

**The September 03, 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  
Cathy L. Drobný, Deputy Town Attorney  
Lynda A. Bryan, Town Clerk

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

**Supervisor Tollisen:** During our moment of silence this evening, we remember our Highway employee John Porter who passed away this weekend.

## **PRESENTATION: Paar Estates of Halfmoon PDD, 33 Farm to Market Road**

**Jeff Williams:** Thank you. Jeff Williams from Bruce Tanski Construction and Development. I want to thank the Board for the opportunity to have us here tonight to show the concept plan of our new project that we are looking at called Paar Estates of Halfmoon Planned Development District. It is located at 33 Farm to Market Road. It is on the eastern portion of Farm to Market Road, between the intersections of Pruyn Hill and Farm to Market Road which would be to the west and the intersection of Route 146 and Farm to Market Road to the east. By the locals it is probably known as a portion of the Leggett Farm.

The site consists of two tax parcels with a total acreage of 80.96 acres. The surrounding uses are vacant forest lands to the north, farm fields to the east, residential and farms uses to the west and a mix of farm residential and commercial services to the south. The parcel is zoned currently Agricultural Residential or AR. The AR zone permits single family dwellings, farm practices with accessory structure and also allows two family dwellings on the town's special use permit process. The property itself is relatively flat with moderately wet to well drained soils. There are associated wetlands and steep slopes on the property. We are trying our best to avoid those sensitive areas with the exception of two crossing to put our roadway system in.

The project itself consists of 74 twin townhome building sites, for a total of 148 units with the added attribute of a 9 Hole Executive Golf Course intertwined amongst the residential portion. This project is modeled from the very successful and attractive Fairways Estates PDD, which was approved in and built in the late 90's, early 2000's in the northern part of the town. The twin townhomes will be owner occupied. Each unit being placed on its own deeded property and be 1700 square feet in area. Each unit will have a two car garage, full basement, three bedrooms and 2.5 bathrooms. The proposed twin homes will be the same as the two unit homes that you see in the Fairway Estates and Pointe West, but without the center unit.

Density of the proposed project has been calculated, and I have to apologize, there is a change to the density that the engineers came up with today. It was a slight change and I will explain that, but I do want you to know that there was a change to what your narrative states. We took the total acreage of 80.96 acres, we subtracted 11.21 acres of federal and state wetlands, we then subtracted 14.47 of steep slopes over 15% and then removed (and here is the change) 8.90 acres needed for the roadway infrastructure. I believe the narrative in your hands states 4.66 acres. That gives us a net buildable acreage

**Supervisor Tollisen:** Jeff, what was the total acreage 80.96 or 90.96?

**Jeff Williams:** 80.96. So the net buildable acreage turns out to be 46.38. If you take that 46.38 buildable acres divide into the number of our proposed units of 148 that gives us 3.19 units per acre. The underlining zoning in the AR allows 2 units per

acre for single family. The maximum density allowed for multifamily PDD's to the towns ordinances is 10 units per buildable acre. You can see that we are very close to the density allowed in the underlining zoning and well under the maximum allowed density for a multiple family PDD. All of this while 84.1% green space for the total project.

**Supervisor Tollisen:** What was that percentage?

**Jeff Williams:** 84.1% green space or open area. The proposed road system will have two accesses off the Farm to Market Road, a County road. The roads are proposed to be public roads and dedicated to the town. Water will serve the project by extending a 12" water main from the intersection of Pruyn Hill and Farm to Market Road in an easterly direction. This water line actually has been engineered from two past light industrial commercial PDD's that have been approved and to be built on Upper Route 146. Sanitary sewer will be provided by connecting to a large gravity fed trunk line along Route 146 that is owned and maintained by the County Sewer District. This will be done by gaining an easement through the remaining lands of Leggett which was basically the island between Farm to Market Road and 146. The easement would be basically down in this section here and hitting 146 trunk line. Storm water will be managed on site following NYS DEC standards and the town's MS4 guidelines and project specifics pollution plans will be created as we proceed through the project.

The proposed public benefit that we offer to the town was to construct and place approximately 1,650 linear feet of a 12" water line on Tabor Road going in a westerly direction to Tabor, Cary, and Johnson Road intersection. This line will cost \$225,000 to be put in place at no expense to the town. According to the town's Director of Water, this line benefits the town as it brings the town's water source closer to the Saratoga County Water Authority System. Also as a side note, this water line alleviates an ongoing problem with water quality and quantity issues for those who live along Tabor Road.

It is our belief that the proposed Paar Estate of Halfmoon PDD will be found consistent with the town's zoning ordinances and the objectives of the PDD along with being consistent with the town's northern GEIS study. In closing, we believe this project will provide its residents a unique living style that provides the owner occupants a more efficient living and property space to own and maintain while offering the added benefit of having large expansive open space and recreational golf in their backyards.

I would be happy to field any questions today, and I thank the Board.

**Councilman Hotaling:** Jeff, where do you guys plan on running the sewer line, down Farm to Market Road to the east?

**Jeff Williams:** It would go to the east. I do not have the exact measurements but approximately but it crosses a small portion of land and then hits Route 146.

