mean that any project in this entire area of the town is in the same position that we are, this area is driven by DOT and there is nothing that we can do. The Town Board however can continue to press the DOT to continue to keep looking at see what they can do about the improvements of that intersection. That really is the main intersection that has the issue, again, not driven by the traffic count. The town engineers have come to that same conclusion.

**Councilman Wasielewski:** The latest traffic studies, did that include the project on Dunsbach Road, Linden Woods?

**John Montagne:** That was done in 2014 and included the fuller project that was there. The project that is there now is much smaller.

**Councilman Wasielewski:** Thanks.

**Councilman Hotaling:** One other question on the traffic study, the full build out traffic study was 98 trips. 2014 & 2015 they are forecasting 23 maximum trips?

**John Montagne:** It is 23 maximum trips distributed at any one of the intersections, yes. The other most important thing that was done the ITE really looks at intersections and anything less than 100 trips doesn't warrant or trigger anything or any further review. We are not even a quarter of that. Again, it is not the traffic that we are generating; it is the existing traffic on Vischer Ferry that we have no control over.

**Councilman Hotaling:** They are saying 23 trips maximum

**John Montagne:** In that peak hour at any location. Now that is 23 additional trips than what is currently there now.

**Councilman Hotaling:** So you are going to have less than 10% of trips than units in the project?

**John Montagne:** At any particular intersection, yes.

**Lisa Plante, 23 Beach Road, next to Arlene Clements on 20 Beach Road:** I feel that we really have a lot to lose from this. My first question is Gail, how many people come to those clambakes? The past 2 that we have had had not been that big and I cannot get out of my driveway and I cannot even go up Beach Road because of the



clambakes. That right there scares me. The traffic now is just minimal to what we are going to have.

**Gail Krause:** We do all of the state parties for the NYS Dept. of Health and our biggest party is 1,200 people and they are there every year at the end of May.

**Lisa Plante:** There have been some that have been sporadic throughout the summer and they park at the end of my driveway but I am just trying to say that there is no way that you can tell me that traffic is only going to be 28 trips. The numbers just don't match. The next thing is that I am just wondering that if the road is raised there, what about our driveways, what is going to happen. What if we don't like the way it looks?

**John Montagne:** As I showed on the drawing before, what we have done is where the high and lows where the driveways are, that there is no change and have to do a long way into your driveway. We have a 24' wide road and we are talking about a 1' to 1.5' distance, so it is not going to be very visually perceptible.

**Lisa Plante:** Also, I want to refer to the flood you were talking about. Arlene was just telling me about that flood today and she remembers that they had trouble getting the fire trucks and getting your Mom out and her Mom out and that was how many years ago. The water almost took the fire trucks away. You really need to think about people lives and not talk about the numbers and all of the pretty stuff. Also, if you could tell me what the 5 ways are out of that area. I don't know of 5 ways.

**John Montagne:** At the last meeting we had discussed all of the different ways that you can go. You can head back to Clifton Park underneath the bridge, you can head out to Route 9, Beach Road and split off to Dunsbach Road or you can continue to Clamsteam or you can go out Beach to Route 9.

**Lisa Plante:** That's all my questions.

**John Montagne:** One of the things that I think is important to note about improving the roads here is that is the main reason why we are doing the road improvements. It is to correct a situation and everybody is still referring to events that have happened in the early 1990's and as we have stated, the bridge was reconstructed in 1999 and since that time the river has been monitored, we have had ice jams like we have had in the past. There have been significant improvements because of that. I can't predict if there will be another one but we do have the other thing that the Governor's office has put in place, the stream gage monitoring and we have our flood and evacuating plan that is set up in case there is anything more catastrophic than Irene which was predicted to be a 500 year event, not a 100 year event.

**Georgia Beatty, 28 Clamsteam Road:** You said that there is 5 ways to get out but don't they all basically end up on the same roads? If you go out Dunsbach you end up on Vischer Ferry Road. If you go down Canal Road you end up on Vischer Ferry Road and up on Route 9, all still ending up in the same area? Really, it is only 3 exits because you are going to end up in the same spot with a lot more cars.

