

The August 16, 2017 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
John P. Wasielewski, Councilman
Daphne V. Jordan, Councilwoman
Jeremy W. Connors, Councilman
Lyn A. Murphy, Town Attorney
Cathy L. Drobny, Deputy Town Attorney
Lynda A. Bryan, Town Clerk

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

CONTINUATION OF PUBLIC HEARING FOR GRAYBAR ELECTRIC PDD

Amendment to the Saratoga Economic Development Corp. that was TABLED from the August 2nd, 2017 Town Board Meeting

Supervisor Tollisen: I will note that the public hearing has been opened for two prior meetings. It is the intention of the Board to take any additional comments this evening and close the public hearing.

RESOLUTION NO. 283-2017

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

RESOLVED, that the Town Board removes Graybar Electric PDD, Amendment to the Saratoga Economic Development Corp. from the table from August 2, 2017.

OPEN: 7:03 pm

Supervisor Tollisen: We made a motion to take Graybar PDD off the table for purposes of discussion and now we will have Mr. Montagne give a short presentation and then I will open it up to the public for comments.

John Montagne: Graybar is looking to purchase one of the remaining lots that is in the Halfmoon Industrial Park. We have gone through the public information process at the Planning Board and they have referred us back to the Town Board with a favorable recommendation to adopt the changes that we are looking for. I will also talk about a number of items that came up in the initial public hearing that you asked me to respond to.

Mr. Montagne went through the power point of the Graybar Electric proposal that he has previously presented to the Town Board. He did add the Public Benefit of \$10,000 to a Town Board designated fund that will come from the owner of the property because it benefits the owner.

One of the questions that came up was site lighting. (He showed where the lighting and the light poles are going to be on the property.) There is no light spill over. These are all 22' poles with a 25' mounting height which is per code and this building is 34' tall. Anybody who is north of this building will not see any of these lights and these are all shielded and we have the buffering.

One of the other comments we had was the compatibility of the color scheme of the building. I have two samples here for the Board members (showing light tan colors) to show the compatibility with the other buildings in the PDD.

At the last meeting there were some residents in the north of the industrial park that had some concerns about noise and other impacts. (Showed where the building is located as well as residents – Willowbrook Terrace & Stone Crest Drive which is almost a third to a half a mile). I did a sound analysis, which is included in your study and any noise that is generate here, by the time that it gets to the closest residents here, it would be down to the 64 decibel level. 64 decibels is what the HUD standard is for residential housing.

We also looked at the traffic noise that would be generated along Route 146 and the reality is that the traffic is going to have a larger sound level than what we have in our loading dock and there should not be any impact at all from our development to the residents to the north.

Mr. Montagne showed where the building is proposed to be and where the berm would be placed and where the woods are. He showed where the resident who spoke last meeting who lived at #11 and we have direct screening for him and the building will shield anything he gets from noise or any other objects.

That is the end of the presentation and I will be happy to take any questions.

Supervisor Tollisen: What is the height of the berm? Does it shield the entire building?

Mr. Montagne: The difference between the building and the berm, first of all the berm is cut into the landscape and we are terracing down and take about 10' of the building out. We are going to put a 6'-8' berm in there and the trees at planting are going to be 6'-8' tall and within about 5 years they will be way in excess of the height of the building. Between the combination of the berm, the terracing and the screening, you won't see the building. That is all going to go in right now, well in advance of future expansion. I don't believe those residents are going to have any objection to it. On top of that we really don't have any lighting on that side of the building. At night you might see a couple of door lights as you drive up the road but the street lights that are already on Werner Road will light up the area more than anything from our building.

Supervisor Tollisen: Just to get a little more detailed with it, you said that the trees that you are going to put in are going to mature, but I am worried about day one when this project starts, how is that screening going to shield the noise which is a big issue for the residents. That is what I reviewed from the first meeting that I did not attend, then the last meeting and some submittals. One of the big things is the noise factor, the beeping noise when backing up which is something that OSHA requires and is mandatory, is annoying to say the least. What we are looking for is adequate screening and protection for the residents that live in that area and are most affected.

Mr. Montagne: It is a 34' building (showing it on the map) and cut 10' into the ground, so it is only 24' cut into that back façade. We are going to put in a 6'-8' berm here and there is a double row of densely planted evergreens being planted at 6'-8'. That is 16' plus the 10' at planting which is 26' on that 34' building. So we are going to have 8' of the top of the building will be visible at planting and evergreens grow very quickly. Their mature height in 15 years will be in excess of 20' high. Within the next 5 years or so as they fill in you will see a little bit of the roof but you are not going to see very much of anything else. The only area where we are going to be generating noise will be at the loading dock here and the building blocks anything coming off the site in this direction. Noise is going to hit this and then bounced off towards Route 146. This is where the highest noise generation of the whole property is. Sound from a backup signal is about 6 decibels. At 50' from where this is would be about 70 decibels and by the time you distance out to this house down here, it will be down to 64 decibels.

Supervisor Tollisen: What does 64 decibels work out to be?