**Councilman Hotaling:** OK, thank you.

**Councilwoman Jordan:** There is land; I think 8.24 acres on the south side of Farm to Market Road. What is being planned?

**Jeff Williams:** That is correct. That will remain the lands of Leggett. They are going to keep that land.

**Councilman Wasielewski:** Jeff, what is the estimated price range right now?

**Jeff Williams:** For the townhome units, I think that we are looking at \$295,000 to start.

**Supervisor Tollisen:** The proposed public benefit you stated that it was water extension on Tabor Road. When would that be done?

**Jeff Williams:** I believe Mr. Tanski wishes to have that done once legislation is passed I guess if we get that far with the Board.

**Supervisor Tollisen:** Prior to construction of the project?

**Jeff Williams:** It would be. You would have to go through final site plan approval with the Planning Board after legislation.

**Councilman Wasielewski:** So the water line would be built before the project begins.

**Jeff Williams:** Yes.

**Supervisor Tollisen:** Any other question from the Board? Are there any questions from the public? This is not a public hearing, but I will entertain a few questions.

**Deanna Stephenson, 7 Cindy Lane:** Question Jeff, OK, the public benefit that was for Regency Park is that the same? Are you just moving it? How does that work now?

**Jeff Williams:** Yes we are moving it. That has been a public benefit for several of Bruce’s projects to the point where we will do the public benefit for whichever project gets approved. Then when we want to resurrect other project, then we will come up with other benefits.

**Supervisor Tollisen:** Just so we are clear, they have requested that the Regency Park be removed from the town’s calendar, so in order for that to be restored, a new public benefit would need to be in place, in advance pursuant to our new rules of the Town Board that all public benefits must be disclosed in advance. So in order for that project to come back on the agenda, we would need to know what the public benefit is for that project.

**Darlene Bagley, 24 Stone Quarry Road:** Has there been a traffic study done?

**Jeff Williams:** A traffic study has not been done yet, but there will be as we go through and proceed with site plan approval and before Planning Board even gives a recommendation back to the Town Board for legislation.

**Supervisor Tollisen:** As part of this project when it goes through site plan, it would require a traffic study to be done. I know that there are some traffic studies underway that are taking into account Upper Newtown Road, Farm to Market and other different areas in town. But, there would be a traffic study just for this project.

**RESOLUTION NO. 280**

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

**POLL OF THE BOARD:**

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

**RESOLVED**, that the Town Board approves referring the Paar Estates of Halfmoon PDD to the Planning Board for further review.

**Supervisor Tollisen:** Understand the process; from here it would be referred to Planning. Once Planning reviews it, they will make a recommendation to the Town

Board. It will come back to the Town Board for a Public Hearing and a final decision will be made at that point.

#### **COMMUNITY EVENTS:**

**Household Hazardous Waste Day:** Saturday, Sept. 6<sup>th</sup> from 8:00 – 4:00 pm at Town of Clifton Park Landfill on 22 Ray Road. Applications must be received no later than September 3<sup>rd</sup> at the Clifton Park Town Clerk's Office.

**Grace Foundation Fundraiser Breakfast** at the American Legion on September 7<sup>th</sup>

**Primary Election** to be held on September 9, 2014 for Governor & Lt. Governor. Polls will be open from 12:00 – 9:00 pm.

**9/11 Ceremony** will be held at the Gazebo on September 11<sup>th</sup> at 6:30pm.

**Clifton Park – Halfmoon Public Library District** will conduct an Election on September 11<sup>th</sup> from 7:30-9 pm

**Fall Cleanup Dates:** Sept. 16, 19, 20, 23, 26, & 27 **Hours:** Tues. 8-12, Fri. 12-5, & Sat. 8-3. This is a **FREE** service to all Halfmoon Residents. Please stop in Town Clerk's Office for your vehicle permit.

**Halfmoon Celebrations** is hosting the **FALL FESTIVAL PARADE** on September 20<sup>th</sup> kicking off at noon and festivities all day at the Town Park to follow

**6<sup>th</sup> Annual Rally 4 Ali**, in search of a cure for Diabetes, will host **PICNIC FOR A CAUSE** at Krause's Grove on Saturday, September 20<sup>th</sup> from 1-6

**Nick's Run to be Healed**, Sunday, September 28<sup>th</sup> at the Clifton Commons  
Registration is at 10:30

**Mohawk Towpath Byway 12<sup>th</sup> Annual Duathlon** on Sunday October 19<sup>th</sup>. It is a 2 mile run followed by a 17 mile bike and a 2 mile run to the finish

#### **TOWN MEETINGS:**

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

**Zoning Board of Appeals:** 1<sup>st</sup> Monday of month at 7:00 pm.

**Planning Board Meeting:** 2<sup>nd</sup> & 4<sup>th</sup> Monday of month at 7:00 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

**Zoning Review Committee:** 3<sup>rd</sup> Thursday of month

**Open Space & Trails Committee:**

**Resident Relations Committee:**

**Business & Economic Development Committee:**

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

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

**Business and Economic Development Committee**, continues to gather information from existing local businesses and new businesses in town. We have been advocating for and facilitating new businesses looking to locate in our town. I am also happy to report, that as Chairman I am now being contacted by agents of businesses seeking to come into town before they begin the formal process.

