

The October 16, 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

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

PUBLIC HEARING -7:00 pm - Using the General Fund Capital Reserve to Finance the Update/Replacement of the HVAC system and a new phone system and computers.

Deputy Supervisor Polak opened the meeting at 7:02 pm

Doug Mikol gave a Presentation on the phone system

A) **Priority High - Desktop Replacement**

No Desktops are currently covered under warranty and most are over 5 years old. 85% are Windows XP Professional – Retired Operating System – as of April 2014. Requesting to buy HP Desktop systems under NYS Contract Agg Buy Agreement. These systems will be Windows 7 or 8 with a 5 year maintenance warranty. 30 Desktops will replace all necessary systems connected to the network.

In addition to Desktops .. a request to purchase Desktop Thin Client systems .. no Hard Drive or cd .. with windows 7 or 8 embedded. These systems are proposed for those staff that are limited in use. (Ex. Senior Bus, Parks, Highway...) The systems are also under NYS Contract Agg Buy Agreement.

B) Priority High - Server Replacement

The Town has (2) production servers currently in place. (1) Server is 6 Years old and is need of replacement. It has no maintenance contract and has been running 24 X7 over the past 6 years. This server has also achieved its lifecycle and is need of replacement. The server and operating system will be purchased under HP Server systems under NYS Contract Agg Buy Agreement and Microsoft Open Volume Licensing Agreement. Both contracts are NY State Contracts

C) Priority High - Microsoft Office Suite Replacement

Currently most Town desktop systems are running Microsoft Office 2000. With the exception of those "Few" upgraded last year to Office 2010. Compatibility issues may occur with the newer operating system and the older versions of Office. The request to purchase Microsoft Office 2012 under "Microsoft Open Volume Licensing agreement" is a negotiated NY State Contract.

Microsoft Office Suite will include a combination of the Professional version (Includes MS Access) and Standard version – (No MS Access). There is a price savings with Standard version.

D) Priority Medium - IP Phone System – Upgrade

This project is not currently part of my duties, but the need arises for some attention to be given to this issue. This is a complicated project that would need to be explained. The core issues in a simplified form:

- 1) Phone system should connect everyone in the Town with a (4) digit extension. Town Hall, Justice, Highway, Water Department and possibly the Town Parks Office thru the Network Cables and Internet for those at remote sites.
- 2) The project could be completed in one of two ways, upgrade the 8 Year old - Cisco System or purchase a new system. Both options come with different price tags – (26K upgrade or 35K to replace (Included - 4 year Maintenance Contract). Both would allow consolidating phone systems to one central location. In addition – the new system has been designed with a "Hot Standby" in case one VOIP system fails. We currently don't have that option.
- 3) Either option would allow voice mail to GroupWise, meaningful reporting and Town Phones that will work remotely if connected to the internet, if desired.
- 4) Savings would occur because existing remote phone PBX's will not be needed, copper Verizon lines will be terminated, Local and Long Distance charges will not accrue (Except for TH), Internet lines will be Fiber connections (50X50) and Time Warner Internet lines(35X5) terminated.
- 5) If Replacement is chosen – Residual (Exchange) value of existing system will be realized.

This project was quoted by Cornerstone and Anness. We currently have a relationship with both companies as to Phone System support.

E) **TBD Priority** - **LaserFich Upgrade**

Upgrade would allow more functionality and faster processing. This would bring us current to the version released.

F) **TBD Priority** - **Municipity Upgrade (Building & Planning Department)**

Upgrade would allow more functionality, faster processing, and remote field access. This would bring us current to the version released. This will be necessary if Remote Access through Tablets is considered. Tablets with air cards will be needed for this project. Productivity of staff will be increased, real time access (Viewing/Updating) to building department records and software. Instant communication with Town Hall staff by IM and email.

G) **TBD Priority**- **Town Alerting System**

Multi aspect alerting system to be used by Town Offices to notify Town Residents of upcoming events or notices (Other than County 911 Issues). This was a request of a Town resident at a Town Board meeting. The monies I have requested are for a Hosted Solution – No physical hardware here. If based here – cost will double but with no reoccurring costs.

H) **TBD Priority** - **Building Department Large Map Plotter**

This plotter retails for \$30,000.00 refurbished. The system currently has no maintenance agreement. If this device fails it will be T&M to fix. I would suggest getting this on under HP Support Agreement.