**John Montagne:** As we said before, the distribution and the counts were all done in accordance with sound engineering practice by Transportation Engineers. They looked at the 3 intersections that you are talking about; Vischer Ferry and Dunsbach, Beach Road and Dunsbach, and Canal Road and Vischer Ferry. Yes that is a distribution in 3 areas, but at different times during the day people will go different ways on that. Those 3 do come back onto Vischer Ferry Road, yes.

**Georgia Beatty:** I was just trying to point out that it wasn't 5. Also, do you know how many school children are there going to be and dealing with school busses.

**John Montagne:** In the original EIS that was done in 2012, the school population was looked at for both the condos and then also the use that you have now with the apartments is the same clientele that they are trying to retain. These are fairly high end units, there will be some school aged children and there will be school busses that will go to this site. At the time Shen school was contacted and was part of the impact statement process and thought it was not a significant increase in the number of busses that would be in this area.

**Georgia Beatty:** What is the early warning system in case of an ice jam?

**John Montagne:** When ice breaks up along the river in the spring time, it's predictable. They know when the things are going to change and they predict the amount of ice flow that there is going to be. It usually starts up in the Stockade area because that is where the river narrows down again, the ice freezes up, it thaws and then breaks up and moves. The stream gage system is designed to monitor the thickness of the ice, when it starts to break up and how fast it moves along the river.

**Georgia Beatty:** Thank you very much.

**Mike Houlihan, 81 Woodin Road:** I am in the minority here apparently. I think that you guys are pretty much against this project, I am for the project. I think that the public benefit outweighs the some of the things that have been spoken about here today. I have an example and not to discredit anyone who has been speaking here, but I wanted to do a project on my home. There was a gentleman who was much older than me and had lived there since he built the home. He talked about the flooding and the septic system being inundated with water and I think that we can all remember the road a couple of years ago when we had the very bad storms and the flooding that you guys dealt with on Woodin Road. I think Kevin you were there quite frequently. My property did not see 1' of standing water. I took pictures and documented everything because what he spoke about was 25 years ago and it isn't present now anymore. So I think that some of this is present down there as well. I think that some of the things that they talked about in terms of raising up the property is going to alleviate some of the problems that they are talking about. So, I think over all, this project is an extremely positive project for the Town of Halfmoon. Nobody likes change, nobody likes added cars and congestion but that is unfortunately the way of the world. We add buildings and we add people to our town and they need places to live. I think that this project is a pretty nice project and it's been a pretty long process. This is not something that was thrown together just last year, it's been like 10 years that this has gone through so many different revisions and they have come up with a great final plan. Thank you.

**Supervisor Tollisen:** hearing no other comments closed the public hearing

**CLOSED: 8:03**

**Supervisor Tollisen:** What the pleasure of the Board this evening?

#### **RESOLUTION NO. 342**

**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 TABLES the amendment to the Halfmoon Beach PDD until the next Town Board meeting to review the comments made by the public.

**Supervisor Tollisen:** I will note that an approval or denial is a change in the legislation and if the Board did approve this, it will still have to go to the Planning Board for technical review and go through a lot of the issues that have been stated

this evening as far as traffic, the ice jam issue and obviously our engineers would have to review the reports that have been submitted. It would be subject to further review at the Planning level as well.

## **PUBLIC HEARING: LOCAL LAW TO AUTHORIZE OVER RIDING THE PROPERTY TAX LEVY LIMIT**

**Supervisor Tollisen:** Asked if anyone wanted the public hearing notice read, hearing from no one he opened the public hearing

