

The December 01, 2021 meeting was called to order at 7:00 pm by Town Supervisor Tollisen in the A. James Bold Meeting Room with the following members present:

Kevin J. Tollisen, Supervisor
Paul L. Hotaling, Councilman
John P. Wasielewski, Councilman - Excused
Jeremy W. Connors, Councilman
Eric A. Catricala, Councilman
Lyn A. Murphy, Town Attorney
Cathy L. Drobny, Deputy Town Attorney
Lynda A. Bryan, Town Clerk

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

Supervisor Tollisen: This evening, I do want to take a moment to have a moment of silence for our former Supervisor Larry DeVoe who passed away on Thanksgiving morning. Supervisor DeVoe was a lifelong member of the community and a career public servant. He was on the Planning Board, Town Board and Town Supervisor. I want to take a moment to pay tribute to him for his service with a moment of silence.

COMMUNITY EVENTS:

The **“BUY A BRICK”** program for the Halfmoon Veterans Walk of Honor at the Halfmoon Veterans Memorial in the Town Park is now accepting orders. Create a lasting tribute for your veteran. For more information please call 371-7410 ext. 2200 or visit our website www.townofhalfmoon-ny.gov.

HALFMOON FARMERS MARKET: Every Wednesday from 3:00 pm – 6 pm inside the Halfmoon Town Hall. There are many vendors participating. Stop by and support our local vendors.

OUTDOOR HOLIDAY HOME DECORATING CONTEST: Judging will take place after dark on Sunday, December 10th. Applications must be submitted by December 3rd and can be found at Halfmoon Town Hall or on the website at www.halfmooncelebrations.org.

LETTERS TO SANTA: December 1st through 15th. Santa’s Mailbox will be located outside the front door of the Town Hall. Please remember to include a self-stamped legal sized envelope and receive a response from Jolly Old Saint Nick! For more information contact Ross Mac Neil at rmacneil@townofhalfmoon.org.

JINGLE BELL BASH WITH MARKETPLACE ON CANDY CANE LANE: Saturday, December 04, 2021 at the Town Complex from 3:00pm – 7:00pm.

HAM DINNER - TAKE OUT ONLY: Saturday, December 4th from 4:00 – 6:00pm for \$10.00 at the Senior Center. For more information contact the Ross MacNeil at the Recreation Department at rmacneil@townofhalfmoon.org.

MEMORIAL TREE LIGHTING CEREMONY: at the Abele Memorial Park Sunday December 5, 2021 from 5:00pm – 7:00pm. A time to remember our loved ones.

AN EVENING WITH MRS. CLAUS: December 17 at 6:00 p.m. at the Halfmoon Town Hall. Join Mrs. Claus for stories with cookies and milk. For more information, please contact the Halfmoon Celebrations Association at halfmooncelebrations@gmail.com.

2022 LEARN TO SKI/SNOWBOARD PROGRAM at Willard Mountain, brought to you by Halfmoon Recreation. 6 consecutive Saturdays starting January 8th from

1:30pm – 5:30pm. Lessons held from 2:00pm – 3:30pm. Prices vary depending on rental needs and lessons required. Registration forms available in the Recreation Office or on the Town's website. For more information call Ross at (518) 371-7410 x2272.

TOWN MEETINGS:

Town Board Meetings: 1st & 3rd Wednesday of month at 7:00pm. Pre-meeting at 6:15 pm

Zoning Board of Appeals: 1st Monday of month at 7:00 pm. Pre-meeting at 6:45pm

Planning Board Meeting: 2nd & 4th Monday of the month at 7:00 pm. Pre-meeting at 6:15 pm (If the Holiday falls on a Monday, the meeting will be held on the next day, Tuesday).

PUBLIC COMMENT (for discussion of agenda topics)

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Kevin J. Tollisen (Town Supervisor)

There is a number of community events on the agenda and many of them are happening this weekend. There are events during the day on Saturday for the kids, Marketplace from 3-7 and a Take-Out Ham Dinner from 4-6 to benefit our Character Counts & Celebrations programs for \$10.00. On Sunday, there will be our Memorial Tree Lighting Ceremony at 5:00. When you leave tonight, if you haven't ever seen our Tree Lighting, look across at the Gazebo and you will see 47 trees that are decorated in memory of a loved one. We have done this program for twenty years or so and it is a great program.

Paul Hotaling (Deputy Town Supervisor): (1) Chair of Personnel Committee (2) Ethics Committee, (3) Liaison to Trails and Open Space Committee (4) Chair of Infrastructure & Safety (Water, Highway, Building & Maintenance) (5) Co-Chair for Character Counts

I would like to thank everyone for their hard work for the Food Drive two Saturdays ago and we knocked it out of the park! 107 families in town received a Holiday Food Basket. A lot of hard work went in to make this happen by many people. A great job by all!