**Open Space & Trails Committee:** meets Monday September 15<sup>th</sup> at 7:00 pm right here in Town Hall.

I am also happy to announce another event that we need to get put on our next agenda. **The Halfmoon Flood Relief Pancake Breakfast** is being hosted by Senator Marchione and Catholic Charities, which is on September 21<sup>st</sup> from 8 to 11 am at the West Crescent Fire Department. It will cost \$7.00 for adults, \$6.00 for seniors, \$5.00 for children 6 to 12 and children under 5 are free. Halfmoon residents will be notified by mail from the Senators office. She is also accepting donations for this effort. If you can't come to the Pancake Breakfast, you can make a small or a large donation. Checks can be made out to Catholic Charities and be brought to Senator Marchione's District Office, right here across the parking lot in the Justice Building or you can mail it there to 1 Halfmoon Town Plaza, Halfmoon, NY 12065. It is a tax deductible donation.

**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, (4) Co- Liaison to Planning Board

Thanks, Mr. Supervisor. I will start off with the **Ethics Committee**. The Ethics Committee had its first meeting with its new members last evening and had a productive meeting. Agendas were set and the minutes of the meeting should be up on the town's website within the next few days. It was relatively brief as we were more just establishing where we need to go.

As the Supervisor mentioned, the **9/11 Ceremony** will be on Sept 11<sup>th</sup> at 6:30 at the Town Gazebo and a lot of effort is going into that to make it a dignified ceremony.

**Resident Relations** has also been active. We have had a meeting and we should be out into the community hopefully by the end of the month, as it gets dark out early. There is a lot of productivity coming from that committee. That is all that I have right now.

**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, (4) Co- Liaison to Planning Board, (5) Co-Liaison to Zoning Board, (6) Co-Chair of Zoning Review Committee

Our **Fall Cleanup** dates are: Sept. 16, 19, 20, 23, 26, & 27 Hours: Tues. 8-12, Fri. 12-5, & Sat. 8-3. I thank the Highway crew and the Transfer Station guys for all of their hard work on that.

**Halfmoon Celebrations** will be having our **Fall Festival Parade on the 20<sup>th</sup>**. A lot of people show up, a lot of displays. **The Halfmoon Historical Society** always has something to bring back the past of Halfmoon. We have some surprises for that day.

Thank you to everyone who worked hard for the **Toddler Playground at the New Town Park**. We have a few more things coming soon.

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

**Halfmoon Historical Society** will be hosting a Vintage Dress Presentation Spanning over 100 years at the Clifton Park – Halfmoon Library, Friday September 12<sup>th</sup> at 10:30 am

This remarkable Collection was worn by 4 generations of women in Ginny Golden's family starting with her Great Grandmother Annetta, who wore the first dress at

her wedding in 1869, the Civil War Era. The dresses continued through the turn of the century, the Roaring 20's, to the Rock n' Roll days of the 60's and the 70's.

**The Senior Center** had its monthly business meeting today and they had a presentation by Bright Horizons, Adult Day Services. They have just opened at the Clifton Park – Halfmoon Health Plex on Route 9 and offer a wonderful Adult Day Care program for Southern Saratoga County. They will be having a Ribbon Cutting Ceremony on September 18<sup>th</sup>. That is all that I have, thank you.

**Supervisor Tollisen:** I would like to look at item number 9 on the agenda, just to give some clarification and give you an idea of what is going on with that. We are actually looking at doing a feasibility study. This resolution would authorize the Town to do a feasibility study to determine whether it is more beneficial for residents to have a town wide garbage collection which would result in hopefully cheaper rates for our residents or not. So, this is something that has been going on for a while. Our Highway Superintendent has been looking at this quite closely and we believe that thus can have a good affect and actually save the residents some money. The first thing we need to do is do a feasibility study and that is what I will be looking for when we get to number 9 this evening, to start the process and determine whether or not we are going to do this or not.

The other item that I have this evening is that I have been working on the Town Budget pretty intensely. I have met with all of the departments and I have meet with a number of different charities and nonprofit organizations that we have line items in our budget. CAPTAIN has provided their yearly report for us and if anyone is interested the report is up here as well. I will be finalizing that budget and submitting it to the Town Board in the next three weeks or so.

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

**Joe Christopher, 96 Werner Road:** I would like to address the PDD that was presented today, not the project itself, but I guess its presence on the agenda. I began attending town meetings after the same builder proposed 165 unit apartment complexes, Anna's Place in an area of single family homes which is directly adjacent to my then new home. It was a similar situation where the builder was seeking Town Board approvals to use PDD legislation to build in higher densities than is allowed by current zoning. The community there came together, we fought hard and the project was reduced four times before ultimate passing. When it passed, I was very disappointed. I publically charged the board with being too corrupt and cowardly to act in the best interest of the residents of Halfmoon. In a statement to a reporter the Supervisor said "it sounded like sour grapes". Another board member said "he wouldn't entertain a comment