Mr. Montagne: 64 decibels is the equivalent of you and I standing about 3' apart talking to each other. The sound that is generated along the highway also dissipates over distance and that sound dissipates 3 decibels per doubling. Calculating that distance to this house, that highway noise with FHWA standards predicts out at a decibel level higher than that at 69 decibels which is pretty close but still higher than what we generate. Those houses right now have a noise level higher than what we will produce from our loading dock. Having said that, this house is the closest one and will be within HUD standards and these houses will have even less of an impact as they are farther away.

Councilman Hotaling: You said that the company currently has 37 employees, what has the growth been in the last 5-10 years? How much have you grown in the past 10 years?

Chuck Dunham: Spoke but could not be heard.

Laura Perrault, 5 Werner Road: (pointed out where her house is on the map) I was at the Planning Board meeting and we changed our view of this and that we really are against it, not against Graybar but I don't think it fits well with the residential houses along there. I am 300' right to my property line and there is no building in the way from the loading docks, nothing to shield noise to me. There are the woods but it is all deciduous and there are no leaves in the winter. There is nothing evergreen in there; it'll just be tree trunks.

To get a sense of this, I went to Graybar this morning at 5:30 and I hung out for 3 hours outside to get a sense of what you guys are like. I had correspondence on July 15th and sent a letter directly, signed by all of the neighbors to them and to you guys and sound was one of the issues. I was sitting in my car at 225' from your loading dock and recorded what the sounds would be like. I didn't end up with the backup from the truck. The big truck came in at 6:00, unloaded and some of it is conduit noisy and then two Graybar trucks probably going out for the day, pull up an hour later and they load things on there. (She played the tape) This is one issue that I am concerned about. They said that they were going to put up a short fence, probably a security fence. There is going to be no barrier to the lighting especially in the winter when the trees don't have any leaves on them and you have 24' poles, facing my living room where I sit every night and will be looking at the lights.

Our biggest, biggest concern is the traffic. The engineering report had listed (page 7 of 8) the level of service (LOS) that runs from A-F states everything is acceptable except the southbound left that turns onto Route 146 that operates at a LOS level of F right now at the PM peak. It's already at the worst possible level and when we leave at AM peak it is at an LOS of D. I understand that this has to be developed but it seems like if we already can't get out of our own neighborhood. It became worse after the dead end of Werner. It is terrible and dangerous getting out on Route 146 and it's already at an F. They say that it's not going to get any worse, well it can't. It's already an F and I'm sure that it will only get worse in 2018.

This is the house that I live and I bought the house on a residential street, so I'm not sure that this is a good fit for what we have to live with here. The last part is the color of the top of the building that we are going to see. I think that light brown against the woods shows up more than dark brown like the NYSEG building.

Mr. Montagne: I will touch on each one.

- **Colors:** the brown and the tan are standard Graybar colors. On the east facing side, we could do the whole thing in brown if that would help

- **Landscaping:** Additional evergreens along the hill, Graybar may be amendable too. We want to be good neighbors and if you want us to look at that, we can and I'm sure there would be no objection to that
- **Lighting:** This is a dark sky/evening sky compliant and Graybar distributes lighting and will be using LED and purely down lit. The Planning Board will have final review on this to make sure it meets the Town standards and not to have any spill over and have limited lighting fixtures and not like a mall. No lighting on the north or east side of the building.
- **Noise:** We are sympathetic to the idea that there is going to be noise. It is very difficult when you take a reading like what was just recorded to really have a true sense of where that is from and other background noise. Graybar now is very visible from 787 and I will agree that there is some metal piping sounds hitting and not much different than at NYSEG. From the noise analysis that we've done, you may be able to hear this but it won't be something that is loud and blaring.

This is part of an industrial park that was approved 31 years ago. This is not an addition to the industrial park; it's just the remaining subdivision lot.

Supervisor Tollisen: Any more questions from the public? I will note for the record one last time that there were comments submitted on this matter by:

- Bill & Ann Murtha
- Megan Brown & Jeff Anderson
- Laura & Ken Perrault, Matthew Bowman, Eric Yonkers, Homeowner at 11 Werner Road & Ron Fellows
- Wendy Hallen
- Lorina Hoelscher
- Fred Bahr

The Board has been given copies of all of those. Are there any other questions before closing the public hearing?

Supervisor Tollisen: What is the Board's pleasure?

Councilman Wasielewski: Mr. Supervisor, I think that between the 3 or 4 Town Board meetings that we have had and the 2 or 3 Planning Board meetings, I'm ready to move on this tonight. Ms. Perrault, I'd like to thank you for doing your homework and the efforts that you took. I'm very impressed with what you did taking a ride down to Albany. Mr. Montagne, is it possible that we can add to the plantings along the eastern side of the property that face the Perrault's? We're talking some evergreen bushes right? Right so between the fencing and the evergreens; it should really limit her visibility of any outside storage, right?

Mr. Montagne: Spoke but could not be heard.

Councilman Wasielewski: But we will plant additional ones for Mrs. Perreault, OK? I think that it is important to note that this is an amendment to an existing PDD. It is not like most PDD's that come before us that are new and an initial PDD. This lot will be developed eventually and it can be developed to light manufacturing and something a lot less palatable to the local neighbors than what is before us tonight. It could be a lot noisier. I don't think that many developers would go to the extents that Graybar has proposed to make this more agreeable to the local neighbors. I agree that that one corner of Route 146 and Werner Road is awful. An F is an F and can't become a G; it's as bad as it can go. I think that I speak for the rest of the Town Board when we say that we wish that we had control over improving that corner and some of the other corners throughout the town. The Supervisor has met with the highest levels in the State DOT to correct these traffic problems but it is in the State DOT's court to make things better. I know that the Supervisor is doing all that he can and putting all of the pressure that he can to make that and other deadly corners in town better.