John Wasielewski (Town Board Member): (1) Liaison to Planning Board, (2) Chair of Committee of Emergency Services and Public Safety, (3) Liaison to Animal Control and related services

Excused

Jeremy Connors (Town Board Member): (1) Liaison to Zoning Board; (2) Liaison to Trails and Open Space Committee, (3) Chair of Business and Economic Development Committee (4) Chair for Not For Profit Organizations

Thank you Mr. Supervisor. I have just one thing, unfortunately, winter is coming here in the northeast. We have to make sure that areas around basketball hoops near the streets all need to be moved back and shoveled out so that the plows can successfully plow and maintain the streets. Please make sure that you shovel around fire hydrants as every second counts when the firefighters respond to an emergency. Thank you.

Eric Catricala: (1) Co-Liaison to Planning Board, (2) Co- Chair of Business and Economic Development Committee (3) Chair for Parks and Athletic Organizations, (4) Chair for Recreation (5) Co-Chair for Character Counts

I have no report this evening

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

The Senior Express is doing a few fun things with our seniors this month. Suzy the Bus Driver has an annual trip to the Christmas Tree Shop & Colonie Center and we are also partnering with the Senior Center with a pizza party and then taking two buses to see the Holiday Lights at Quick Response!

I would also like to thank Darlene McGraw for her donation of handmade scarfs for the seniors. I delivered several of them today at the seniors Business Meeting. They were very grateful. So, I would like to thank Darlene for her hard work on the scarfs.

Supervisor Tollisen: We are thankful for the donation Darlene has made to our seniors!

Dana Cunniff (Receiver of Taxes): (1) Chair of Committee on Residents Relations

Lyn Murphy, Esq., (Town Attorney) I have a request to make of the Board as it relates to the Noxon Bank Building. I would ask that the Board pass a resolution allowing me to negotiate a contract for possible purchase of the building, obviously subject to a lot of contingencies; appraisal, various government regulations on a federal level because of the landmarks, the Town law has specific regulations that we have to follow in order to purchase this property. We are also in the process of trying to determine what will have to be done to the building to make it assessable for our residents and a value to our residents and get those figures, and SHIPO is involved. We would contract once we had a figure, I would come back to the Board and ask for approval for that figure specifically.

RESOLUTION NO. 312-2021

Offered by Councilman Connors, seconded by Councilman Catricala: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Connors, & Catricala
Resolution Introduced by Attorney Murphy

WHEREAS, the Town Board of the Town of Halfmoon is cognizant of their obligation to be fiscally responsible when determining property to acquire for the Town's use; and

WHEREAS, the Noxon Bank Building located at 9 Terminal Road in the Town of Halfmoon is currently for sale; and

WHEREAS, the Noxon Bank Building is located in the Church Hill Historic District at one of the Town's most picturesque gateways into our community, having been built in 1840; and

WHEREAS, the Town Board is cognizant of the importance of preserving the history and culture of the Town while obtaining useable space for the ever expanding Town needs;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Town Attorneys may enter into negotiations with the current owners of the Noxon Bank Building to purchase the property, subject to contingencies as negotiated.

2. That the Town Board has the right to reject the contract if, after review, they deem that the contract is not in the best interests of the Town.

Cathy Drobny, Esq. (Town Attorney) I have no report, thank you.

PUBLIC COMMENT (for discussion of agenda topics) the first part of public comment is just for agenda items, for comments of things not on the agenda that will be later in the meeting.

Roger George, 9 Hidden Farm Lane: I have not seen the agenda so I do not know if this on the agenda. I noticed in my neighborhood that there is a possible re-zoning on farm to Market Road. Is that on tonight's agenda?

Councilman Hotaling: It is not.

Edward Dewhurst, 17 Gladstone Circle: I was looking on the last page, there is a listing of amounts to be collected, I believe. There is an amount for MPPM glass processing. Where is that glass processing being done?

Supervisor Tollisen: I do not know that answer, but I can certainly get that for you.

Edward Dewhurst: That would be good because we were concerned, of course glass processing being done at the empty PM Industrial Park. (Hard to hear the last sentence) I am not sure where this is being done.