**Supervisor Tollisen:** Are you referring to the last Supervisor?

**Joe Christopher:** Yeah

**Supervisor Tollisen:** Just making sure it's clear.

**Joe Christopher:** I am sure that you would like to reiterate that. Another Board member said "He wouldn't entertain that comment with a response". I got a call that night from a reporter who also questioned the use of the word corrupt. A few weeks later a Supervisor was arrested for among other things, bribery. Last Friday, that builder was arrested for using straw men for making illegal campaign contributions. Now he is back the following week seeking board approval to build in higher densities than is allowed by current law. I do not believe this board should entertain any applications from this builder. I believe it is inappropriate for the members of this board and the committees that support them to accept campaign contributions from this developer. Until a few days ago, this developer was a member of the Halfmoon Republican Committee where he voted to recommend your

appointments. Enough is enough. I think it is time to stop and I just think that the jig is up.

**Attorney Murphy:** I would just like to advise the Board from a legal perspective that in this country people are innocent until proven guilty and there is nothing in our application process which could in any way allow you to disallow someone to come before the Board because of an accusation.

**Joe Christopher:** I addressed a number of things and a lot of things are illegal Mrs. Murphy, but I think that they still remain unethical. Thank you.

**Supervisor Tollisen:** I am not sure what you are talking about with unethical. Would you like to further clarify that Mr. Christopher?

**Joe Christopher:** No thank you.

**Supervisor Tollisen:** OK

**Patricia Rushby - 47 Tabor Road**

**Mary Grace Pickett - 51 Tabor Road**

**Barbara Koval- 33 Tabor Road**

**Patricia Rushby:** Actually, I wasn't going to present this to you tonight until I heard that gentleman's comments and so I now feel the need to present it in spite of the fact that you approved this project to move forward.

The three of us have prepared a statement that I would like to read to the Board.

We represent over 40 years of residency on Tabor Road. We have voiced our concerns related to the lack of water, in a variety of venues.

I've presented these concerns to Town Board, the Planning Board, met with the Town Supervisors and with Frank Tironi, Jr., from the Town Water Department on multiple occasions over many years.

Tonight you've been asked to approve the Paar Estates of Halfmoon PDD that will not only provide us with water, but will also benefit the entire Town, as it will extend the Town's water system further northward and closer in proximity to the Saratoga County Water Authority's system. In addition to the PDD that would bring us town water, the Paar Estates of Halfmoon project will provide options for the senior population, like myself, who may be looking to downsize their homes as their life circumstances change. We've been told so many times by the Town representatives that bringing water to Tabor Road is a top priority. We believe that with this project, you have the opportunity to make it happen.

The ongoing development in the area has negatively impacted residents on Tabor Road in many ways, specifically it has not only altered the water table, but also has put the quality of water in jeopardy. We see the chemical trucks coming and going and worry that the chemicals being used will find their way into the ground water supply.

Take for example the experience of one of the families who have lived on Tabor Road for 40 years. They were fortunate that their dug well had been adequate for most of that time, even when some of their neighbors were having difficulty in finding water. Their water was sufficient enough to even run a hose, now and then, to help a neighbor out. On a rare occasion if the hose was left running, the well could run out. However,

in those instances the well would recover in a few hours and come back to its' normal level.

Now that family's well water is no longer as plentiful or stable as it once was. In March of 2013 and 2014, their well ran dry. This time the well recovered slowly and did not come back to its normal level. **If** you have never had the experience of turning on a faucet and have nothing come out, you cannot imagine the devastation that is felt when you realize the investment of effort and money that you have put in your home means nothing, if there is no water.

We are petitioning the Board to consider the dire need for water that exists here on Tabor Road. One family drilled 5 wells with no success, then dug a shallow well which has been their primary source of water. That shallow well provided an ample and dependable amount of water for years. That is no longer the case, now the water supply is inadequate and the water is contaminated. A final example of the dire need for Town water on Tabor Road is that another one of the families has absolutely no water at all.....and these are only a very few of our stories.

Everyone in this room is probably aware of the accusations that have been made against Bruce Tanski. I would hope that we all uphold the judicial premise that the accused is innocent until proven guilty. The focus tonight should be on the public benefits of the Paar Estate Project to the Town of Halfmoon and its residents, not on one individual.

We also feel the need to address comments made by Future Halfmoon recently regarding tonight's meeting. Everyone is entitled to an opinion, but disrespect enamors few. The additional comments on the Future Halfmoon webpage where someone was "wondering" what the public benefit will be (on this project) .....perhaps it would be prudent to get the facts before "wondering" and then forming an opinion and posting it on Facebook.

In light of that, before his passing, Walt Polak had been communicating with me regarding the Tabor Road water issue. He was aware of our concerns. I had his pledge to keep trying to help us and our attempt to get town water on Tabor Road. We would like to submit his letter to the Board for review. He was fair, honest and informed. There was no deception there..no false promises but he gave me the facts as well as hope. Clear, factual and professional.

As residents of Halfmoon we are asking you to help provide us with one of the most basic quality of life necessities which many Tabor Road residents do not have - an adequate and safe supply of water.