I'm ready to move this motion tonight, Mr. Supervisor.

Councilwoman Jordan: I just want to say that I understand all of the concerns of the residents around this development, but what I think has been grossly misunderstood is when there are comments like it's not a "good fit and does not belong there". It's a planned development district that was made specifically for things just like Graybar to move into. That is the lot that is left. That development has been there since 1973. This is the last lot. You can't keep them from coming in. The only reason why they are here before the Town Board is because they are asking to have an amendment to have a 150' setback instead of a 200' setback, otherwise they wouldn't be here and having all of these public hearings. They would have gone to the Planning Board and they would have gone through site development and make sure that it was all fine, but they would be there. So it is not like you can stop them or another company from being there. As Councilman Wasielewski said, something more industrial could go in there with more noise and not the perfect lighting that I hope Graybar will have there, because they are the experts. We really can't stop something from going there. It is, and has to be a fit because it was approved way back in 1973. That is what I feel that people misunderstood. I understand your concerns because it was much like when my neighborhood opposed Walmart coming in. We couldn't stop it; that land was commercial and we couldn't tell them that they couldn't come. You can work through the problems to make it better. I think that Mrs. Perrault's problems that she raised, along with Fred Bahr and the other residents with their letters and their concerns is appropriate and I also believe that these problems are being addressed by Graybar.

Those are my comments and I would go along with Councilman Wasielewski and say that we move on this this evening.

Laura Perrault: I certainly understand what you are saying, in hind sight the bad part is that when it comes to the traffic, they dead ended our road but did not say what the traffic will be now that we only have one way out. In other words, they dead ended it because people cutting through were having accidents, not the people that live there and now that we don't have that exit, we instead have terrible traffic in getting out. So, I wish that the Board would bring up these kind of things when want to change the traffic and look at how it is going to impact the people that live there. I couldn't know that hey, this is going to be commercially developed, but gee if I knew that at the time, I probably would not have been in favor of the dead end.

Supervisor Tollisen: Just a couple of comments that I have.

- With respect to that traffic area; I have met with the highest levels of the DOT and at this point the DOT is stating that they are unwilling to make any changes at Route 146 and Werner Road despite my strong objection for them not doing something. There is unwillingness at this point based upon the way that they create and make decisions regarding traffic to do anything.
- Based upon the comments that have been made and the request for screening, I think that I would like to see that prior to making a decision, but that is going to be up to the rest of the Board. I would like to see that final screening. While Mrs. Perrault may still be unhappy with the traffic issue, it certainly is something that I think should be addressed and address satisfactorily. If I was living there, I wouldn't want to have these issues either and the valid point is that it is a forested area and leaves do fall and it would be different in the fall and winter months. It is completely up to the Board at this point but I would like to see that.

Councilman Wasielewski: Just to be clear Mr. Supervisor, you would like to see a formally proposed screening plan from the applicant?

Supervisor Tollisen: That is correct. I think that it is something that is easily addressed but perhaps it could be fencing as well or something of that nature. The goal here is that this is an area in town that is a PDD, there are businesses, manufacturing and distribution in here, there's no question. On the same token, we can't lose sight of the fact that there are residents that surround it and will be affected by it. I think that it is reasonable to request these additional items and to see those prior to the next meeting. That being said, I don't want to delay this any more than it already has because it has gone on for a while. I do think that addressing that would be the proper thing to do here. Notwithstanding, I am only one person here so it is up to the Board.

Councilman Wasielewski: Mr. Montagne, could we have a revised site plan in three weeks at the next Town Board meeting on September 6th for the screening for the east side of the property?

Mr. Montagne: I would say that we have two options. One would be to go ahead and wait another two weeks and that unfortunately changes the schedule with the Planning Board and everything else that we had hoped to get through. We do as I have said; have a window that we are working with. The screening, we would volunteer that the double row of screening that you see there on the northeast corner is the same level of screening that we would absolutely provide along that wood line and perhaps make that a condition of something that the Planning Board reviews during site plan review, signs off on that as being adequate. We would be OK with that condition. I would hate to have my clients wait another two weeks for the screening and potentially still have a negative vote by the Board and spend more time trying to extend their options on the property.

Councilman Connors: Councilman Wasielewski, I am in favor of the updated site plan.

Supervisor Tollisen: One last comment ma'am

Laura Perrault: I would be happy with the trees, and to me the evergreens could go on your side of the woods. The big trees are close to the road.

Supervisor Tollisen: That is why if we had the site plan, you can look at it and address it

Laura Perrault: Yeah, put them on that side and it will work for me at least on our property.

Supervisor Tollisen: Thank you.

Councilwoman Jordan: Could we make a motion conditional that the Planning Board seeing that it is done so that we don't hold the applicant up any further?

Supervisor Tollisen: You can make that motion; I have stated what I expect, so it is up to you. Is there a motion of the Board?