I) **TBD Priority** - **PJ Parks Office**

PJ's parks office is in need of a wireless antenna upgrade. The current antenna is not able to maintain the faster speed of the Town Hall's antenna. The parks office is working but wireless connection is slow.

J) **High Priority** - **Town's Network Core Switch – Replacement**

The current 6 year old core switch is working but has been retired. The last of the maintenance agreement runs out in March 2014. No more renewals. The switch should be replaced with a new technology device. If this switch fails – the network fails.

K) **High Priority** - Barracuda Hosted Backup

This request is to purchase a device and subscribe to a encrypted secure cloud backup strategy. Tape backup would continue normally with the addition of off site redundant data backup. This would meet the requirement of off site data storage. This vendor is currently on NY State Contract.

L) **TBD Priority** - Town Web Site

The Towns current web site needs to be “Updated”. It is outdated, hard to navigate; articles are posted upside down and sideways. The publishing of articles is not completed in a timely manner. The Town Hall staff and elected officials consensus of site is that it’s “Unsatisfactory”. The Recreation Office has opted to use Facebook to publish and distribute information to parents about the Town’s Recreation program rather than dealing with the Town’s Own Web Site. In addition there are questionable issues about how the web domain is registered with Internic. The request to rewrite and to use the domain **Townofhalfmoon-ny.gov** as an additional web presence and email address. WordPress would be used to rewrite and managing the new site. Current staffing could be used to update and manage the new web site. The quote of 12K would get us a good start on the web site with transition training for administrator and staff.

Stephanie Nolet, 3 Cambridge Ave; with the upgrades, you mentioned the tablets and upgrading from Windows XP. Changing over to the new system, have you incorporated training into what you are thinking of? What I have seen, I work for a training company and what I have seen happen with a lot of really big state agencies is that they think that these are really great ideas, they get the tablets, they put them in their hands, they can’t use them, because Windows 8 and Office 2013 is so different and especially if you are coming from XP. So I just wanted to suggest when you’re talking to whoever you are talking too about upgrading, if you think that it might be an issue, to just include it. They can actually put it in as a line item in your invoice for all of the phone systems. It sounds like you are going with a Cisco system. They can actually put learning credits in there for the Microsoft upgrade.

Doug Mikol: Actually the phone system has 1 day training. It comes with it.

Stephanie Nolet: Good. I just wanted to make sure because like I said, I have seen a lot of people

Deputy Supervisor Polak: I would like to have Frank Tironi come up and talk about the HVAC systems upgrades.

Frank Tironi: Part of this capitol project that we put together is for the HVAC units. In three of our town building, they are from the 1980's. They are the heating and air conditioning units at the Senior Center, Justice Building, and Highway Department. Actually the Highway Department has two units that we cannot even get parts for and one isn't working right now and the other one is carrying the load. By doing this and replacing this now, we won't be paying the higher fees for emergency calls when there is a unit that goes down. We also will save money on the energy; they will be more energy efficient. We are going to apply for NYSERTA if we are eligible to get a rebate on the new furnaces and air conditioning units. We are also going to incorporate the fresh air system in the Justice Building. That building does not have the fresh air into the offices, because it was a solar building and is basically sealed up, there are no windows. Pretty much, that is about it. There is nothing glamorous about this. The budget cost is about \$40,200.00 to do all of the work and replace all of the units. This is through our service contract that we have now and continue to use. Through them, that is how we found a lot of these that should be replaced.

Deputy Supervisor Polak: Are there any more questions from the public on the HVAC systems? No one came forward.

Deputy Supervisor Polak: Closed the meeting at 7:15 pm. He would now take comments from the Board

Councilman Wasielewski: I was just wondering the total amount which is approximately \$130,000.00? Does that sound right? That is Doug's part and then \$40,000.00 for HVAC

Frank Tironi: We are looking at not to exceed \$180,000.00

Councilman Wasielewski: For the whole package?

Frank Tironi: It is like the roof project

Councilman Wasielewski: OK fine. I would also like to mention that part of the IT portion here will include public wireless access to the meeting room. I know that we have brought that up in previous meetings, the lack of that internet access. The town alerting system would not only be used for things like senior lunches, but also for town emergencies, tornado warnings, road closures and other natural disasters. I think that is a high priority. Recreation has also mentioned that when busses are late for summer trips, they have to make a few hundred phone calls to notify parents. This would push that message out in one shot which is very efficient.