We hope that your decision regarding the Bruce Tanski Construction & Development, LLC project, Paar Estates of Halfmoon PDD, will be judged solely on its merits to the Town and its residents, and that you will allow it to move forward to fruition.

We would like to thank the Board for its consideration and actually very happy that it is going on to the Planning Board for consideration of these remarks and thank you Mr. Tanski for proposing this exemplary project.

**Supervisor Tollisen:** I will note that when this PDD came in, it was on file with the Town Clerk and the public benefit was disclosed in advance like it is required to be by the Town Board. This project came in as correspondence at the last meeting and I do not think that anyone has requested it. Just to let you know that the proposed public benefit was disclosed in advance like it was supposed to.



**Pat Rushby:** Would you like to have a copy of Mr. Polak's letter to me? That's available and we also have a petition of signatures of Tabor Road and we ran out of time we have everybody but two people on it.

**Supervisor Tollisen:** We will gladly take that. I will have you give it to Lynda so it gets on file with the Town Clerk, OK?

**Attorney Murphy:** I was going to ask as part of my report that I respectfully request that the Board pass a resolution allowing the town to consult with Bryce Appraisal Company to form an appraisal of the property located at Plant Road and Route 146. It is a small sliver of road that was a state right away that was abandoned to the town that we don't have any use for, but we want to get an appraisal to show that it has no value.

## RESOLUTION NO. 281

**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 the Town to consult with Bryce Appraisal Company to form an appraisal of the property located at Plant Road and Route 146.

### POLL OF THE BOARD:

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

### DEPARTMENT REPORTS- Month of July

1. Building/Sewer

Total # Permits – 79      Total Fees Submitted to the Supervisor - \$15,622

2. Fire

Total # Permits – 15      Total Fees Submitted to the Supervisor - \$735

### DEPARTMENT REPORTS- Month of August

1. Town Justice Wormuth

Total # of Cases – 255      Total Fees Submitted to the Supervisor - \$30,728

2. Town Justice Suchocki

Total # of Cases – 243      Total Fees Submitted to the Supervisor - \$27,619.50

3. Senior Express

Total # Riders – 280      Total # Meals - 490

### CORRESPONDENCE

1. **Received** from the Town Planning Board Resolutions approving the following: Sign Application for Jay's Auto Repair, 457 Route 146 and for Cutting Edge Barber Shop, 1602 Route 9, Suite 3, for a Change of Tenant/Use Application for S. Saxon Company, 1524 Route 9 Suite B, and for Halfmoon Massage, 1407 Route 9, for a Change of Tenant/Use and Sign Applications for Mother Theresa Academy, 13 Executive Park Drive, for a Change of Use and Sign Application for Saratoga Academy, 17 Executive Park Drive, for a Change of Use Application for Rainbow Direct, 1627 Route 9, Approval of Site Plan Applications for Precision Periodontics, 1426 Crescent Vischer Ferry Road, and for The College of Nanoscale Science & Engineering, 5 Corporate Drive, for an Addition to Site Plan Application for Grace Fellowship Church, 1 Enterprise Avenue, Approval of the Mikol Subdivision, Hogan Lane and a Denial of a Change of Use Application for Sonis Brithers, Inc. (Sunoco) at 1500 Route 9.

***Received & Filed***

2. **Received** from Supervisor Tollisen a Press Release stating the Town of Halfmoon completes Refunding of Bonds resulting in actual Combined Budget Savings to Halfmoon Residents over \$700,000.

## Town of Halfmoon Completes Refunding of Bonds Resulting in Actual Combined Budget Savings to Halfmoon Residents over \$700,000

Halfmoon Town Supervisor, Kevin Tollisen, announced today that the Town completed the refunding of its existing municipal bonds from 1984, 1996 and 2006, and further the refunding of bonds for the Halfmoon portion of the 2005 Clifton Park-Halfmoon Library. Fiscal Advisors, Inc., who provides financial advice and counseling to the Town, calculated the actual budgetary savings on the three Halfmoon bonds to be \$425,863 and the savings for the Halfmoon portion of the library debt to be \$276,334.

Supervisor Tollisen stated that the refunding of the bonds results in significant budgetary savings for the Town residents in general and the Halfmoon residents located in the Library District. Supervisor Tollisen stated he was very pleased with the bond refunding as the savings was just over eight percent (8%) of the total refunded bonds.

Halfmoon Town Supervisor, Kevin Tollisen furthered that refunding of the bonds shows a continuous and aggressive effort by the Town Board to reduce spending and be fiscally responsible to the residents of the Town of Halfmoon.

This press release updates the release issued June 5, 2014 by the Town of Halfmoon stating the Town of Halfmoon Town Board authorized the bond refunding.

For additional information, please contact the Town Supervisor, Kevin J. Tollisen.

**August 25, 2014**  
**for additional information contact:**  
**Supervisor Kevin J. Tollisen x2200**

### *Received & Filed*

3. **Received** from Michael Cavanaugh, 7 Spice Mill Blvd. a letter requesting the Town of Halfmoon and Saratoga County to put a weight limit of 10 ton along Farm to Market Road and a speed study to reduce the speed limit to 40 mph.