Supervisor Tollisen: What you are referring to at the end of the agenda is developer's monies. Developers, when they make applications to the Planning Board are required to put monies into the town's escrow account for our engineer to review it. Our engineers do not charge the town for reviewing an applicant's application. So, these are monies that our engineer has submitted invoices on, to be paid from the developer's funds. It very well could be something of that nature that maybe did not even get approved. I will get an e-mail or a call to you. OK?

Edward Dewhurst: OK, thanks.

Supervisor Tollisen: Anyone else have any comments about the agenda?

Supervisor Tollisen: Department Reports and the monthly Department Manager Reports are listed and can be viewed in the Town Clerk's Office. We do ask our Department Managers to provide monthly reports in addition to having Department Manager monthly meetings that we all discuss the important things that go on in each of the offices.

DEPARTMENT MANAGER MONTHLY REPORTS – (Can be viewed at the Town Clerk's Office) Recreation Department, Animal Control, Assessor's Office, Highway Department, Buildings and Grounds, Senior Express and Water Department

CORRESPONDENCE

1. **Received** from the Town Planning Board Resolutions approved at the November 22, 2021 meeting: Approval of a Sign Application for Watkins Plaza, 1675 Route 9, for Change of Use/Tenant Applications for Liberty Mutual, 28 Corporate Drive and for Brow Rx Beauty Studio, 1581 Route 9 (Fireside Plaza), for Change of Use/Tenant & Sign Applications for Deangelus & Goralcyk, 3 Corporate Drive and for QM Power, 3 Corporate Drive, for Co-Location of Telecommunications Equipment for Dish Wireless, 12 Dunsbach Road, for Approval of a Minor Subdivision for the Dorrough Subdivision Plan, 93 Cemetery Road.

Received & Filed

2. **Received** from the Clifton Park-Halfmoon Fire District #1, notification that their Annual Election will take place on Tuesday, December 14, 2021 between the hours of 6:00 pm and 9:00 pm at the fire station located at 38 Old Route 146 for the purpose of electing (1) Commissioner for a (5) five year term, appointing the office of Treasurer and a 2007 KME Engine Rescue be declared as surplus equipment.

Received & Filed

3. **Received** from the NYS Department of Public Service with their annual winter outreach and education campaign to help consumers who are struggling to pay utility bills. For more information visit www.dps.ny.gov/winter or call 1-800-342-3377.

Received & Filed

4. **Received** from the West Crescent Fire District, notification that their Annual Election will take place on Tuesday, December 14, 2021 between the hours of 6:00 pm and 9:00 pm at the fire station located at 1440 Crescent Road for the purpose of electing (1) Commissioner for a (5) five year term, commencing on January 1, 2022 and ending December 31, 2026.

Received & Filed

5. **Received** from Halfmoon Development Associates, LLC, a PDD amendment with Narrative for the Farm to Market Storage Center PDD, 40 Farm to Market Road.

Received & Filed

NEW BUSINESS

RESOLUTION NO. 305-2021

Offered by Councilman Hotaling, seconded by Councilman Connors: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Connors, & Catricala
Resolution Introduced by Town Clerk Bryan

RESOLVED, that the Town Board approves the minutes of Town Board Meeting of November 17, 2021 as presented.

RESOLUTION NO. 306-2021

Offered by Councilman Connors, seconded by Councilman Catricala: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Connors, & Catricala
Resolution Introduced by Town Clerk Bryan

RESOLVED, that the Town Board accepts the Town Clerk's Certificate of No Filing for the Establishment of Sewer District #1 for the Town of Halfmoon.

RESOLUTION NO. 307-2021

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

RESOLVED, that the Town Board authorizes the Supervisor to enter onto an agreement with Adirondack Cabling and Security in the not to exceed amount of \$28,263.00 to purchase security surveillance equipment for the Town complex pursuant to NYS Contract #PT68748 and authorize the Supervisor to execute any

documents necessary to effectuate the Agreement, subject to the review and approval of the Town Attorney.

Resolution Introduced by Supervisor of Buildings and Grounds Maiello

RESOLUTION NO. 308-2021

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

Resolution Introduced by Personal Computer Technician Mikol

RESOLVED, that the Town Board authorizes the Supervisor to enter onto an agreement with Dell Inc. in the not to exceed amount of \$13,188.95 to purchase computer equipment and related software pursuant to NYS Contract #PS68202 and authorize the Supervisor to execute any documents necessary to effectuate the Agreement, subject to the review and approval of the Town Attorney.

RESOLUTION NO. 309-2021

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

Resolution Introduced by Personal Computer Technician Mikol

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with CivicPlus to provide website hosting services per the recommendation of the Information Technology Department at a cost not to exceed \$2,756.25, and hereby authorizes the Supervisor to execute said agreement, subject to the review and approval of the Town Attorney.