**OPENED: 8:06**

**Supervisor Tollisen:** The substance of the public hearing with respect to the town budget. The 2017 Tentative Town Budget has been submitted after several weeks of tense labor on the part of myself and the Finance Director, Bonnie Hatter who is also our Budget Officer. The 2017 Tentative Town Budget has included in it the Phase II imposition of the Highway Tax. If the residents will recall last year we had 7 public meetings where we discussed whether or not to impose a Highway Tax and whether or not to continue on the path that we have been on of only putting forth the amount of revenue that we have available to upgrade and take care of our roads. What we set forth at those meetings was that if we continued down the path of biting the bullet, and not that anybody wants to pay any additional tax because nobody does, but if we don't proceed forward with making improvements to our roads and putting in the infrastructure that we need, then we are very quickly going to fall into disrepair. The imposition of the Highway Tax was a \$1.2 million dollar tax which we believed at the time would allow us to be on a 20 year paving plan for the town. Prior to my being here, for several years the town was on a much larger plan of 50 to 100 years. Last year we felt that we needed to either keep going the best we can or to impose the tax to insure that our roads stay in good condition and don't have future problems which would decrease property value. Last year we decided to do a two phase highway tax and the first phase was imposed without a tax that was not over the levy because we were able to find savings in the water portion of our budget debt retirement. We were able to reduce the debt retirement off of individual resident's tax bills and we saw the water portion of the tax bill for most residents go down and then the highway tax imposed. The override of the tax levy this year is for phase II of the highway tax. This will put us on the footing that we believe as a Town Board, Highway Superintendent and team, puts us on the proper tract to make sure that our roads stay safe and upgraded. We have made every effort we can to make as many road improvements as possible. We had a mild winter which was the first time in years and we were able to take a portion of our salt budget and transfer it to road improvements. So, not only did we do the roads improvements that we budgeted for and we transferred more money and were able to continue on that path making sure that we pave as many roads as possible.

This overriding of the tax limit, you hear the wording 2% and it is not 2%. When you look at the actual property tax levy limit is well less than that. Because of phase II of the imposition of the highway tax, this is why we need to override it this year. I said in my budget meetings and public workshops last year that it was not expected that we would need to exceed that 2% or whatever tax levy cap there was in succeeding years. That is why we need to do this this year. Again, we take very strict and very serious concern for any taxes that this board imposes because the last thing that we want to do is but again this is something that is necessary for the protection for our residents, the security of our town for long term infrastructure improvements in our town.

**Supervisor Tollisen:** Anyone from the Board have any questions?

**Councilwoman Jordan:** I don't have questions but I do have comments that might be helpful. Last year a major concern was and a major reason why we divided the highway tax into two was because if we did it all at once, we would have had to override the tax cap last year, which was set at a higher limit than it is this year. So, we divided it in two because the penalty for a municipality overriding the tax levy last year was to not get your rebate check, which you should be getting sometime this fall because we stayed within the cap. This year begins a new program. First of all, let me tell you how the tax cap works. Some people refer it to the 2% tax cap. It's not that. The law says that the cap will be set either at 2% or at the rate of inflation whichever is less. This year the cap is actually set at .68%. This is something that many municipalities all over the state are struggling with. To think that you can keep your budget within .68% and health insurance has risen higher than .68% alone, is very difficult. Ironically, the state sets its own cap at 2%. They allow themselves more than what they are allowing the municipalities.

This year the program has changed. Our cap is at .68% and there is no penalty for overriding the cap. This year through 2019, it is really aimed at the schools. If the school district goes above the tax cap then the residents don't get, not a check but don't get their property credit. If you have a star rebate, it will be a percentage of the star rebate that you get. If we were to override the .68% tax cap of this year, you wouldn't be hurt and not missing a check. I just wanted to make that a little clearer. I don't think that people know that is how it all works.

**Supervisor Tollisen** asked if there were any questions from the Board or the public.

**Supervisor Tollisen** hearing no other comments closed the public hearing

**CLOSED: 8:15**

### **RESOLUTION NO. 343**

**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 approves the Local Law authorizing overriding the Property Tax Levy Limit established by General Municipal Law 3-c for the 2017 Halfmoon Town Budget, subject to permissive referendum.

