

**The September 18, 2013 Regular meeting was called to order at 7:00 pm by Deputy Supervisor Polak in the A. James Bold Meeting Room at the New Town Hall with the following members present:**

Walter F. Polak, Deputy Supervisor  
Paul L. Hotaling, Councilman  
Craig A. Hayner, Councilman  
John P. Wasielewski, Councilman  
Lyn A. Murphy, Town Attorney  
Lynda A. Bryan, Town Clerk

Melinda A. Wormuth, Supervisor - Excused  
Matthew J. Chauvin, Deputy Attorney - Excused

**Deputy Supervisor Polak:** Good evening everyone. I received a message this afternoon that Mrs. Wormuth would not be at the meeting this evening. Therefore, I will be running the meeting and I want to welcome you all to our September 18<sup>th</sup> meeting.

**The Deputy Supervisor opened the meeting at 7:00 pm by leading the Pledge of Allegiance**

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

**Councilman Wasielewski:** Tonight I would like to report that there was an outstanding response to the Pancake Breakfast for the fallen firefighter Allan Ayotte. Over \$9,000.00 was raised at the Sunday morning breakfast between the West Crescent and Clifton Park - Halfmoon fire departments. Allan's condition continues to improve with the hopes and prayers of the residents of the town and we all wish him well. Thank you everyone for your support. That is all I have tonight Mr. Chairman.

**Councilman. Hotaling:** This Saturday, Halfmoon Celebrations, and our Parks and Highways Departments are getting together and are going to have a Parade at noon, and at 1:00 the Fall Festival will follow at Town Park. We really encourage everybody to get out if you can. We have over 40 different groups in the parade and a lot going on at the Fall Festival. Thank you.

**Councilman Polak:** I have a couple of items. The first is as you know, this is our Fall Cleanup. It started on Tuesday and will continue Friday and Saturday, and again next Tuesday, Friday and Saturday at our Transfer Station. The other item that I have is tomorrow evening at 7:00 we will have our Zoning Review Committee Meeting and that will be right here in this room.

**Clerk Bryan:** Not only is Saturday our Parade – Fall Festival & 225 Celebration of Halfmoon being a town, but also it is 100 years to the day, of a Cyclone that hit in Crescent on Sept 21<sup>st</sup>, 1913. There was one home in particular on Dunsbach Road that was devastated by this cyclone, & there are many pictures documenting it. The house was built in the early 1800's. It survived the cyclone and has been completely restored & the Geleta family lives there now at the old Stah Family Farm.

Mary Ann Geleta was very kind to lend many family heirlooms from her home which is on display in the foyer. Please take a moment to take a glimpse back 100 years, see the destruction of her home & how beautiful it is today. Thank you to the family for lending us all of their beautiful things.

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

**DEPARTMENT REPORTS- Month of August**

- 1. Town Justice Ciulla  
Total # Cases – 268      Total Fees Submitted to the Supervisor - \$32,716.50
- 2. Town Clerk  
Total Fees Submitted to the Supervisor - \$2,729.69
- 3. Building  
Total # Permits – 122      Total Fees Submitted to the Supervisor - \$12,967.00
- 4. Fire  
Total # Permits – 12      Total Fees Submitted to the Supervisor - \$564.00

**CORRESPONDENCE**

- 1. Received from the Town Planning Board Resolutions approving the following: Sign Application from Site Enhancement Services for Advanced Auto Parts, 1695 Route 9, for a Change of Tenant and Sign Application for Amma’s Closet Exchange, 1602 Route 9 (Capital Storage), for a Change of Tenant for the Pre-Owned Auto Repair, 12 Firehouse Road, and for Commercial Site Plan for a Self-Storage Facility at 423 Hudson River Road.  
*Received & Filed*
- 2. Received a letter from the American Red Cross thanking the Town of Halfmoon for the great turnout for the Blood Drive on August 27, 2013.  
*Received & Filed*
- 3. Received from the NYS Department of Agriculture & Markets, their Municipal Shelter Inspection completed on 9/5/2013. The dog shelter services were rated “Satisfactory”.  
*Received & Filed*
- 4. Received from US Army Corps of Engineers, a copy of their reply to a request by Lou Lecce for Upper Newtown Associates, Inc., about the site located in the Hudson River Watershed and has been determined to contain jurisdictional waters of the United States  
*Received & Filed*

**NEW BUSINESS**

**RESOLUTION NO. 214**

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

**RESOLVED**, that the Town Board approves and orders paid Vouchers numbered 2105 through 2232 as detailed.

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

10 GENERAL FUND	\$36,412.45
20 HIGHWAY FUND	\$67,947.53
25 SPECIAL REVENUE	\$30,416.18
30 CONSOLIDATED WATER	\$24,384.42
35 MISC. CAPITAL FUNDS	\$16,500.00