Councilman Wasielewski: I make a motion that that the Town Board declares a negative declaration for SEQRA for the Graybar Electric PDD, Amendment to the Saratoga Economic Development Corp.

Supervisor Tollisen: Motion has been made, is there a second?

Councilwoman Jordan: I will second

Supervisor Tollisen: Motion made and seconded any further discussion? I will vote no on the negative declaration for SEQRA. I will vote no on this because I want to

see the site plan as revised. I think Graybar is a great business and it will be a great addition to the town. Although again, I believe the residents' concerns need to be addressed first.

POLL BOARD:

Councilman Connors	NAY
Councilwoman Jordan	AYE
Councilman Wasielewski	AYE
Councilman Hotaling	NAY
Supervisor Tollisen	NAY

Offered by Councilman Wasielewski, seconded by Councilwoman Jordan: Motion rejected by the vote of the Board:

Ayes: Wasielewski, Jordan

Nay: Tollisen, Hotaling, & Connors

Supervisor Tollisen: I think at this point, we should ask you John, to revise the site plan and we will set it up for the next meeting and there will be a vote at the next meeting.

Attorney Murphy: Just for clarification on the record, the reason SEQRA no neg dec was passed, because without the modification of the site plan being able to be reviewed, you couldn't make an accurate determination as to the environmental impact. Is that my understanding, so with that site plan your determination with regards to that would most likely change?

Councilman Wasielewski: That is my understanding.

Attorney Murphy: Thank you.

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.

Kid's Water Fun Day at St. Luke's on the Hill, 40 McBride Road, Saturday, August 19th from 10am to 2pm. Firetruck, Magician, Slip N' Slide, Free Hotdogs, Hamburgers & Watermelon. Bring water toys. Transportation will be available by calling 518-664-4834. All are welcome.

6th Annual Champlain Canalway Trail Bicycle Tour on Sunday, August 20 starting at 9:00am at the Hudson Crossing Park. For more information go to: www.hudsoncrossingpark.org

Mosquito Dunks: It is that time of year again! The Town of Halfmoon is offering Mosquito Dunks FREE of charge to residents. Please stop by at the Town Clerk's Office to fill out a short application and pick yours up today!

Household Hazardous Waste Day on September 9, from 8am to 2pm at the Clifton Park Transfer Station located at 22 Ray Road. Applications are available on line and at the Town Clerk's Office and must be submitted to the Clifton Park Town Clerk's Office or online at www.cliftonpark.org by September 1st

10th Annual Pet Fest – Home Show of Clifton Park on Saturday September 16 from 10am to 3pm at St. Edwards Church, 569 Clifton Park Center Road

FREE Emergency Medical Technician (EMT) Certification Course being offered to Military Veterans by Saratoga County EMS Council. This 6 month course will start Sept. 19th at Clifton Park – Halfmoon EMS. Go to emtveteran@gmail.com for more info

TOWN MEETINGS:

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

Pre-meeting at 6:30 pm

Zoning Board of Appeals: 1st Monday of month at 7:15 pm. Pre-meeting at 7:00 pm

Planning Board Meeting: 2nd & 4th Monday of month at 7:00 pm. Pre-meeting at 6:00 pm

Board of Assessment Review: 4th Tuesday in May

Senior Center Business Meeting: 1st Wednesday of month at 1:00 pm

Halfmoon Historical Society: Last Tuesday of month at 7:00 pm

Open Space & Trails Committee: August 21, October 16, December 18

Resident Relations Committee: TBD

Business & Economic Development Committee: TBD

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Kevin J. Tollisen (Town Supervisor)

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

Friday night, we have an End of Summer Bash at eth Town Park. We will have a band and fireworks to follow

John Wasielewski (Town Board Member): (1) Chair of Ethics Committee, (2) Chair of Committee on Emergency Services and Public Safety (Emergency Corps, Fire Department, Police); (3) Chair of Committee on Resident Relations, (4) Liaison to Planning Board

Thank you Mr. Supervisor, two things tonight. I would like to note for the record the passing of former Planning Board Chairman and member John Ouimet. John was a very dedicated member of the Planning Board and a very solid resident of Halfmoon. His wisdom, council and sense of humor really took the Planning Board to new levels of professionalism and he will be deeply missed.

I would also like to make aware to any veterans in town that there is a free EMT course being given by the Clifton Park-Halfmoon Ambulance Corp. This is a fantastic course for veterans. It is a field that many veterans are naturally suited for. It is free and if any veterans in Halfmoon are interested, they can contact the Ambulance Corp. at emtveteran@gmail.com for further information. That is all that I have tonight, thank you.

Supervisor Tollisen: I would like to echo the sentiments of the passing of the former Planning Board Chairman, John Ouimet. I was not able to attend his wake but did attend his funeral services. The town Facebook did put out a post in his honor and also and in his memory we did post it on our sign during that day. Our best to Gail and his family.

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

There is an Open Space & Trails Committee meeting this coming Monday August 21 at 7:00 pm here in Town Hall. Even if you are not a committee member, you are welcome to attend if you have an interest.