***Received & Filed & submit request to the NYS DOT***

### **RESOLUTION NO. 282**

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

**RESOLVED**, that the Town Board sends a request to the NYS DOT for a speed reduction study to 40 mph for Farm to Market Road.

**Supervisor Tollisen:** Ms. Bryan, will you send the letter out to the Department of Transportation? I did receive a letter from the Deputy Commissioner of DPW for Saratoga County, and they do not typically put weight limits on roads, so that portion of it is not something that we can do and that would be up to the County. They basically have stated that they do not put tonnage weight limits on the roads.

4. **Received** from Supervisor Tollisen a Press Release announcing the Town of Halfmoon adds a Toddler Playground and Exercise Equipment to Halfmoon Town Park.

Supervisor  
Kevin Tollisen

Town Board  
Paul Hotaling  
Daphne Jordan  
John Wasielewski



## TOWN of HALFMOON

2 HALFMOON TOWN PLAZA  
HALFMOON, NY 12065  
COUNTY OF SARATOGA

(518) 371-7410 Ext. 2200 • Fax (518) 371-0936

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### For Immediate Release

#### Town of Halfmoon Adds Toddler Playground and Exercise Equipment to Halfmoon Town Park

Halfmoon Town Supervisor, Kevin Tollisen, announced today that the Town of Halfmoon Parks and Recreation Departments opened a new toddler playground at the Halfmoon Town Park. A ribbon cutting was held at the Halfmoon Town Park on Friday, August 22, 2014, where it was unveiled and opened to the Public for use. This most recent addition to the Town Park is intended to appeal to the youngest of our Town population and is the first piece of playground equipment to be added to the Town Park since its completion.

Supervisor Tollisen also stated that this is the first of a series of additions that Halfmoon Town residents can expect at the Town Park over the next few months. The Town has also purchased exercise equipment to be added to various parts of the Trail so residents can take advantage of different exercises during their walks and activities at the Town Park.

Deputy Supervisor and Town Board Member Paul Hotaling also stated the Town is working on some additional signage to highlight some of the key historical and memorial aspects of the Town Park. The signs have been ordered and can be expected to be unveiled at the Town of Halfmoon's Fall Festival held at the Town Park on September 20<sup>th</sup>, 2014 from 1 to 5pm. All of the additions to the Town Park are being paid for out of the Town's Recreation Funds which are special fees set aside by the Town Board.

For additional information, please contact the Town Supervisor, Kevin J. Tollisen.

August 26, 2014  
for additional information contact:  
Supervisor Kevin J. Tollisen x2200

5. **Received** from US Army Corps of Engineers, a copy of their letter to Ivan Zdrahal, Halfmoon Holdings, LLC,. This determination has been conducted to identify the limits of the Corps Clean Water Act jurisdiction for the particular site identified in this request

***Received & Filed***

6. **Received** from MRK Real Property, LLC, requesting approvals for an upgrade and expansion of Crescent Gardens Mobile Home Park (previously the Rome Mobile Home Park).

***Received & Filed***

7. **Received** from CAPTAIN Youth & Family Services their 2013 Annual Report

***Received & Filed***

8. **Received** from the New York State Dept. of Public Service, a letter asking to help raise awareness of the Lifeline Discount Telephone Service Program & that September 8-14<sup>th</sup> has been designated as National Lifeline Awareness Week.

***Received & Filed & have a copy sent to the Director of the Senior Center***

NEW BUSINESS

RESOLUTION NO. 283

**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 1744 through 1812, as detailed.

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

10 GENERAL FUND	\$291,111.39
20 HIGHWAY FUND	\$31,265.79
25 SPECIAL REVENUE	\$2,703.62
30 CONSOLIDATED WATER	\$585,764.00
50 CHURCHILL SEWER	\$41,443.44
<b>ABSTRACT TOTAL:</b>	<b>\$952,288.24</b>

RESOLUTION NO. 284

**Offered** by Councilman Hotaling, seconded by Councilman Jordan: 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, August 20, 2014, as presented.

RESOLUTION NO. 285

**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 authorize purchasing from National Purchasing Partners Government Contracting for items that are not on New York State Contract.

RESOLUTION NO. 286

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

**RESOLVED**, that the Town Board authorizes Clifton Park to continue lead agency status for the Erie Canal Community Connector trail project as required by the Department of State.

**Supervisor Tollisen:** This is a joint project between the Town of Clifton Park and Halfmoon and Clifton Park has been the lead agency and we just need a resolution to confirm them to continue that.

RESOLUTION NO. 287

**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 Town Supervisor to issue a Negative Declaration for the Town of Halfmoon Champlain Canal Trail project which will extend south to the Town line.

#### **RESOLUTION NO. 288**

**Offered** by Councilman Hotaling, 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 September 17, 2014 at 7:00 pm or as soon as the agenda allows for the marketing and sale of 2 parcels of land on Poplar Drive (SBL 278.15-1-5 and 278.15-1-6) that the town has no need of.

**Supervisor Tollisen:** I believe that the Board does have a copy of the appraisals of the property and has been circulated for some time.