I do not think that there is anybody who would disagree that the town website needs to be streamlined. So I am in strong support of that.

Councilman Hayner: Well said, Mr. Wasielewski. I can't add anything more to that. I totally support it as well.

Councilman Hotaling: I would like to thank Doug and Frank for all of their hard work on this and I am in total support.

Councilman Wasielewski: One more thing Walt, if I may. I would just like to ask Frank and Doug that we start already thinking about replacing other capital projects on a three year, five year, seven year, ten year plan, so that we replace these items on a regular rotating basis and we can budget accordingly rather than getting huge hits like this all at one time. Just something to keep in mind. Thank you.

Deputy Supervisor Polak: It certainly is a lot of money but the maintenance of our buildings is very important. Our computer systems, our telephones are antiquated and we need to get up to speed and into the new century. Certainly, I have no computer skills at all, but I do understand what is needed for the networks. I am in full agreement on spending those funds.

Attorney Murphy: As the Board is aware this is subject to Permissive Referendum.

RESOLUTION NO. 234

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 using the General Fund Capital Reserve to Finance the Update/Replacement of the HVAC system and a new phone system and computers, in a cost not to exceed \$180,000.00, subject to Permissive Referendum.

Deputy Supervisor Polak: Thank you Frank and thank you Doug.

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Councilman Hayner : Yesterday I attended the Board of Supervisors Meeting up at Saratoga County. One topic that came up which was asked of all of the towns was to post in the Town Halls, is the 2nd Annual Saratoga County Veteran's Service Agency Trust Fund 5K race. It is going to take place on Saturday November 9th. It is going to be at the Hudson Crossings Park up in Schuylerville. So if you know of a Veteran, or if you want to support the Veteran's group, this is great fund. The Saratoga County Veteran's Service Agency is doing great work. They are getting around the county and getting more Veteran's involved all of the time with the different programs that are available to them. So we are going to be posting this out in the front entrance to the Town Hall. If you know of somebody or if you want more information, you can take a look at it. I would also like to ask if we can get this up on our website as well. That is all that I have tonight. Thank you.

Clerk Bryan: Out in the foyer, I have a new display telling the story of the Mott Apple Empire. It has its roots right here in Halfmoon at the intersection of Pruyn Hill and Farm to Market Roads. The first deed holder of that property in 1795 was a man named was Zebulon Mott. He was also our Town Supervisor from 1801 to 1817. He taught his Grandson Samuel while walking through the orchards in their backyard; the fermentation process of the apples, which was the start of the Motts Company by the Grandson Samuel, which certainly has been very successful. It is a very fascinating story. It comes at a great time of year when we are all out there apple picking!

At the next Halfmoon Historical Society monthly meeting, on Tuesday October 29th at 7:00 pm, I will be doing a full presentation on the 5 generations of the Mott family. Everybody is welcome, refreshments will be served. It is a wonderful local story. So please, take some time to look at the display in the foyer or plan to come to the Historical Society meeting. All welcome to come. Thank you.

Town Attorney Murphy: I do actually have an item this evening. I would ask the Board to pass a resolution to contract with BW Steel for the dock removal of the floating docks at the Lighthouse Park in the not to exceed amount of \$1,700.00. Currently the Highway Superintendent and his crew are responsible for this task, but this will end up being both a time and money saving resolution into what has grown to be an ever expanding problem.

RESOLUTION NO. 235

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 authorizes the Deputy Supervisor to sign a contract for BW Steel for the dock removal of the floating docks at the Lighthouse Park in the not to exceed amount of \$1,700.00, per the review and approval of the Town Attorney.

PUBLIC PRIVILEGE (for discussion of agenda topics)

DEPARTMENT REPORTS- Month of September

1. **Town Clerk Total Fees Submitted to the Supervisor - \$8,508.01**
2. **Building**
Total # Permits – 84 Total Fees Submitted to the Supervisor -\$26,777
3. **Fire**
Total # Permits – 10 Total Fees Submitted to the Supervisor -\$470

CORRESPONDENCE

1. **Received** from New York State Department of Environmental Conservation their Petroleum Bulk Storage Certificate that is posted at the Highway Department.
Received & Filed
2. **Received** from Linda Daley, her letter of resignation from the position of Ethics Board Member effective October 29, 2013.
Received & Filed
3. **Received** a letter from the NYS Department of Transportation with the results of the speed study for Cary Road. They have determined that the 40 mph speed limit on Cary Road between Farm to Market Road and Tabor/Johnson Roads, continue to Coons Crossing.
Received & Filed
4. **Received** from Beth Abramson, the Animal Control Report for the month of September 2013.
Received & Filed

NEW BUSINESS

RESOLUTION NO. 236

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 approves and orders paid Vouchers numbered 2338 through 2437 as detailed.