### **POLL OF THE BOARD:**

Councilman Connors -	Aye
Councilwoman Jordan -	Aye
Councilman Wasielewski -	Aye
Councilman Hotaling -	Aye
Supervisor Tollisen -	Aye

### **PUBLIC HEARING: THE PROPOSED EXPENDITURE FROM THE WATER FUND CAPITAL RESERVE IN THE NOT TO EXCEED AMOUNT OF \$185,000**

**Supervisor Tollisen:** Asked if anyone wanted the public hearing notice read, hearing from no one he opened the public hearing

**OPENED: 8:16**

**Supervisor Tollisen:** This is relation to the 2017 tentative town budget. In order to expend money from Capital Reserve Funds which are separate funds that are set aside from normal operational expenses. The Board has to hold a public hearing and has to wait 30 days beyond that to move forward. We need to hold that public hearing tonight in order for us to pass the 2017 town budget on time. The \$185,000 is a water expenditure capital improvement. The town has been undergoing the water meter project 4 or 5 years and there is about 1.5 to 2 years left of the project and then the entire town will all have water meters.

**APPROPRIATED RESERVES Water Fund F511**

Water Meters, Truck, Jeep, Gas heater unit in the not to exceed amount of \$185,000

**Supervisor Tollisen** asked if there were any questions from the Board or the public.

I will tell you that we are going to be holding a meeting of the tentative town budget next Wednesday night. There is a special meeting to hold a public hearing with respect to the General Fund Capital Reserve. There was an error and the newspaper did not get to publish it correctly. It will also give me the opportunity to highlight some of the budget items for 2017. This will be a formal meeting for the public hearing but also a second part of it will be to sit down with anyone who is interested and go over the budget and why we have expenditures where we have them and where we expect revenue to come in from. I am proud to report that while we do have a highway tax that we are implementing phase II in the budget, it will be the 38<sup>th</sup> consecutive year that we do not have a general fund tax.

**Supervisor Tollisen** hearing no other comments closed the public hearing

**CLOSED: 8:18**

**RESOLUTION NO. 344**

**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 expenditure from the Water Fund Capital Reserve in the not to exceed amount of \$185,000, subject to permissive referendum.

**POLL OF THE BOARD:**

Councilman Connors -	Aye
Councilwoman Jordan -	Aye
Councilman Wasielewski -	Aye
Councilman Hotaling -	Aye
Supervisor Tollisen -	Aye

## COMMUNITY EVENTS:

October 12th at 7:00 pm: Special Meeting of the Town Board: 2017 Budget Workshop & Public Hearing for the proposed expenditure from the General Fund Capital Reserve

Anti-bully Workshop will be held on October 13th at 7:00 pm in the A. James Bold Meeting Room of Town Hall

October 15<sup>th</sup>, Saturday at 9:00 am "A Walk in the Park" to benefit CAPTAIN Youth and Family Services. For information call 371-1185

American Legion Squadron #1450 on Grooms Road, is hosting a Pancake Breakfast on Sunday October 16<sup>th</sup> from 8- Noon

Care Links Volunteer Open House on Thursday October 20<sup>th</sup> from 4-6 pm at the Clifton Park-Halfmoon Library. Care Links matches volunteers with seniors who need non-medical assistance.

Informational Session regarding the development of the Pedestrian Safety Improvements on Pruyn Hill Road, extending from Prospect Street to the entrance to Mechanicville City School District will be held on October 26<sup>th</sup> at 7:00 pm at Halfmoon Town Hall. This session is an open forum

COATS FOR CAPTAIN, will be accepting clean new coats, boots and snow pants for all sizes infant- adult through October 28<sup>th</sup> at the CAPTAIN office by October 28<sup>th</sup>

5th Annual Revolutionary Run for Veterans to benefit the Veterans Trust Fund on Saturday November 5<sup>th</sup> at Hardy Park in Schuylerville

CAPTAIN Youth and Family Services are currently accepting items for their Thanksgiving Basket Program. Please drop off at the CAPTAIN office at 5 Municipal Plaza, Suite 3 by Thursday, November 10<sup>th</sup>.