#### **RESOLUTION NO. 289**

**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 authorize renewal of Mobile Home Park Licenses for the 2014 – 2015 licensing year per inspection and approval of the Director of Code Enforcement as follows: Arrowhead Mobile Home Park, West Crescent Mobile Home Park, and Crescent City Mobile Home Park.

#### **RESOLUTION NO. 290**

**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 approves waiving the Building Permit fee for Halfmoon Baseball to put up a scoreboard on Baseball Field #3.

#### **RESOLUTION NO. 291**

**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 the Town of Halfmoon to explore the feasibility of creating a Residential Garbage Collection District that would allow for the collection of all residential waste and recyclables within the Town limits and to further direct the issuance of an RFP in order to solicit and accept proposals for the hiring of a qualified consultant to assist the Town in determining the feasibility of creating such a Residential Garbage Collection District within the Town. All proposals must be filed with the Town Clerk's office no later than September 26<sup>th</sup> 2014, by noon.

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

Councilwoman Jordan -	Aye
Councilman Wasielewski -	Aye
Councilman Hotaling -	Aye

**Aye**

**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.

Credit:	Appropriations	25-960	\$2,703.62
	Subsidiary: 25-5-1440.40 Engineering		
	Contractors Inspections	\$2,703.62	

NAME	AMOUNT
Anna's Place	\$2,703.62
<b>Total</b>	\$2,703.62

From Account	To Account	Amount	Reason
10-5-8020.40 Planning- Contractual	10-5-8020.10 Planning- Personal Services	\$1,000	To cover expenses thru year end

CREDIT:	Estimated Revenues	75-510	\$5,798,300
	Subsidiary:		
	Recreation Charges	75-4-2001 -	\$325,000
	Serial Bonds	75-4-5710 -	\$5,473,300

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

**Deanna Stephenson, 7 Cindy Lane:** I am speaking tonight as a resident that rose my hand to volunteer to the town's Ethics Committee. This may seem to some as a rehash, but to me, I want to be clear on a timeline of events that ensued. In January, Councilman Wasielewski requested that any interested residents forward their information if they wanted to be considered for the committee. After a set time by the chair, only two residents came forth, myself and another. The chair of the committee, Councilman Wasielewski reached out to us and said Congratulations and told us next steps for training, at which point the Board held up the appointment due to it being an Ethics Committee, the Board needs a motion to vote. That means it needs to be an appointment by the Board. I did ask Supervisor Tollisen if the issue was with the process or the participants and he had mentioned both. The process continued until interviews were set up. I interview with both the Chairman Wasielewski and the Supervisor on July 2<sup>nd</sup>. On July 2<sup>nd</sup> Councilman Wasielewski put a motion forth to appoint me to the Ethics Committee. There was no second and another Board member wanted to discuss the matter and interview again and stating that to be on this committee you must be free of self-interest with no political interest, on a witch hunt or for personal gain. On July 9<sup>th</sup>, I was interviewed for a third time for this volunteer, volunteer committee position by Councilman Hotaling and Miss Jordan at which time I said on 7/09, July 9<sup>th</sup> and I have well documented "I am currently circulating petitions, I want to serve Halfmoon in any capacity that I can". Which brings me to the present, last week a letter was posted from another resident which happens to be the acting Republican Chair. "Stephenson demonstrates excessive negativity, unethical behavior and an utter lack of any substantial qualifications. Deanna Stephenson attempted to cut a political deal with Town Board members to get on the Halfmoon Ethics Committee. Stephenson personally threatened to run for office as direct political retaliation. She shows a stunning lack of judgment and breathtaking lack of integrity which would have the gall to hold herself up as a candidate of ethics reeks of political hypocrisy "and it goes on. This is the same person, private resident, Mr. Lundquist that on May 26<sup>th</sup> had a conversation with me. Twice, he said in this conversation and I have it well documented, "I would have no problem next time that I see Kevin, "what's wrong with Deanna being on the Ethics Committee? I would be more than happy, I will tell Kevin that you should be on the Ethics Committee, I told him before." Other committee members said that they approached Mr. Tollisen and advocated for me for that.

I want to be clear, this was a volunteer committee, I get no compensation for being on this. I only want to serve this town in any way that I can and I have tried to do that for three years. I have not been appointed to any committee that I have volunteered for; six times. I just want one question to ask the Chairman Wasielewski; do you feel coerced in putting that motion up for me?

**Chairman Wasielewski:** I did not.

**Deanna Stephenson:** Mr. Tollisen, did you feel coerced in putting that motion up?

**Supervisor Tollisen:** No, ma'am

**Deanna Stephenson:** Thank you, thank you very much.

**Peggy Straight, 13C Tupelo Drive:** I just wanted to know if there is an update on the engineers report on the creek.

**Supervisor Tollisen:** Peggy, I talked to the town engineer yesterday in a meeting. Like I said, they have walked the site and there was nothing there that they felt was an issue. They have also sent our two engineers to review the area and that is still under review. Mr. Bianchino told me yesterday that his next step is to meet with the Highway Superintendent and that probably has not happened yet since it was just yesterday. Once I have something more formal, I will make sure that I will



meet with you folks. I have asked the town engineer to also meet with us so that he can provide the most up to date information and a lot clearer than I can give you.