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

The Girls Softball fields have been notably enhanced. I would like to thank the Parks Department and the Highway Department for supplying the material and equipment to be able to get the fields in shape to play ball. There are numerous upgrades going on down there at the VanDenBurgh Park and we are excited for that. There are going to be over 50 girls signed up for the fall season.

Baseball wrapped up their season successfully with no injuries to report which is always good. That is all that I have.

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

August 19th marks the date that you will have to start using 518 before you dial a local phone number. They have run out of number in the 518 area code and are starting to assign 838 area codes. So get ready to change the way you dial your calls made within the 518 area code. I have information available up here and on the website

I would just like to mention that Household Hazardous Waste Day is being held on Saturday Sept. 9th from 8am to 2pm at the Town of Clifton Park Transfer Station on Ray Road. You can pick up the applications at here on the dais, at the Town Clerk's Office or register on line. Deadline to submit your application is fast approaching on Sept. 1st.

Lyn Murphy, Esq., (Town Attorney) I would ask that the Town Board pass a resolution to amend the Employee Manual to allow for salaried employees who are called back into work outside of regular work hours, to accrue a minimum of two hours of administrative time. Currently, hourly employees obtain the automatic two hours and the salaried employees do not. This way we can even the playing field so to speak for both salaried and hourly employees. For the courts it's three hours.

RESOLUTION NO. 284-2017

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

RESOLVED, that the Town Board hereby modifies the Town of Halfmoon Employee Manual §VI(D) relating to compensation for overtime of salaried employees to permit a salaried employee to accrue a minimum of two hours of administrative time when called back to work outside of the regular hours with the written approval from a Department Manager unless an emergency occurs. The manual shall also be modified to permit salaried employees in the Town Court to receive a minimum of three hours administrative time when required to staff the Town Court by the Town Judge and/or the Town Supervisor.

Cathy Drobny, Esq. (Town Attorney)

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

DEPARTMENT REPORTS – month of July

1. Town Clerk Total Fees Submitted to the Supervisor - \$15,459.68

2. Building

Total # Permits – 89 Total Fees Submitted to the Supervisor - \$15,803.17

3. Fire

Total # Permits – 11 Total Fees Submitted to the Supervisor - \$825.00

4. Fire Inspections

Total # Permits – 37 Total Fees Submitted to the Supervisor - \$1,640.00

DEPARTMENT MANAGER MONTHLY REPORTS – (Can be viewed at the Town Clerk's Office) month of July: Code Enforcement

CORRESPONDENCE

1. Received from Mike Moll, Mary A. Opela, Dana & Michael Melvin & Charles & Linda VanVorst, residents of Staniak Road, the same letters of support for the proposed Pinebrook Hills PDD, as Staniak Road Water Main Extension is a proposed public benefit. (There are 3 of the same letter submitted)

Received & Filed

Hon. Kevin Tollisen, Supervisor;
Town Board Members
Town of Halfmoon
2 Halfmoon Town Plaza
Halfmoon, NY 12065

RECEIVED

JUL 31 2017

TOWN OF HALFMOON
Office of the Supervisor

**RE: Staniak Road Water Main Extension
Proposed as Public Benefit by Pinebrook Hills PDD**

Dear Supervisor Tollisen and Town Board Members:

As the Town Board is aware, I represent homeowners of eleven properties on the south end of Staniak Road who have requested to have municipal water extended to serve their properties for several years. In a letter/petition dated September 23, 2015 (copy attached) we spoke in favor of a proposed subdivision on Staniak Road provided that the proposal included extension of municipal water. As you know, that project has not progressed to date.

We understand that a new proposal is under consideration by the Town Board called Pinebrook Hills Planned Development District located on Farm-to-Market Road. We further understand that this project includes a proposed public benefit consisting of construction of 2,000 LF of 12-inch diameter water main on Staniak Road together with house service lateral connections from the main to five feet past the right-of-way line for the existing houses located on this road which are currently experiencing potable water supply problems from individual on-site wells. This water main extension is proposed to be constructed simultaneously with the construction of infrastructure for the Pinebrook Hills PDD.

Considering our ongoing water supply issues on Staniak Road, we offer this letter of support for this project and request that the Town Board grant approval to this proposal as soon as possible. Please keep us informed as to the Board's Public Hearing schedule so that we may attend and provide public support for this project at that meeting.

Thank you for considering our endorsement.

Sincerely,

Mary A. Opala

*Terrible flow rate
High iron content
Been here 25 years. The nearest hydrant is less than 3/10 mile
away. So close, yet so far.*

2. Received from Fred Bahr 29 Willowbrook Terrace, an email stating his reasons for opposing the Graybar Electric project on Werner Road

I am opposed to the propose Graybar warehouse along Werner Road for several reasons:

1. Noise. We have a light industrial area near our neighborhood, and often hear forklifts and delivery tractor trailers as early as 5:30AM on weekdays and 6:30AM on Saturdays. This can be very annoying.
2. Aesthetics. A two story warehouse with see-through fencing is inconsistent with the character of the area. We now have office space, and a church in this industrial park. And granted, we already have some outside storage at NYSEG. Having a warehouse (with tractor trailers, forklifts, etc.) across the street from a church appears random, haphazard, and inconsistent.
3. Light. Industrial areas often have bright lights which is annoying to nearby homeowners.
4. Traffic congestion and safety. Route 146 is already pretty much a constant flow of traffic. Large delivery and contractors' trucks, along with a new 200 child day care center along Werner Road, will significantly worsen the situation at the Werner Road intersection. It would be nice to proactively address this issue, rather than reactively waiting on additional accidents. It seems as though a warehouse is more appropriate for the manufacturing side of town, near Momentive. I believe this would be consistent with the vision that Pete Bardunias has been advocating. If Grabar does move to this location, I ask that the town work closely with them to minimize the impact of the abovementioned items, and maintain the character of the area.