Town of Halfmoon Thanksgiving Food Baskets will have a donation box in the foyer of Town Hall. They will be accepting Thanksgiving food items until November 18<sup>th</sup> for delivery on the 19<sup>th</sup>

Clifton Park – Halfmoon Library is sponsoring a Volunteer Fair for Teens and Adults on Saturday, November 19<sup>th</sup> from 1-3pm

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: October 17<sup>th</sup> & December 19<sup>th</sup>

Resident Relations Committee: TBD

Business & Economic Development Committee: TBD

## REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Kevin J. Tollisen (Town Supervisor)

My report is that basically the 2017 Tentative Town Budget has been submitted. I will go through at the next Town Board meeting the Tentative Town Budget. The town budget has increased; we have added a few new employees and have also given our staff a \$1.25 per hour across the board raise and elected officials get a 2% raise. The biggest increase is the highway fund and this will be the first year of the water fund that we don't have reimbursement from EPA for the dredging. At next week's meeting we will go through why we see those expenditure changes. We do have a balanced budget. It still factors in conservative budgeting. The primary revenue drivers are the mortgage tax and the sales tax. We have to make calculations and projections of what we will expect from them each year. When I started as Supervisor, what I learned very quickly was that municipal accounting was very different from normal checkbook accounting. We learned very quickly what conservative budgeting is. We went from a general fund balance of \$70,000 to \$1.6 million dollars in savings. The 2017 budget uses sales tax numbers that are approaching last year's sales tax. I can tell you that from what I see this year, we are going to far exceed the conservative budgeting that we have projected for sales tax for the Town of Halfmoon, which means more money in the bank, more savings bring the Town of Halfmoon back to financial restoration. I have prepared budget memorandum policies which the Town Board has adopted to try and increase our fund balances and make sure that the funds that we are using are proper and that we have savings in place in case we have some economic downturn or some bad years. We will continue to do that and overall we have a very good budget, a very solid budget. There are certainly some very modest increases in the budget but again, based upon figures that we believe are justified based upon 5 year trends and based upon what we see as monies coming into the town.

If you are interested in the Town Budget, please come to the meeting on the 12<sup>th</sup> and we will be happy to go through this with you and explain where we come up the numbers.

**Paul Hotaling (Deputy Supervisor):** (1) Chair of Parks & Recreation, (2) Chair of Town Infrastructure (Water, Highway, Building & Maintenance), (3) Chair of Character Counts, (4) Chair of Personnel Committee, (5) Chair of Safety Committee

Rec is starting the Ski Program sign ups. Hats off to the Highway crew, in 2 days they replaced the culvert pipe on Hayner Road and did a fantastic job. The Senior Meals on Wheels bus drivers, everyone is pitching in and the whole town staff is doing a remarkable job.

**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) Chair of Committee on Resident Relations, (4) Liaison to Planning Board

Thank you Mr. Supervisor, October is Fire Prevention Month. You will see Fire Companies holding Open Houses and have fire prevention activities throughout the month. That is all that I have tonight, thanks.

**Daphne Jordan (Town Board Member):** (1) Chair of Business and Economic Development (2) Chair of Insurance (Liability and Medical) (3) Liaison to Open Space and Trails Committee, (4) Zoning Board Liaison

**Open Space and Trails Committee** meets next Monday October 17<sup>th</sup> at 7:00 pm here in Town Hall. Also, a position has become available for the Zoning Board of Appeals and we will be accepting applications until the end of the month, October 31st and will then schedule interviews. If you are interested, please submit applications to the Town Clerk.

**Jeremy Connors (Town Board Member):** (1) Liaison to Planning Board; (2) Chair of Animal Control Committee (3) Chair of Committee on Not for Profit Organizations; (4) Co-Chair of Business & Economic Development Committee (5) Chair of Committee for Baseball/Athletic Organizations

Hat's off to you for your diligent work on the 2017 budget. I want to bring up one thing. We need to make some upgrades to the VanDenBurg Fields on Woodin Road. I am asking for \$35,000 out of the Rec Fees to enhance the fencing. The fencing is in disrepair where the girls play softball and there is the potential for injury. We don't want that. We want the girls to have fun and not to get hurt. Our Parks Director when out and got quotes for the work that is going to be need there so I will make a motion.