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

10 GENERAL FUND	\$87,109.58
20 HIGHWAY FUND	\$15,948.30
25 SPECIAL REVENUE	\$22,847.94
30 CONSOLIDATED WATER	\$42,873.53
35 MISC. CAPITAL FUNDS	\$4,000.00
65 LIGHTING DISTRICT	\$414.73
70 WATER DISTRICT #1	\$12,337.84
ABSTRACT TOTAL:	<u>\$185,531.92</u>

RESOLUTION NO. 237

Offered by Councilman Wasielewski, seconded by Councilman Hotaling: 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, October 16, 2013 as presented.

RESOLUTION NO. 238

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

RESOLVED, that the Town Baord approves minutes of Town Board Budget Workshop of October 10, 2013 as presented.

RESOLUTION NO. 239

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

RESOLVED, that the Town Board authorizes the Deputy Supervisor to enter into an Agreement with the Shenendehowa Central School District to lease school buses to transport participants in connection with the Winter Camp Programs.

RESOLUTION NO. 240

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 September, 2013.

RESOLUTION NO. 241

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 set a Public Hearing for the 2014 Preliminary Budget on November 6, 2013 at 7:00 pm or as soon as the agenda allows.

RESOLUTION NO. 242

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 accepts the Water Report for October billing as submitted by the Director of Water.

RESOLUTION NO. 243

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 accepts for Road Dedication, Dormie Avenue, Fairway Meadows Phase III as it has satisfied the standards set by the Town of Halfmoon Roadway Dedication Procedure, subject to the review and final approval of the Town Highway Superintendent of the road improvements and the Town Attorney of the Deed descriptions, closing papers, title insurance, letters of credit and all related and required documents.

RESOLUTION NO. 244

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

RESOLVED, that the Town Board authorizes the Deputy Supervisor to sign an agreement with the Great Escape a Six Flags theme park for the Summer Recreation Program trip to be scheduled in July 2014, per the review and approval of the Town Attorney.

Councilman Hayner: I had a chance to talk to Amanda, the Recreation Director. This is an opportunity to keep the fees exactly the same as they are this year for that trip and with this will not be seeing any fee increases next year.

Deputy Supervisor Polak: I will sign that tomorrow. It is a tremendous savings for our youth.

RESOLUTION NO. 245

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

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

DATE: October 16, 2013
TO: Town Board,Town of Halfmoon
FROM: Walter Polak, Deputy Supervisor
SUBJECT: Creation of Appropriations and Transfer 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 \$22,747.94
Subsidiary: 25-4-2189 Home & Community Services \$22,747.94

Credit: Appropriations 25-960 \$22,747.94
Subsidiary: 25-5-1440.40 Engineering Contractors Inspections \$22,747.94

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
Victor's Farm Subd	1,273.00
Stewart's Shops – Plant Road	145.00

Self Storage Facility	1,029.00
Rolling Hills Subdivision PH 2&3	3,800.50
Arlington Heights PH II	15,561.13
Windsor Woods	939.31
Total	22,747.94

A resolution is needed to appropriate the contributions from Halfmoon Celebrations car show & fall festival raffle, Republican Club golf outing/brunch and vendor concert/summer rec drink sales made to the Character Counts Program for the summer recreation program for youths to attend summer camp as follows:

DEBIT: Estimated Revenues
10-510
\$6,010.84

Subsidiary: Community Gift Contributions
10-4-2705 - \$6,010.84

CREDIT:
Appropriations
10-960
\$6,010.84

Subsidiary: Character Counts – Contractual
10-5-7989.41 - \$6,010.84

Transfers between Appropriations:

From Account	To Account	Amount	Reason
20-5-5130.20 Machinery	20-5-9785.60 Installment Purchase Debt-Principal	\$2,206	To correct account for capital lease payments- Ford F550 Truck
20-5-5130.20 Machinery	20-5-9785.70 Installment Purchase Debt-Interest	\$236	To correct account for capital lease payments- Ford F550 Truck
10-5-1310.10 Finance Personal Services	10-5-1310.20 Finance Equipment	\$11,096	Transfer of appropriations within own budget to cover purchase of new copier

PUBLIC PRIVILEGE (for discussion of non-agenda items)

Chris Patenaude, 46 Upper Newtown Road; I am here for two reasons. I promise, just a paragraph, very short.