**Peggy Straight:** OK, just another question. How do community benefits get determined, because I have been listening to Tabor Road with the water issue? I was just curious, how does one get on that list for community benefits?

**Supervisor Tollisen:** First of all when you talk about a PDD in my opinion, the project needs to be on its own merits, a good project. First, the public benefit, it needs to be beneficial to the town. It needs to be beneficial to the town residents. The project on its own needs to be of substance that is good for the town. The second part of it is because it is new legislation that is enacted can propose a public benefit. The public benefits can be pretty open and generic and is a matter of what is on the table at the time as to what is being proposed.

I have a little bit of a different philosophy. I don't tell people what to do for a public benefit because my philosophy is the project needs to stand on its own merits, number one and number two, the public benefit whatever it may be would need to be disclosed up front. A project does not have to have a public benefit with a PDD as long as it stands on its own merits, however historically that has happened. Certainly you can submit it. We can make it part of the town record and ask for it. Basically you have already applied in the past

**Peggy Straight:** For like new culverts to be replaced, would that be something that would be part of a project from someone else? If you determine that our issue has

**Supervisor Tollisen:** The culvert was replaced in the Northwood Development

**Peggy Straight:** That is what I remember hearing about so I was just curious what the engineers had to say if it was the culvert if there was something that could be put into a project

**Supervisor Tollisen:** They haven't made that determination yet. Gladly, as soon as I have that information, I will be happy to share that with you.

**Peggy Straight:** Is there anything in the budget for updates on those culverts? Our idea is that Belmonte put in a culvert that is 36" and ours is smaller and more water would come our way if our culvert can't handle it. Is there anything in the budget that they update?

**Supervisor Tollisen:** In the Highway budget, there is certainly improvements that can be made and repairs that can be done. I know that one culvert that you are talking about has been looked at and I do not think that a determination has been made that it is lacking capacity. There are two pipes that are going through that at this point, but I do not believe that there has been any determination that it is insufficient. I would expect that if that needed to be replaced, it would be a major cost, a pretty substantial cost. But once we get to that point, then we can figure out what we need to do.

**Peggy Straight:** Alright.

**Joe Christopher, 96 Werner Road:** I think in light of the conversation that occurred here tonight, I believe that the comments made about Mrs. Stephenson are clearly unfair and misleading.

**Supervisor Tollisen:** Mr. Christopher, I am going to tell you that I am going to stop you right there. Those comments were not made by me or any member of this Town Board. It sounds like it was made by a political person and I am not going to address politics here. I will not.

**Joe Christopher:** OK, well I just want to make a statement, you don't have to answer it and I wasn't charging you guys with that and maybe this isn't the right venue but I think that well perhaps Councilwoman Jordan and definitely Jeremy Connors should publically and promptly disavow support for

**Supervisor Tollisen:** Like I told you, we are not going to discuss politics. This is not a venue for political. I am going to warn you now; this is not about politics here.

**Larry Koniowks, 15 New Castle Road:** I just wanted to comment on the development and the water situation on Tabor Road and the public benefit. It seems to me that this public benefit is being bounced around for these people. There is no reason for them not to have water. We all pay our taxes. It shouldn't be that a development has to come in for somebody to get water and to cram a whole bunch of houses in just to have the water. Water is an essential need for everyone. Why should they be begging the Council, the Planning Board, the Highway people just to get some water to their house? I am sure they would want this to go through so they can get water. Why should this have to happen, even if they downgraded a little bit to some single family homes, something more respectable and keep the traffic and everything to a respectful situation around here. I am just sitting back there listening and I just don't understand why public benefits should afford these people water. That just has me baffled and confused and that is what I have to say.

**Supervisor Tollisen:** Thank you for your comments first of all. I will try and address a little bit of it. This was one of the hottest topics when I came into office was getting water on Tabor Road. It has been looked at and analyzed by previous boards. The issue that we have is to bring water down that road without it being a public benefit would require an extension of the water district and public borrowing for debt. The State Comptroller regulates debt for these particular projects and the State Comptroller, although they have raised the debt amount, it is still twice as much as the New York State Comptroller will allow residents to have. Because of the State Comptrollers limitations of what can be borrowed and how much debt can be given to the individual residents, that makes that project not affordable at this point.

I know that has been reviewed in the past, but that has been updated. I did share that with Miss Rushby at one of the meetings that we've had. We've looked at the different angles and unfortunately because of state regulations it makes it unaffordable and therefore ties our hands even more.

I hope that helps because when I first got here (someone spoke from the audience) there are some areas in town like that, very difficult areas for water. I'll tell you that the Director of Water has tried every angle and every different nuance that you can find because these particular areas that are lacking the water is basically preventing us from looping our entire system. So that is the problem.

## **EXECUTIVE SESSION**

### **RESOLUTION NO. 292**

**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 approves going into Executive Session to discuss litigation at 7:56 pm.

No action was taken and the meeting resumed.

There being no further business to discuss or resolve, on a motion by Councilman Hotaling and seconded by Councilman Wasielewski, the meeting was adjourned at 8:25 pm.

**Respectfully Submitted,**

**Lynda A. Bryan, Town Clerk**