**Councilwoman Jordan:** How old are the fences?

**Councilman Connors:** I think that the fence predates my birth.

### **RESOLUTION NO. 345**

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

**RESOLVED**, that the Town Board approves the expenditure to repair the existing fencing at the VanDenBurg Road Ball Field in the not to exceed amount of \$35,000 to come from the Misc. Special Revenue Fund from Rec Fees

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

The **Halfmoon Historical Society** had a Ribbon Cutting Ceremony at the beginning of their monthly meeting on September 27<sup>th</sup> for their new permanent display of Life on the Farm at the turn of the century in the newly refurbished 1900's Tool Shed is from the Meredith Fellows farm on Fellows Road. If you were not able to attend, please take some time to see the display which is next to the Historical Society building in the near future. It is a glimpse of what daily life was like for our Halfmoon ancestors.

Also, **Historical Society** has a new display in the foyer. It is the first 2 of the 3 part series of the beginning of Halfmoon. It starts with the glaciers and the formation of our land. Next, is a brief history of the natives before and after the European Explorers and finally September 1609 with the travels of Henry Hudson. It is a very informative study of our early years. The 3<sup>rd</sup> portion of this presentation will be held on October 25<sup>th</sup> in this room at 7:00 pm. Please come and join us.

**Amanda Smith (Recreation Director):** (1) Liaison to Halfmoon Celebrations Committee

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

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

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

### **DEPARTMENT REPORTS –month of September**

1. **Town Justice Wormuth**

**Total # Cases – 207                      Total Fees Submitted to the Supervisor - \$22,433**

2. **Town Justice Suchocki**



Total # Cases – 260                      Total Fees Submitted to the Supervisor - \$34,628

**3.      Building**

Total # Permits - 156                      Total Fees Submitted to the Supervisor - \$45,575

**4.      Fire**

Total # Permits - 28                      Total Fees Submitted to the Supervisor - \$2,100

**5.      Safety Inspections**

Total # Permits - 25                      Total Fees Submitted to the Supervisor - \$2,210

**6. Senior Express**

Total # Riders – 410                      Total # Meals - 606

**7.      Town Clerk**

Total Fees Submitted to the Supervisor - \$9,455.19

**DEPARTMENT MANAGER MONTHLY REPORTS – (Can be viewed at the Town Clerk's Office) month of September**

**Town Clerk, Receiver of Taxes, Grant Department, Animal Control**

**CORRESPONDENCE**

**1.      Received** from the Town Planning Board Resolutions approved at the meeting on September 26, 2016

***Received & Filed***

**2.      Received** from Bonnie Hatter, Budget Officer, filing of the 2017 Tentative Town Budget document and transmitted to the Town Board as required by Town Law.

***Received & Filed***

**3.      Received** from Mr. & Mrs. Richard W. Hilton, a thank you letter to Mr. Pingelski and crew on the outstanding job they did repaving Domenica Drive.

***Received & Filed***

**4.      Received** from the Clifton Park – Halfmoon Fire District #1 their 2017 proposed Budget Summary

***Received & Filed***

**5.      Received** from the Halfmoon Fire District #1 their 2017 proposed Budget Summary

***Received & Filed***

**6.      Received** from the Saratoga County Office for the Aging, a Public Hearing Notice for Wednesday October 26<sup>th</sup> at the Halfmoon Senior Center from 12:30 - 1:30 for the purpose of obtaining input, suggestions and comments relative to programs for the aging for the year 2017.

***Received & Filed***

**7.      Received** from Highway Superintendent, John Pingelski, notification of closing Hayner Road at the intersection of 236 for approximately 2 days to replace the culvert under Hayner Road.

***Received & Filed***

**8.      Received** from John Christopher, a letter of resignation as Senior Van Dispatcher, effective immediately.

***Received & Filed***

9.     **Received** from Scott Brennan, a letter of resignation from the Zoning Board of Appeals effective October 3<sup>rd</sup>, 2016.  
*Received & Filed*

10.    **Received** from West Crescent Fire District, notification of their Public Hearing on the proposed 2017 District Budget scheduled for Tuesday October 18<sup>th</sup> at 7:00 pm.  
*Received & Filed*  
**OLD BUSINESS**

**NEW BUSINESS**

**RESOLUTION NO. 346**

**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 approves and orders paid  
Vouchers numbered  
2036 - 2115

**===== FUND TOTALS =====**

10 GENERAL FUND	\$150,239.49
20 HIGHWAY FUND	\$21,971.51
25 SPECIAL REVENUE	\$14,433.56
30 CONSOLIDATED WATER	\$106,719.50
35 MISC. CAPITAL FUNDS	\$3,136.00
80 TRUST FUND	\$2,000.00

<b>ABSTRACT TOTAL:</b>	<hr/> <b>\$298,500.06</b>
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**RESOLUTION NO. 347**

**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 minutes of Town Board meeting of, September 21, 2016 as presented.