I am writing this letter for two reasons. The first is to state unequivocally that I am opposed to any future approvals of PDDs. They are unneeded, unwanted, and are ruining the character of this town. As there is no town tax they do not provide any public benefit. I have lived here for 40 years and I choose to remain here, buying an existing house in which to raise my family due to the rural nature and country setting. I hereby call for a moratorium on approvals of large developments until the town changes and updates a master plan and changes the requirements for developments. I do understand that people have the right to develop their land. I also feel that existing residents have rights as well, and that a property owner who may not even reside in the town, does not have the right to compromise the character and way of life in a town. There should be a minimum acreage to build. ¼ and 1/8 acre lots should be unacceptable. Other towns around us like Ballston Spa have such requirements, and they are thriving. I am not trying to restrict business, indeed I supported Kodiak Steel in his efforts to place his business in an existing structure on the road as did the majority of other residents. That was denied by the board but 800 houses with 250 more pending on a three mile long road were approved, though the residents on the road are opposed to this. This smacks of hypocrisy to me. Additionally there should be a two hundred foot buffer zone between new developments and existing homes so we may retain or privacy, our property values, and our standard of living. I have meet and spoken with the engineers who wrote our town’s master plan, they were ignored. I filled out and read the results of the survey sent out around the same time...the results were ignored. We have spoken out before the board, we have been ignored. My neighbors and I are sick of being ignored, and we are sick of the sprawl, and we wish this board to take action.

My second reason for this letter is to address the planned development of Stephenson Ridge. I spoke directly to some of the archeologists working on the assessment of this site and employed by Mr. Leche. I was informed that they found a colonial era foundation on the planned access road. Further research revealed that this foundation predates the construction of the Slade house which was built in 1760. This foundation is mention in their family records. That places the structure in the early half of the 1700s. According to the archives in the NYS museum, the site of Stephenson ridge was an important annual gathering place for the Mohawk, from the ridge to the river and was a meeting and trading area. I feel we as a town have the right to know what was found there. Over the decades, numerous Indian artifacts have been found there. This area is less than one half mile from

Halfmoon's trail system with the most intact section of the Champlain canal in existence. I have seen pictures of the excavation and the ruins are composed of stacked bluestone, not found on Upper New town, with no mortar. It is not a square but appears to be five sided. Is the town going to allow the developer to bulldoze this without an investigation, and place a cheaply built house on a 1/8 acre lot on it. I ask for disclosure of this find, that may be culturally and historically significant to our town, and I ask the board to explain the value of the PDDs to the residents of this town. We would like to know.

Sincerely,

**Christopher Patenaude
46 Upper New Town Rd**

Attorney Murphy: I definitely will pass that on to our engineers. The state regulates any kind of development and they are the ones who actually do the archeological review prior to the development occurring. We do not have the authority to stop something based on that

Chris Patenaude: But you have seen the report right?

Attorney Murphy: Absolutely.

Chris Patenaude: If the developer finds something like that, shouldn't they at least tell you people about that?

Attorney Murphy: They don't tell us. They are required to tell the state. So that is why I want to follow up with you and make sure that the appropriate process was followed.

Chris Patenaude: OK, I appreciate that. If we could get some disclosure on that find, I would appreciate it. Thank you.

Attorney Murphy: Are you going to mail that, or can I take a copy of it, does it detail where it is

Chris Patenaude: I will spell check it before I mail it.

Attorney Murphy: The sooner we get the information, the sooner we can respond. Thank you so much.

Chris Patenaude: Thank you.

Deputy Supervisor Polak: Thank you.

Doug Goglia, 19 Stage Run: I wanted to ask some questions about the recent news and media coverage about Supervisor Wormuth's medical issue which prevents her from being here today. I think during the last meeting, I think it was the October 10th Budget Workshop, I pointed out or requested Mr. Wasielewski whether it was appropriate to proceed in her absence given that she authored the budget. The last month that I have been coming to these meetings, I think Miss Wormuth has attended one of the last four meetings. I am curious at this point, since she is not going to be performing her duties, what measures are being taken to try to address that and perhaps remove her from her position at this point.