RESOLUTION NO. 310-2021

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

Resolution Introduced by Personal Computer Technician Mikol

RESOLVED, that the Town Board authorizes the Supervisor to enter onto an agreement with Dell Inc. in the not to exceed amount of \$12,063.52 to purchase Teams Professional System pursuant to NYS Contract #PM20820 and authorize the Supervisor to execute any documents necessary to effectuate the Agreement, subject to the review and approval of the Town Attorney.

Supervisor Tollisen: This is an upgrade to Microsoft TEAMS that we use for our meetings. We are upgrading that system to a much more enhanced one for our Board meetings.

RESOLUTION NO. 311-2021

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

Resolution Introduced by Comptroller Hatter

RESOLVED, that the Town Board authorizes the Comptroller to make the attached Creation of Appropriations.

A resolution is necessary 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	\$17,385.70
	Subsidiary: Home & Community Services		
	25-4-2189.00		\$17,385.70
CREDIT:	Appropriations	25-960	\$17,385.70
	Subsidiary: Engineering Contractors Inspections		
	25-5-1440.40		\$17,385.70

Information Only: The above was derived from the following breakdown of charges to be paid on December 9, 2021 Abstract for engineering and related fees.

NAME	AMOUNT
Betts Farm PDD	\$1,549.04
Creekview Estates	\$619.04
ELP Halfmoon Solar Plan	\$1,582.50
Gridworks Site Plan	\$342.50
Hanks Hollow Subdivision	\$1,275.00
Howland PDD	\$3,300.00
Mott Orchards Residential	\$360.00
NPPM Glass Processing	\$1,182.50
Paar Estates of Halfmoon PDD	\$214.00
Plant Road PDD	\$340.50
Summit at Halfmoon PDD	\$1,630.00
Tech Electric Site Plan	\$520.00
Tribley Active Adult Community	\$342.50
Windsor Woods	\$1,720.00
Glen Meadow PDD	\$2,408.12
Total	\$17,385.70

PUBLIC COMMENT (for discussion of non-agenda items) Please come up to the microphone and state your name and address for the records.

Supervisor Tollisen: I will state right now that I have gotten a couple of e-mails with respect to a project known as the Tribley project and I have answered those e-mails today. There is no pending matter before this Town Board, but understand that I had a very close relationship with Ms. Tribley while she was alive. She was a great woman and to just avoid the appearance of any issues of impropriety or anything like that, I will recuse myself from this project. I will not be voting or commenting on this project at all. Deputy Supervisor Hotaling would handle this matter if this does come before this Board at any time in the future. I want to be that clear that I have submitted that sometime ago but there have been some comments in the last few weeks, but Deputy Supervisor Hotaling would handle it if it ever comes back to the Town Board level. OK? I just wanted to make that clear.

Stanford Zacollo: 3 Saville Row with wife Mary: Mary and I purchased our home in 2014 and had to choose where to live between Clifton Park and Halfmoon. Looking through my notes I found:

“The town is moving forward”, said Tollisen “The Town Board that I work with has a heart for the town’s people and town residents and we believe that Halfmoon is a great place to live, work, raise a family and we’re going to make every effort to increase those services and do things in the best interest of our town residents.”

Want to add anything to that Mr. Tollisen?

Supervisor Tollisen: Only that I still believe it to this day.

Stanford Zacolla: “It’s part of my research”. They are wonderful words and consistent with those words Arlington Heights Subdivision Home Owners Association embraced the concept of community and a cohesive development. Its rules and regulations are geared to keeping it a safe and secure environment. Thank you for the right to speak.

Supervisor Tollisen: Thank you.

Roger George, 9 Hidden Farm Lane, Harvest Bend: I wanted to bring up the topic of what I understood to be possible re-zoning of Farm to Market Road. I am critical of that idea. If this 140 apartment complex is built:

- Adding too much traffic to an already heavy trafficked road.
- Pleased to see the Route 9 & Farm to Market Road intersection improvements. Disappointed the same was done on the Clifton Park side.
- Many of the old farm roads do not come to a 90 degree angle making it more difficult.
- Large apartment complex out of character in an area of independently owned, single family homes.
- Introduction of an apartment complex will have a negative impact on home values.
- Our schools do not offer full day Kindergarten which is an educational advantage to students and an economic advantage to families, speaking as a former public school administrator.
- Vandalism and theft in the area and adding 140 apartments puts an added strain on the police and that is not beneficial.
- I would really question the value of re-zoning on Farm to Market.