**RESOLUTION NO. 348**

**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 approves sending a request to the Department of Transportation for a speed study for Cemetery Road in the Town of Halfmoon

**RESOLUTION NO. 349**

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

**RESOLVED**, that the Town Board recognizes October as Domestic Violence and Breast Cancer Month in the Town of Halfmoon

## **RESOLUTION NO. 350**

**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 appoints John Christopher as part-time Transfer Station Attendant at Grade 1 Base Pay, \$13.20/ hr., effective immediately.

**Supervisor Tollisen:** Mr. Christopher, welcome back aboard!

## **RESOLUTION NO. 351**

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

**WHEREAS**, a Project for the Pavement Preservation for Sitterly Road, US Route 9 to the Clifton Park Town line, P.I.N. 1759.86 (herein after the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

**WHEREAS**, the Town of Halfmoon desires to advance the Project by making a commitment of 100% of the non-federal, non-state share of the costs of the Design and Construction of the project in the amount of \$482,167.00;

**NOW, THEREFORE**, the Town Board of the Town of Halfmoon duly convened does hereby

**RESOLVE**, that the Town Board of the Town of Halfmoon hereby approves the above Project; and it is further

**RESOLVED**, that the Town Board previously authorized the Town of Halfmoon to pay in the first instance 100% of the federal and non-federal share of the cost of design work in the amount of \$60,000 for the Project or portions thereof; and it is 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 participation in the above phase of the Project; and it is further

**RESOLVED**, that the sum of \$422,167.00 is hereby appropriated from Highway 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 Marchiselli Aid on behalf of the Town of Halfmoon with the New York State Department of Transportation 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 all Project costs within appropriations therefore that are not so eligible; and it is further

**RESOLVED**, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

**RESOLVED**, that this Resolution shall take effect immediately.

#### **RESOLUTION NO. 352**

**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 sending a request to the DOT to establish a no parking restriction on the shoulder of Route 146 in the vicinity of the Sunoco/Dunkin Donuts in the Town of Halfmoon.

#### **RESOLUTION NO. 353**

**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 schedule a Special Meeting of the Town Board for a Public Hearing for October 12, 2016, at 7:30 pm or as soon thereafter as the matter may be heard, in the A. James Bold meeting room at the Town Hall located at 2 Halfmoon Town Plaza, Halfmoon, New York, 12065, regarding the expenditure from the General Fund Capital Reserve in the not to exceed amount of \$205,000 for the purchase of capital objects and a Public Workshop for the 2017 Town Budget.

**Supervisor Tollisen:** That will be the same evening that we have the budget workshop.

#### **RESOLUTION NO. 354**

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

**WHEREAS**, the Town of Halfmoon Town Court is in need of furniture to aid in the efficiency and productiveness of the Court proceedings; and

**WHEREAS**, the Justice Court Assistance Program has available funds for the purchase of the furniture the Court is requesting;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. That the Town Board of the Town of Halfmoon authorizes the Town Court to apply for a grant from the Justice Court Assistance Program for a State Grant in the not to exceed amount of \$13,000.
2. That upon approval of said request authorizes the Town Supervisor to enter into and execute a project agreement and all other necessary documents with the appropriate State agencies.

#### **RESOLUTION NO. 355**

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

**RESOLVED**, that the Town Board authorizes the Supervisor to sign documents for health and vision insurance and flexible spending accounts, per the review and approval of Town Attorney.

#### **RESOLUTION NO. 356**

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

**RESOLVED**, that the Town Board authorizes the Town to renew membership with the Saratoga Economic Development Corporation (SEDC) for the 2016 annual member investment amount of \$1,000.