These oppositions shouldn't be surprising to the Board nor the Zoning Committee, as a warehouse at this location is inconsistent with recommendations put forth by the Zoning Review Committee in mid-2015. Specifically, the committee recommended the following for Route 146 in this particular area:

1. Encourage and/or incentivize Professional Office-Residential (PO-R) zoning district-type development and small business commercial development in these corridors to minimize traffic impacts.
2. Encourage and/or incentivize mixed use development (residential/commercial).

Industry in this area was intentionally not recommended by the ZRC.

Finally, I have a comment to the Board member that stated the following during the July 19 Town Board meeting: "If Grabar weren't asking for this slight variance, this wouldn't be up for public comment." My concern is not about Graybar's right or need for a variance, but rather about traffic congestion, safety of persons who live and work here, aesthetics, noise, and lighting. I'd be voicing these concerns to the town regardless of whether you solicited public comments.

For the reasons cited above, I am opposed to a warehouse location.

Received & Filed

3. Received from Saratoga County Dept. of Public Works, notification of the closing of a section of Church Hill Road on Wednesday, August 24th from 6 am to 5 pm. for repaving of the road.

Received & Filed

OLD BUSINESS

RESOLUTION NO. 285-2017

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

WHEREAS, a Project for the Pedestrian Safety Improvements on Pruyn Hill Road PIN 1759.61 (herein after the "Project") was previously approved by the Town Board; and

WHEREAS, the project involved letting bids to determine the apparent low bidder; and

WHEREAS, the engineers for the project, Barton & Loguidice, have determined that New Castle Paving, LLC is the apparent low bidder for the Project with a total bid of \$312,287.50 and recommends that the Town proceed with the Project and award the construction contract to New Castle; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Town Board of the Town of Halfmoon hereby awards the bid for the Pedestrian Safety Improvements on Pryun Hill to New Castle Paving, LLC and authorizes the Supervisor to execute any and all necessary documents to proceed with this project, subject to the review and approval of the Town Attorney.

NEW BUSINESS

RESOLUTION NO. 286-2017

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

RESOLVED, that the Town Board approves and orders paid Vouchers numbered 1664 - 1814

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

10 GENERAL FUND	\$243,450.67
20 HIGHWAY FUND	\$27,715.44
30 CONSOLIDATED WATER	\$32,888.52
35 MISC. CAPITAL FUNDS	\$276,604.18
64 LIGHTING DISTRICT	\$445.81
80 TRUST FUND	\$84,000.00
ABSTRACT TOTAL:	\$665,104.62

RESOLUTION NO. 287-2017

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

RESOLVED, that the Town Board approves the minutes of Town Board meeting of July 19, 2017 as presented.

POLL BOARD:	
Councilman Connors	ABSTAIN
Councilwoman Jordan	AYE
Councilman Wasielewski	AYE
Councilman Hotaling	AYE
Supervisor Tollisen	ABSTAIN

RESOLUTION NO. 288-2017

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

RESOLVED, that the Town Board approves the minutes of Town Board meeting of August 2, 2017 as presented.

POLL BOARD:	
Councilman Connors	ABSTAIN
Councilwoman Jordan	AYE
Councilman Wasielewski	ABSTAIN
Councilman Hotaling	AYE
Supervisor Tollisen	AYE

RESOLUTION NO. 289-2017

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

RESOLVED, that the Town Board approves extending the Shared Service Agreement for Animal Control with the Town of Clifton Park for Animal Control coverage on a case by case for one year until August 31, 2018, and authorize the Supervisor to sign said Agreement on behalf of the town, subject to the review and approval of the Town Attorney.

RESOLUTION NO. 290-2017

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

RESOLVED, that the Town Board appoints Dianne Hurtt and Michael Gallo as part-time Senior Van Drivers at Grade 3 Base Pay at \$16.35 per hour, effective immediately per completion of pre-employment testing.

RESOLUTION NO. 291-2017

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

RESOLVED, that the Town Board approves placing the 2007 Jeep Liberty vehicle on Auctions International for sale as the Town no longer has use for it.

RESOLUTION NO. 292-2017

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

RESOLVED, that the Town Board schedule a Public Hearing on September 6th at 7:00 pm or as soon as the schedule allows in the A. James Bold meeting room regarding the proposed expenditure from the General Fund Capital Reserve in the not to exceed amount of \$40,500 for the purchase of computer software from Business Automation Services (BAS), subject to permissive referendum, and waive the formal bid letting process as this is a professional service which requires special or technical skills which therefore does not lend itself to procurement through solicitation. Three companies were reviewed to determine which had the necessary technical skills to provide this service.