65 LIGHTING DISTRICT

\$414.73

**ABSTRACT TOTAL:**

**\$176,075.31**

**RESOLUTION NO. 215**

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

**RESOLVED**, that the Town Board approves the minutes of Town Board meeting of, September 4, 2013 as presented.

**RESOLUTION NO. 216**

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

**RESOLVED**, that the Town Board appoint JoAnn Smith as Sole Assessor for the Town of Halfmoon for a term effective October 1, 2013 through September 30, 2019.

**RESOLUTION NO. 217**

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

**RESOLVED**, that the Town Board authorizes Clough Harbour & Associates to perform Environmental Monitoring for the Town of Halfmoon Landfill for 2013 to be conducted in October 2013, for the annual fee of \$7,500.00, per review and approval of the Town Attorney.

**RESOLUTION NO. 218**

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

**RESOLVED**, that the Town Board approves the Supervisor's Report for the month of July as presented.

**RESOLUTION NO. 219**

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

**RESOLVED**, that the Town Board appoints Amy Phelps as a part time clerk in the Town Clerk's Office until December 31, 2013 at her current rate of pay of Grade 2 Step Base, \$13.22 per hour.

**RESOLUTION NO. 220**

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

**RESOLVED**, that the own Board authorizes the purchase a Sharp MX-4141N Digital Color Document System off state contract from the finance office budget in the amount of \$11,096.

**RESOLUTION NO. 221**

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

**RESOLVED**, that the Town Board authorizes the Supervisor to execute all documentation necessary with First Niagara Leasing, Inc. in the amount of \$46,340.00 for a period of 5 years with an interest rate of 2.066% for the purchase of a Ford F550 truck per the request of the Highway Superintendent, per review and approval by the Town Attorney.

**RESOLUTION NO. 222**

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

**RESOLVED**, that the Town Board approves the Supervisor’s Report for the month of August 2013, as presented.

**RESOLUTION NO. 223**

Offered by CouncilmanWasielewski, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Polak, Hotaling, Wasielewski & Hayner

**RESOLVED**, that the Town recognizes & commends Patricia Donovan for her years of service to the State of New York, County of Saratoga and our local community as a Senior Investigator in the Bureau of Criminal Investigations with the New York State Police.

**RESOLUTION NO. 224**

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

**RESOLVED**, that the Town Board & the Mechanicville Area Community Services Center recognizes Shelly Snyder, a 2013 Community Hearts Honoree. Shelly’s passion is for Children’s Hunger as “Hunger does not take a vacation”.

**RESOLUTION NO. 225**

Offered by Councilman Hotaling, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

**RESOLVED**, that the Town Board authorizes the Supervisor to make the attached Transfer between Appropriations and Creation of Appropriations

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	\$30,416.18
	Subsidiary: 25-4-2189 Home & Community Services	\$30,416.18	
Credit:	Appropriations	25-960	\$30,416.18

Subsidiary: 25-5-1440.40 Engineering  
Contractors Inspections   \$30,416.18

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

NAME	AMOUNT
Earl Mixed Use Comm	\$523.00
Fairway Meadows Ph III	\$4,711.16
Santoro Warehouse	\$1,319.00
Victor’s Farm Subd	\$72.50
Pleasant Valley Estates	\$1,237.36
Linden Village	\$145.00
Kennsington at Halfmoon	\$1,740.00
Moorings of Halfmoon	\$14,737.28
Anna’s Place	\$580.00
Rolling Hills Ph II & III	\$5,350.88
Total	\$30,416.18

A creation of appropriations is necessary to increase the budgetary account for Church Hill Sewer Debt within the regular operating budget of the same fund.

Create budgetary accounts from Town of Halfmoon Recreation Fund:

Debit	Unappropriated Fund Balance	50-599	\$349
Credit:	Appropriations	50-960	\$349
	Subsidiary:	50-5-9710-60 - \$349	
		Sewer-Debt Service-Principal	

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

**Deanna Stephenson, 7 Cindy Lane, Clifton Park:** I am going to ask a few questions tonight, not all on the same topic, I am going to bounce it around. First of all it is going to be the finances of this town. I asked this a few weeks ago when we talked about the Office of the State Comptroller coming in and some of the questions that I did have. In your opinion, will the budget be ready for the September 30<sup>th</sup> deadline for preliminary, and I thought that we were to have public hearings that the public would be invited at workshops before we had the preliminaries set. Does anybody want to comment at this point on that?