Attorney Murphy: I am going to advise the Board to not to comment on what may be happening with regards to somebodies personal medical difficulties, it is inappropriate. But if you're question is how is how this Board proceeding without getting into details

Doug Goglia: Yes, I certainly don't want to get into a discussion that we can't legally involve ourselves in a discussion about her medical concerns. I would ask though from media reports, it seems that a prescription pad indicated that she's medically incapable of serving. Is the Board considering perhaps an independent medical examination done to confirm whether or not it is true or not?

Attorney Murphy: I am going to advise the Board to not to respond to that. If your question is how are they going to function when she is on an authorized medical leave, that's fair game.

Doug Goglia: No, my question is not about her medical condition, and I have no business asking about her medical condition. What I am asking is, is the Board going to take measures to insure that her representations about her medical condition are accurate?

Attorney Murphy: That is a personnel matter. If your question is how they are going to function, that is fair game. If you have concerns as to how the town is going forward

Doug Goglia: Are steps being taken to remove

Attorney Murphy: Personnel issues are not appropriate, you know that.

Doug Goglia: This isn't a personnel issue as far as I see it. I am not asking about her medical health, and I am not, as I see it, and I am focusing specifically on Public Officers 36, and you are an Assistant District Attorney

Attorney Murphy: I am

Doug Goglia: So an application to remove a Town Supervisor can be made by the District Attorney in the county in which the town sits, or by a citizen of the town by malfeasance or maladministration

Attorney Murphy: and there has been no malfeasance or maladministration. There has been a medical leave that is authorized by a doctor

Doug Goglia: I am not looking at the medical leave, I am not looking into the medical leave, but it seems to me that to the extent that Miss Wormuth has been unable to fulfill her responsibilities as an elected official and there are issues about whether she accepted money for an endorsement of Mixed Martial Arts and frankly, it's my opinion, but it would strike me as odd, I don't see any reasonable businessman paying Wormuth for an endorsement which really doesn't matter, so I question whether what she received, is there something else and I can't say, and it is just my opinion. But, if she is unable to do her job, why is she still serving as Supervisor? Granted, it is only two months that she has left, but it strikes me as odd that she should sit and be the Supervisor of this Board, not attend meetings, not attend a budget workshop about a budget, we were discussing a budget that she authored, that strikes me as maladministration if anything. If she is not willing to perform her job, are steps going to be taken?

Attorney Murphy: I am just going to say it again; I will use Deputy Supervisor Polak as an example. He just had knee surgery. He has been very open about that. We didn't remove him from his office because he had knee surgery. Medical issues are not the purview of this Board.

Doug Goglia: I am not suggesting that there is a medical issue.

Attorney Murphy: You just did

Doug Goglia: No. What I am suggesting is that the Board should perhaps take measures to make sure that there actually is a legitimately and bonafied medical excuse and not something that may be contrived. It strikes me that if Miss Wormuth is, excuse the characterization, making up a medical condition so that she doesn't have to be here and confront the public, we have a real issue. She is an elected official. I don't know. I question. It has nothing to do with what her medical condition is, don't want to know. But the Board should inquire and that would be my suggestion.

Let me change the subject, because I am not getting an answer to this question. But, is Miss Wormuth continuing to draw her salary while she is out on medical leave supposedly? Is she continuing to contribute to the New York State Retirement System or to accrue credit? Those are questions that are legitimate. If she is not doing her job, she shouldn't be on the salary, she shouldn't be serving as our Supervisor and she shouldn't be collecting credits towards her retirement at state expense.

Attorney Murphy: I think that you are aware that people who are employed by the government are entitled to sick leave. During that sick leave, they do receive their benefits and their pay. I hope that answers your question.

Doug Goglia: I am a state employee. I know that I am entitled to sick pay. But I also know that I have an obligation not to lie to my employer and not to contrive a situation where I could excuse myself from work for no good reason. I am not saying that is what is happening. I am saying that the public has a right to know or some assurances from the Town Board that that is not what is happening here. I would implore the Town Board to look. You can do an independent medical examination, you know what that is. You can ask a doctor to look at her medical records and see if she actually has a medical condition that precludes her from serving. I don't think that that is an unreasonable request here. She is an elected official. Thank you.