Councilman Hotaling: I just wanted to let you know the proposal on the table right now is for a senior living complex, so schools would not be affected, just so you know.

Roger George: Is a 142 units, is that correct?

Councilman Hotaling: Correct.

Councilman Catricala: I think that the re-zoning was zoned so that you folks could build your homes.

Councilman Hotaling: Arlington Heights was re-zoned to become a PDD where you can put more of a cluster in an area.

Roger George: But is it correct that different re-zoning for building an apartment complex?

Councilman Hotaling: Correct. It would be a PDD as well.

Supervisor Tollisen: Thank you, Mr. George.

Ed Martin, 72 Moreland Drive: The fact that I have to take time away from my 2 and 5 year old daughters to state my opposition to the proposed building of a three story apartment complex off of Farm to Market Road is maddening to say the least.

- Obvious traffic congestion and environmental impacts.
- Farm to Market Road offers some of the more historic and treasured land that we have in our entire town. To say it would be a disgrace for

the Tribley property to proceed as proposed would be an understatement.

- It would immediately devalue some of our finer neighborhoods and change the character in a way that is simply unacceptable. What kind of community do we want to be in Halfmoon?

Supervisor Tollisen: Thank you, Mr. Martin.

Howard Litwak, 15 Danforth Road: My property borders the Tribley farm. My view out all the rear windows for the past 19 years has been lawn. The tree line and the sky are as far as you can see and at night...the stars.

- 3 story apartment complex on that land, this would be gone.
- Quality of life for our family & neighbors would be gone forever.
- I oppose the apartment complex.

Supervisor Tollisen: Thank you, sir.

Mike Morand, Arlington Heights: I came to the town in 1963.

- Agree with previous comments and heard that if it does not go through it may come back as a cluster development. The homes are quite close to each other.
- Last meeting, I asked the Board to look into the Tribley application and whether or not it was a senior facility or an active adult facility.

Attorney Murphy: So, it is a senior facility. They do use the term active adult community, but it is 55 and older, it's the proposal as we sit here today.

Mike Morand: And that's in writing?

Attorney Murphy: Yes.

Mike Morand: To the Planning Board?

Attorney Murphy: It gets submitted to the Town Board first and then the Town Board would forward it to the Planning Board. I can't directly answer your question because when you say submit it to the Planning Board, it probably wasn't.

Mike Morand: It was submitted to the Town Board. Was it submitted to the Town Board as a senior facility or as an active adult community?

Attorney Murphy: Senior facility for those who were here for the presentation. They were very clear

Mike Morand: Verbally it was said, but in writing?

Attorney Murphy: There are minutes that are taken at those meeting that are bound by the contents of the minutes, so it is in writing.

Mike Morand: OK, thank you.

Supervisor Tollisen: Anyone else?

Roger George: I now hear that there was a presentation about this? I did not realize that this is as far along as it is. I am just a little surprised

Councilman Hotaling: There was a presentation and what happens is that the Town Board sends it to the Planning Board. It does get reviewed, our engineers review, and they look at the Stormwater and get all of the realities of the proposal. So that is why it is in their hands right now.

Attorney Murphy: So, the timeline for your average PDD, and I cannot make any guarantees as I have been asked this question before and for those of you who weren't here, is typically about 3 years before any approvals are granted. We have one right now that had approval for 12 years and they still keep making modifications. When you say "they are this far along", you are really right at the beginning of the process. There are a lot of things that go on at the Planning Board level including public hearings, informational hearings and then this Board a public hearing IF it was referred back here. So, there is still a lot more to go.

Roger George: I guess I appreciate hearing that but if in three years, it's all approved

Attorney Murphy: That's a very big if, sir.

Roger George: I don't want to see it approved in three years, five years or ten years

Attorney Murphy: I think the Board is hearing that.

Roger George: Thank you.

Mary Anderson, 12 Danforth Road, Kingsbrook, across the street from the Tribley property. We moved here a little over five years ago because we thought it was a nicer place, valued open spaces. It wasn't an area that was developed for development sake. Of course, we accept the fact that there are lots of farmers being driven out of their property and the people who the land is moving too no longer want to keep it in the family, sell it, and development often arises.

- This property looks like it's developed for development sake rather than keeping the character already there, getting as much money and packing as much on it as possible.
- Quality of life is important.

Supervisor Tollisen: Anyone on TEAMS that would like to speak? Hearing from no one, he adjourned the meeting.

There being no further business to discuss or resolve, on a motion by Councilman Hotaling and seconded by Councilman Connors, the meeting was adjourned at 7:38 pm.

Respectfully Submitted,

Lynda A. Bryan, Town Clerk