**Deputy Supervisor Polak:** I believe that there will be a public hearing and yes, we will meet the deadlines.

**Deanna Stephenson:** It will be ready by 9/30?

**Deputy Supervisor Polak:** Pardon me?

**Deanna Stephenson:** You think that you will be ready by September 30<sup>th</sup>?

**Deputy Supervisor Polak:** Yes

**Deanna Stephenson:** OK, and who is taking the responsibility at this point to make sure, because we talked about this about the corrective action plan, the Office of the State Comptroller brought forth. Do you think that we are on point for that? Will that be ready?

**Deputy Supervisor Polak:** Supervisor Wormuth has been working with all of the department heads and I do not know the status of that today but, I know that she has been working with them and trying to commit to them the finalizations.

**Deanna Stephenson:** OK, and going along that line of answering thank you Councilman Polak, if Supervisor Wormuth is not able to do that, do we have a B plan?

**Deputy Supervisor Polak:** Yes, we do.

**Deanna Stephenson:** Can you help me understand what that might be, seeing how this is important, the Office of the State Comptroller.

**Deputy Supervisor Polak:** I or the Board will work with Bonnie in Finance and finalize those documents.

**Deanna Stephenson:** OK

**Councilman Hayner:** I think that all Town Board members are committed

**Deanna Stephenson:** Thanks Craig, I appreciate that. Regarding, this is the big elephant in the room, regarding the news articles that came out this week, Mr. Polak, I want to ask you point blank, and I am backing up a couple of weeks to Mr. Chauvin when it broke about the land deals that came out in the Times Union, the other papers that followed with it. I want to comment on a quote that you made and I just want to be able for you to comment on it at this point if you can. A reporter had asked; if you had to comment because in your time frame, it was on your watch that a lot of those conversations and land deals did occur, and you were on the Planning Board as liaison and on the highway. At this point when you talked to the reporter you said; "I have no comment, it will all blow over." I mean, you know, that kind of, I am just wondering, at this point, you were there

**Deputy Supervisor Polak:** I can honestly say that there was no preferential treatment given to Mr. Chauvin as there is not with any other developer. I have a commitment to work between the Town Board and the Planning Board on projects as you know Deanna, you have been around a long time. It is a 7 member board that votes on those projects and what occurs in those projects. The process is that when the Planning Board is done with the project, they will make the referrals to the Town Board and it is at that time that the Town Board takes action.

**Deanna Stephenson:** Now let me say this; regarding the news that came out this week, again, I am looking at a 4 member board right now, if the Supervisor cannot fulfill, what is the Board's B plan at that point to go forward? Mr. Polak, you are the Deputy Supervisor

**Deputy Supervisor Polak:** Yes I am

**Deanna Stephenson:** OK, I am just wondering, two; if you had knowledge of this prior to it coming out?

**Deputy Supervisor Polak:** What, that I am Deputy Supervisor?

**Deanna Stephenson:** No, no, not that you are Deputy Supervisor, but did you have knowledge that this was happening before it hit the papers?

**Deputy Supervisor Polak:** That we were going to ask for the resignation of the Mrs. Wormuth?

**Deanna Stephenson:** No, did you have knowledge of what was going on before it hit the papers?

**Deputy Supervisor Polak:** No.

**Deanna Stephenson:** No, you did not. OK, and now I am asking as a 4 member board, what will be your B plan if she cannot commit to her commitment of ending on 12/31? If she cannot commit, say she doesn't come back or whatever happens, what do you do?

**Deputy Supervisor Polak:** As you know, as Deputy Supervisor, I will take over until the end of the year. The Board will work with me and we will run business as usual as we do every day. Not knowing what was going to transpire today, I did meet with all of the town employees, I signed some vouchers and some checks today, just like I always do in her absence. I did receive a message from Mindy's secretary today about a call that she received and would I follow up on it and like always I followed up on it. We will continue everyday business just like we always have. We are all adults here. We were voted into these positions as professional people in our community that we could carry on these duties and we will continue to carry them on.

**Deanna Stephenson:** OK. I can't speak for everybody in this room, but I can say that you got constituents in the room, people that deserve better than what is going on in this town at this point, so, thank you.

**Deputy Supervisor Polak:** Deanna, that is in your eyes but, there are certainly a lot of eyes in this community that think different than that.

**There being no further business to discuss or resolve, on a motion by Councilman Wasielewski and seconded by Councilman Hotaling, the meeting was adjourned at 7:18 pm.**

**Respectfully Submitted,**

**Lynda A. Bryan, Town Clerk**