Supervisor Tollisen: I am going to vote no on this resolution. I am going to vote on this for a few reasons. First of all, I am not voting against BAS on this resolution, I am voting against this process at this point. BAS is a software company that is used here in Town Hall in both the Town Clerk's Office and the Receiver of Taxes Office and it works very well. The current service for the Code Enforcement Office is Muncity and Muncity has offered an upgrade which is a 90 day no risk guarantee to the town. So my no vote here is based upon my feeling that this is a waste of taxpayer's dollars by not using the 90 day money back guarantee. With these upgrades, the opinion of Muncity, will resolve all of the issues. There is no question that their service level has been lacking and I have been assured that will be addressed as well. Additionally, with the cost of BAS, the system is about \$30,000 more for the software. In addition it requires a separate server which would cost the town an additional \$2,000 to \$3,000. Based upon those, I am not in favor of this resolution at this time. Any further discussion?

Councilman Wasielewski: Mr. Supervisor, I respect your opinion. This matter has gone on for a number of months and was brought to our attention as a Town Board by a few departments within the town how the existing software from Muncity has not been properly operating and has cost possibly hundreds of hours of lost productivity by employees and frustration for residents when they can't get their building permits and other matters satisfactorily done in a prompt amount of time. This decision was not taken lightly. We met together as a Board and had a public workshop. We met with the various bidders and I will speak for myself. I feel that this purchase is necessary and appropriate. Thank you.

Councilwoman Jordan: I will also comment and I am not a techy but I do understand that technical support is very important to someone when the system isn't working. From all of the emails that I read when there was a problem, the answer would be; shut the system off and reboot it. That is a large waste of time and to have that answer over and over again for so long, just does not make sense. So I have lost faith in the company because of that. I thought that BAS gave a

wonderful presentation and are very willing to provide the proper support needed for the employees to do their jobs.

Councilman Hotaling: For approximately two years I have sat with the Planning, Zoning and Code Enforcement Departments. Some of the issues that have come about with the original software company, to say the least, the support has not been there. Finding what the needs are for the departments, I, 100% believe that this is a move in the right direction.

Supervisor Tollisen: I respect my colleagues, I cannot disagree more. The reported last time there was an issue, reported to Municipity was July 11th which is almost 5 weeks ago and that matter was resolved by phone. Additionally, the issue with respect to data history has not been addressed satisfactorily in that the migration of the existing data, there is 20 hours contained in the quote and then thereafter it's being billed at \$160.00 per hour. If the Town Board does not feel that that is something important, that is certainly fine, but I do believe that that is something that needs to be addressed during the public hearing. We will proceed to vote.

POLL BOARD:

Councilman Connors	AYE
Councilwoman Jordan	AYE
Councilman Wasielewski	AYE
Councilman Hotaling	AYE
Supervisor Tollisen	NAY

RESOLUTION NO. 293-2017

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

WHEREAS, the Town Board authorized the Director of Finance to research the benefits and costs associated with outsourcing the payroll duties for the Town of Halfmoon; and

WHEREAS, the Director of Finance researched and met with three different payroll companies regarding each company's ability to provide the payroll services in the most efficient and cost effective manner; and

WHEREAS, the Director of Finance determined that GTM Payroll Service, located in the Town of Halfmoon, best meets the needs of the Town and offers their services at the most economically reasonable price of \$14,217;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves entering into a contract with GTM Payroll Service for payroll services, and to authorize the Supervisor to sign and all documentation needed to proceed with this project, subject to the review and approval of the Town Attorney.

Supervisor Tollisen: With respect to this matter, the payroll person for the town has moved into my secretary for the town which I am extremely happy about, She is doing a great job, so thank you Terri! We decided to not fill the payroll position with an employee but to go with a payroll company. A payroll company is considerably less money at this point and it also does not have benefits that are attached to it resulting in significant savings to the town. We believe that the payroll company is in the best interest of the town. This was vetted through our Director of Finance. She interviewed three different companies along with one of our other staff members and this is their recommendation. We believe that this is another good item for the Town of Halfmoon in cost savings.

RESOLUTION NO. 294-2017

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

RESOLVED, that the Town Board authorizes placing in the Daily Gazette, the Notice of Intent to apply for a federal grant for the purchase of vehicles to transport seniors to necessary appointments/locations to meet the needs of the elderly individuals and individuals with disabilities.

RESOLUTION NO. 295-2017

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

RESOLVED, that the Town Board authorizes the Supervisor and any other Town Official or employee to execute any documents necessary to enter into an Agreement and effectuate the receipt of \$98,641.00 awarded by the Dormitory Authority of New York for the purchase of a Heavy Duty Pickup Truck and a Light Duty Dump Truck through the State Municipal Facilities Program (SAM), subject to the review and approval of the Town Attorney.

Councilwoman Jordan: I would just like to thank Senator Marchione for coming through with this SAM grant

Supervisor Tollisen: Yes, thank you Senator Marchione.

RESOLUTION NO. 296-2017

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

RESOLVED, that the Town Board approves entering into a formal Assessment Agreement between the Town of Halfmoon and Halfmoon Sunoco, LLC for the following parcel: 325 Route 146, tax map number 273.-1-62.2 reducing the 2016 assessment of \$644,900 to \$585,000

Supervisor Tollisen: I will just note that this is after extensive discussion, consultation and recommendation of the Town Attorney.