Deanna Stephenson, 7 Cindy Lane: There are two things, I want to talk about the budget some more. I am sorry Miss Hatter, but I am going to have some more questions for you. Two more things I want to touch on before that.

I am not sure, I do not remember this but Trick Shots that is located on Route 9, and I don't remember this coming through the Planning Board, maybe you can help me. In the last month, I live about a quarter of a mile on the other side of Trick Shots on 9, but they have been having outside concerts. I have to tell you, 10:00, 10:30 at night, it sounds like that concert is happening on my front lawn. And I am only considering the quality of life of, if you had a lot of residential development on that side, so I just don't remember that coming through the Planning Board so I do not know if that does anybody else, or is that something new that Trick Shots is doing?

Deputy Supervisor Polak: There was parking issues that were discussed at the pre meeting last night

Deanna Stephenson: Oh, I missed that. OK

Deputy Supervisor Polak: that they are investigating

Deanna Stephenson: OK and that was probably part of that.

Deputy Supervisor Polak: I will also have them look into the outside concerts

Deanna Stephenson: I know that we don't have a noise ordinance

Deputy Supervisor Polak: I don't believe that it was approved for that

Deanna Stephenson: I know that we don't have a noise ordinance, so that would be helpful. Thank you very much. I just want to bring something out that I noticed last night at the Planning Board meeting too and I noticed it previously at other meetings. It takes a lot for a resident to come up here that is not normally, they don't feel comfortable, they have a question. It is a little unnerving if you are not used to doing it. I have to tell you, there were finance questions back and forth, and last night at the Planning Board, a few people got up, and I must be honest with you, the Chairman wasn't, I'll be frank, a little bit condescending to some of the residents. I don't know if he meant to do that, I am sure he didn't, but that is just a comment that I am making to you that maybe just to take forward. I know that some of the questions can be inundating, and I know sometimes you don't want to answer them, they may be hard. Good customer service is always wonderful. You are on the Board to meet the needs of the residents.

Deputy Supervisor Polak: As you know, I attended that meeting. But I thought that he was very fair. As you know it dragged on

Deanna Stephenson: I know.

Deputy Supervisor Polak: some of the questions were repetitious. I mean John is very respectful

Deanna Stephenson: I am sure that he didn't mean it, I know it was tiring and I know it can be long but just for the future

Deputy Supervisor Polak: it was over two hours

Deanna Stephenson: I know, but that would be, it was an important meeting.

Deputy Supervisor Polak: It was, yes it was. It was a very good meeting.

Deanna Stephenson: Very good. OK. I am going to go back to the budget now. And Miss Hatter, seeing how you are here, perhaps you can help out.

Bonnie Hatter: (Bonnie spoke from the audience and could not be heard in the recording)

Deanna Stephenson: Thank you. Mr. Hayner, Mr. Wasielewski, you did comments; I might be referencing you as well. OK, I am going to go to the Corrective Action Plan done by the State Comptroller that you had, I just noticed that is on the web now that we can see. It talks about a multi-year plan, Craig, you spoke in the media, it's hard to even estimate the year out, but I am going to assume you mean that you agree with the multi-year plan that's going forward, yes?

Councilman Hayner: Absolutely, yes, I agree.

Deanna Stephenson: I know and I read a lot about and we blamed a lot of this budget in previous years on recession and the downturn of the economy, I get that. But at the same time, I want to also put out there that in 2007, 2008, and 2009, we were building this Town Hall building here and putting the park up. I know that it has been put out to public referendum; but yet we took a bond on it. If we had recognized that we weren't so good monetarily, perhaps we would have thought twice about that. I just want to put that out there.

Councilman Hayner: I just have one comment and I believe that the economy officially took a downturn around the end of 2008.

Deanna Stephenson: Right when this was

Councilman Hayner: You mentioned 2006, 2007

Deanna Stephenson: Oh, I 'm sorry, I meant 2007, 2008. The recession went down, but this was built and I think that the decision was made in 2008, correct?