**RESOLUTION NO. 357**

**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 to authorize an amendment to the Employee Manual to include a notification provision pursuant to section 208 of State Technology Law, detailing the procedure to follow if a person without valid authorization has acquired private information from the Town.

**RESOLUTION NO. 358**

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

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.

Debit:	Estimated Revenues	25-510	<b>\$14,433.56</b>
	Subsidiary: 25-4-2189 Home & Community Services		<b>\$14,433.56</b>
Credit:	Appropriations	25-960	<b>\$14,433.56</b>
	Subsidiary: 25-5-1440.40 Engineering Contractors Inspections		<b>\$14,433.56</b>

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

NAME	AMOUNT
Farm to Market Waterline	14,433.56
<b>Total</b>	<b>14,433.56</b>

Transfers between Appropriations

From Account	To Account	Amount	Reason
10-5-9010.80 Employee Benefits-Retirement	10-5-3650.40 Demolition of Unsafe Bldg	\$300	Title search for unsafe building-281 Grooms Road
10-5-9010.80 Employee Benefits-Retirement	10-5-1920.40 Municipal Assoc. Dues	\$370	To cover expenses thru year end

**PUBLIC COMMENT (for discussion of non-agenda items)**

**Paul Webber, 19 Cemetery Road:** Mr. Webber, a lifelong resident of Cemetery Road gave a brief history of the hazards of the road and is in support the resolution

- I don't understand why it is a state road when you do the plowing
- 2 large mobile home parks, 3 Apartment complexes, 6 housing complexes and the housing complexes that come from Vosburgh, Werner, Anthony & Farm to Market Roads
- Mobile Home Parks and apartments with young entry level families who have new cars, drive fast and use Cemetery Road as a drag strip
- There are many pedestrians, electric wheel chairs and bicycles
- Several curves in road with 25 mph posted and then goes back up to 40 mph
- Thanks to John Pingelski for maintaining Cemetery Road.

**Supervisor Tollisen:** Mr. Webber, if I could, I do want to address your question. Yes, Cemetery Road is a town road but with respect to the speed limits the Town has no jurisdiction over setting its own speed limits on town roads. That is a creature of state law and state DOT has the authority over all roads including town roads.

**Paul Webber:** Sorry, I misunderstood

**Supervisor Tollisen:** It is a misconception that I had also that we don't have control over our own roads that we maintain and take care of. The easy answer to that is that my office is constant contact with DOT. The reason why we did a resolution this evening is because without a resolution from the Town Board, the state DOT will not even look at this and review it. I can tell you that this request has been made in the past on a couple of different occasions and DOT has denied it. I am not saying that they are going to deny it now, but please understand that we are going to send that request for the speed reduction and include the Town Board resolution with it. We will make every effort to do that. I will note that our speed monitor is on Cemetery Road and we have notified our local Sheriff's Department which we have a substation here of the issue of the speeding and enforcement. We are trying to do everything that we can at eth Town Board level to address your concerns.

**Paul Webber:** Unfortunately, I will say that I have had contact with a party in the DOT and I was told that if they lowered the speed limit they were going to speed anyway. The people at DOT do not live on Cemetery Road

**Supervisor Tollisen:** Unfortunately, that is a comment that we get back from DOT. We have speed requests throughout the town and they come back and say that that the average speed is this so even if we do lower it people won't abide by it and say that it is enforcement. We can put a patrol car on every single road in Halfmoon and still not have the proper speeds by people. If they want to speed, they are going to speed. As soon as we have more information, we will pass that on to you

**Paul Webber:** I understand that Halfmoon is a big growing town and that there are other roads that are suffering the similar problems, but I am a lifelong resident of the road and I have seen how it has deteriorated from that standpoint. There are also curve signs telling you to go 25 mph in 3 places on the road and right in back of it is a 40 mph sign. It just doesn't make sense to me. Thank you for your time.

**Supervisor Tollisen:** Thank you, sir.

There being no further business to discuss or resolve, on a motion by Councilman Hotaling and seconded by Councilman Connors, the meeting was adjourned at 8:43 pm.

**Respectfully Submitted,**

**Lynda A. Bryan, Town Clerk**