RESOLUTION NO. 297-2017

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

WHEREAS, the Town Board previously authorized a contract for engineering services and construction management with Greenman-Pederson Inc. for the re-design and construction management/inspection services for the Erie Canal Community Connector Trail Project linking the Towns of Halfmoon and Clifton Park along a 4.4 mile route closely following the Erie Canal Towpath from the Vischer Ferry Preserve to Clamsteam Road in the Town of Halfmoon, and

WHEREAS, the Town Board authorized the construction contract for the Project with Gallo Construction Corp.; and

WHEREAS, the a resolution approving Change Order No. 1 extended the contract based upon the construction delays to have a new completion date of May 5, 2017, with no additional costs to the Town of Halfmoon; and

WHEREAS, Gallo Construction, as General Contractor, has experienced additional construction/operational delays and reached final completion in June 2017, resulting in additional inspection charges detailed in Change Order No. 2; and

WHEREAS, the original contract mandated that additional engineering costs associated with project delays may be re-allocated from the construction funding previously approved so that the additional inspection charges detailed in Change Order No. 2 result in no additional costs to the Town of Halfmoon; and

WHEREAS, Greenman-Pederson, Inc., Construction Manager/Engineering consultant for the project, has recommended execution of a change order to adjust the date of substantial completion and related construction deadlines; and

WHEREAS, a Change Order was prepared by Greenman Pederson which provides a new completion deadline of June 2017, and which includes no additional costs to the Town of Halfmoon; and

WHEREAS, the construction delays will result increased costs in an amount estimated at up to \$38,974.27 for engineering and construction management services by Greenman Pederson, which will be charged to Gallo Construction and deducted by the Town of Clifton Park from payments due Gallo pursuant to paragraph 7.5 of the April 15, 2016 General Contract, now therefore, be it

RESOLVED, that the Supervisor is hereby authorized to sign any documentation necessary to effectuate the extension of the contract, subject to the review and approval of the Town Attorney.

RESOLUTION NO. 298-2017

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

RESOLVED, that the Town Board approves the Supervisor's Report for the month of July, 2017 as presented.

RESOLUTION NO. 299-2017

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

RESOLVED, that the Town Board waives the building permit fees to build the dugouts for the purpose of Halfmoon Softball.

RESOLUTION NO. 300-2017

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

RESOLVED, that the Town Board approves Change Order #3 for the Veterans Memorial at Halfmoon Town Park extending the substantial completion date for the project to September 20, 2017

RESOLUTION NO. 301-2017

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

RESOLVED, that the Town Board authorizes the renewal of the Mobile Home Park License for the 2017-2018 licensing year, per the inspection and approval of the Director of Code Enforcement as follows: Hollner Mobile Home Park

RESOLUTION NO. 302-2017

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

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

Transfers between Appropriations

From Account	To Account	Amount	Reason
10-5-1990.40 Contingency	10-5-7989.41 Character Counts Contractual	\$7,453.60	To restore unused appropriations from Year 2016 for Character Counts Program
30-5-8320.20 Source of S&P Equip	30-5-8320.43 Source of S&P Cont-Mtn	\$10,000	Transfer within own budget
30-5-8310.40 Administration-Contractual	30-5-8340.40 Trans & Dist-Contractual	\$10,000	Transfer within own budget

A resolution is necessary to increase appropriations for Cleveland Brothers per change order #1 \$19,800 & change order # 2 \$6,387 within the Special Revenue fund from recreation fees, for the Veterans Memorial in the Halfmoon Town Park in the amount of \$26,187.

Debit: Appropriated Fund Balance 25-599 \$26,187

Credit: Appropriations 25-960 \$26,187
 Subsidiary: 25-5-9901.90 - \$26,187
 Interfund Transfer

A resolution is necessary to increase the budgetary accounts \$26,187 in general fund, for the Veterans Memorial in the Halfmoon Town Park. This amount includes the amounts for change order #1 & #2 totaling \$26,187 for Cleveland Brothers.

Debit: Estimated Revenues 10-510 26,187
 Subsidiary: 10-4-5031 - \$26,187
 Interfund Transfers

Credit: Appropriations 10-960 \$26,187
 Subsidiary: 10-5-7150.21 - \$26,187
 Culture & Recreation-Parks-Veteran Memorial

The following creation of appropriations is needed in the General Fund based on money received for the Veterans Memorial walkway brick program to date. This creation is for ancillary and ceremony costs for the Veteran Memorial located in the Town Park.

DEBIT: Estimated Revenues 10-510 \$17,300
 Subsidiary: Gifts & Donation-Veteran Memorial
 10-4-2705.10 - \$17,300

CREDIT: Appropriations 10-960 \$17,300
 Subsidiary: 10-5-7150.21 - \$17,300
 Culture & Recreation-Parks-Veteran Memorial

PUBLIC COMMENT (for discussion of non-agenda items) No one came forward

There being no further business to discuss or resolve, on a motion by Councilman Connors and seconded by Councilman Hotaling, the meeting was adjourned at 8:10 pm.

Respectfully Submitted,

Lynda A. Bryan, Town Clerk