Councilman Hayner: The building, let's see. This is my 6th year on the Board and I believe that the building was built and started just before I came on the Board

Deanna Stephenson: about the same time

Councilman Hayner: about the same time

Deanna Stephenson: OK. I just wanted to put that out there. The Supervisor spoke, not Walt, the Supervisor spoke of spending down the fund balance. I saw this a few times in the General Fund. I am going to go back to the General Fund as the unappropriated, unreserved piece, not the capital, not the appropriated, OK, to avoid a tax. Do you think that was proper to do that? I am looking for your opinion at this point. Was that a prudent thing to do at that point and continue on for years to do that?

Councilman Hayner: I know, personally speaking, nobody felt that using funds, a rainy day fund, would be good in the long term sustainability, but it was to weather the storm. It was not something that anybody considered that would be a long term, continuing year after year to drain any kind of funds, but that is why you have the funds.

Deanna Stephenson: Craig, I appreciate you saying that now, but when 2011 came and I asked that question, I didn't get that answer. But I do appreciate it now. Thank you.

Councilman Wasielewski: I think that we realize that business can no longer be conducted with that way of thinking.

Deanna Stephenson: Thanks John, I would agree with you.

Councilman Wasielewski: I think that everybody here would.

Deanna Stephenson: I am not going to belabor some of these points, but the Moody's Report that I noticed in the highlights, the Supervisor referenced 2012. 2013 comes out and it was a negative report somewhat, so I don't know why we would put a 2012 report in the Narrative when, I guess what I am getting at is that we need to be transparent. We need to be honest. I do not know if that was an error on her part, I am not sure.

Attorney Murphy: Bonnie, I am sorry. Can you comment on that?

Bonnie Hatter: When we went out for the Bond Refunding, the 2012 Financial Statements were not completely audited by our internal auditors. We did get a new rating, identical to the 2012. I can show you the paperwork. It read almost identical. Craig has them.

Councilman Hayner: They are both AA to negative.

Deanna Stephenson: In the narrative in the report is what I am talking about.

Councilman Hayner: They almost read identical.

Bonnie Hatter: They are almost identical, both of the Moody's letter that we got.

Councilman Hayner: This one here, the 2012, August 7th and May 15th, 2013.

Deanna Stephenson: In rising expenditures, is that from the outlook? (It is difficult to hear – not close enough to the microphone)

Councilman Hayner: They both say negative outlook.

Deanna Stephenson: So why would we have referenced that, I guess instead of painting

Councilman Hayner: I can't explain why that was in the narrative. We didn't prepare that narrative. That was done by the Supervisor.

Deanna Stephenson: OK, and the Ambulance tax, I just want to understand one thing. The money goes out, the money comes in, in my mind last year, I would have thought it would have been a wash. Are we going to claim extra on that fee this year? I keep calling it a fee, it's a tax. But are you going to claim extra, if we are getting extra on it, do you have any idea into what bucket that will go at this point?

Bonnie Hatter: (spoke from audience, but could not be heard)

Attorney Murphy: They haven't negotiated 2014 contract with the ambulance, so it is an unknown right now as to whether or not there will be monies coming in, whether it will be a wash. I know that Mr. Wasielewski has been working with the ambulance corps and we are looking to make that more of a static situation.

Deanna Stephenson: OK, and my last point that I want to make. You know, I read. So, I read the Community News and I see what Craig says, I see what Bonnie is saying and then I read the TU where I am looking at where this could affect town employees, you might be looking at a tax

Councilman Hayner: I never said

Deanna Stephenson: No, not you Craig. At this point, there is a differencing of opinions. I am seeing a rosy picture in the Community News and I am seeing not so rosy in the Times Union. It is differing opinions. So all I would ask is that if it is bad, it's bad. I mean it's not so bad for you to come out and say OK, these are tough times; we are going to do our best. Things may go bad before they get better. I'm fine with that. Just don't paint what's not there. That is all I am asking.

Councilman Wasielewski: I would like to say that everyone on this Board, these past few weeks has been working literally seven days a week, late into the night, looking at every line, every expenditure and amount of revenue for this town. We are not at a point to come to any consensus yet, but we are working very hard

Deanna Stephenson: I know you are John

Councilman Wasielewski: to keep the level of services that we have.

Deanna Stephenson: I know you are John.

Councilman Hayner: We are not just looking at next year. We are looking at the future and that is why we are diving in so deep on every line right now because we want to make sure

Deanna Stephenson: I would totally strip it down and start again. Because the foundation is not there, but thank you for saying that. Thanks.

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 7:50 pm.

Respectfully Submitted,

Lynda A. Bryan, Town Clerk