

The February 21, 2018 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  
Jeremy W. Connors, Councilman  
Cathy L. Drobny, Deputy Town Attorney  
Lynda A. Bryan, Town Clerk

Daphne V. Jordan, Councilwoman - Excused  
Lyn A. Murphy, Town Attorney - Excused

## **PLEDGE OF ALLEGIANCE and 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](http://www.townofhalfmoon-ny.gov).

Easter "Egg"stravaganza – March 24<sup>th</sup> from 12-4:00 pm at Town Hall with Photo Booth, Picture with Easter Bunny, Crafts, Magician, Balloon Artist, Face Painting, Pony Rides and much more! Easter Egg Hunt behind Town Hall from 4-4:30pm

Paper shredding day is April 7<sup>th</sup> from 9:00 am-11:00 am at the Transfer Station

2018 Spring Clean-up dates: April 17, 20, 21, 24, 27, & 28 at the Transfer Station

### **TOWN MEETINGS:**

Town Board Meetings: 1<sup>st</sup> & 3<sup>rd</sup> Wednesday of month at 7:00 pm. Pre-meeting at 6:30 pm

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

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

Board of Assessment Review: 4<sup>th</sup> Tuesday in May

Senior Center Business Meeting: 1<sup>st</sup> Wednesday of month at 1:00 pm

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

Open Space & Trails Committee: Feb 20, April 16, June 18, Aug. 20, Oct. 15, and Dec. 17, the 3<sup>rd</sup> Monday except Feb. due to holiday.

Resident Relations Committee: TBD

Business & Economic Development Committee: February 22<sup>nd</sup>

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

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

Kevin J. Tollisen (Town Supervisor)

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

The Recreation Department is having a very successful Winter Camp this week during the school break. I also want to thank the Highway & Parks Departments for taking such good care of the snow issues and doing a great job!

**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) Co-Chair of Committee on Resident Relations, (4) Co-Liaison to Planning Board

I have no report this evening, thank you.

**Daphne Jordan (Town Board Member):** (1) Co-Chair of Business and Economic Development (2) Animal Control (3) Liaison to Open Space and Trails Committee, (4) Zoning Board Liaison

Excused

**Jeremy Connors (Town Board Member):** (1) Co- Liaison to Planning Board; (2) Chair of Committee on Not for Profit Organizations; (3) Co-Chair of Business and Economic Development Committee (4) Chair of Parks and Athletic Organizations

If you know of any girls that would like to join Halfmoon Softball, registration is opening and they are looking for members. The recreation portion of softball is free. So, if you know of anyone interested, please have them come out and play softball!

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

I have no report this evening, thank you.

**Supervisor Tollisen:** Just note that Ms. Bryan and I returned today from the Association of Towns. It was a good meeting in NYC that we attend each year and always get useful information and will have more to report forthcoming.

**Lyn Murphy, Esq., (Town Attorney) Excused**

**Cathy Drobny, Esq. (Town Attorney)**

#### **RESOLUTION NO. 87-2018**

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

**RESOLVED**, that the Town Board modifies Resolution #406-2017 to reflect approval of Change Order #4 for \$15,577.50 less \$11,500 penalty for not having timely completion, for an increase of \$4,077.50

**Supervisor Tollisen:** This in relation to the Veterans Memorial Park and finalizing the payment of the memorial with respect to completion and so we are going to amend the prior resolution a little bit taking into consideration the completion date deadlines.

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

**DEPARTMENT REPORTS – month of January**

**DEPARTMENT MANAGER MONTHLY REPORTS – (Can be viewed at the Town Clerk's Office) month of January**

**CORRESPONDENCE**

1. **Received** from the Town Planning Board Resolutions approved at the February 12, 2017 meeting: Change of Use/Tenant Applications for The Home Depot Seasonal Use, 4 Halfmoon Crossing Blvd., for Accord Automotive, 1514 Crescent Road, for NY Healthy Eats.com, 21 Corporate Drive, for Jazzy Kids Care, Inc., 1406C Route 9, for A Change of Use/Tenant & Sign Application for Hometown Development, 518 Hudson River Road, for Site Plan Renewal for Halfmoon Village, 2 Beach Road and Site Plan for Lands of Bombard (Greg's Seasonal Service), 25 Lape Road.

*Received & Filed*

2. **Received** from the U.S. Army Corps of Engineers, a copy of the response letter William Hoblock of Capital District Properties, LLC about the joint application for the property entitled "Multi-Family Residential Layout for the Kennsington at Halfmoon, Stone Quarry Road", stating that the proposed work may be authorized under Dept. of the Army permit #29 and the verification shall be considered valid until March 18, 2022.

*Received & Filed*

3. **Received** from Billie O's Inc. also known as Dukes Grove located at 486 Hudson River Road, Waterford, their intent to renew their Summer Beer & Wine License for April 1, 2018 – October 31, 2018.

*Received & Filed*

4. **Received** from U. S. Army Corps of Engineers, a letter addressed to Jason Kemper, Director of Planning, Saratoga County Planning Department regarding an extension of the Zim Smith Trail.

*Received & Filed*

5. **Received** from New York State Canal Corporation letter regarding 13<sup>th</sup> Annual Canal Clean Sweep taking place Friday – Sunday, April 20-22.

*Received & Filed*

## **NEW BUSINESS**

### **RESOLUTION NO. 88-2018**

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

**RESOLVED**, that the Town Board authorizes Dana Cunniff to be Deputy Registrar of Vital Statics for the Town Clerk's Office.

### **RESOLUTION NO. 89-2018**

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

**RESOLVED**, that the Town Board authorizes the Supervisor to sign the contract with Tri-City Valley Cats for the Recreation Department's 2018 Summer Camp Program on July 26, 2018, per the review and approval of the Town Attorney.

### **RESOLUTION NO. 90-2018**

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

**RESOLVED**, that the Town Board authorizes the Supervisor to sign the credit card authorization and contract with Dave & Buster's for the Summer Recreation Program, per the review and approval of the Town Attorney.

**RESOLUTION NO. 91-2018**

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

**RESOLVED**, that the Town Board recognizes the 150<sup>th</sup> Anniversary Founding of St. Mary's Church, Crescent.

**RESOLUTION NO. 92-2018**

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

**RESOLVED**, that the Town Board authorizes the Highway Superintendent to enter into a Shared Services Agreement with the Department of Transportation for a period of four years in the not to exceed amount of ten thousand dollars per year (\$10,000) for maintenance of roads, subject to the review and approval of the Town Attorney.

**Councilman Hotaling:** I would like to thank the Highway Superintendent. He's done a lot over the years to share services with other towns and help each other out, so hats off to him and his crew.

**RESOLUTION NO. 93-2018**

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

**WHEREAS**, the Town Board intends to adopt Lead Agency status for the Halfmoon Vosbough Preserve; and

**WHEREAS**, the Town of Halfmoon intends to act as Lead Agency for the Project;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. That the Town Board of the Town of Halfmoon hereby gives notice of their intent to declare Lead Agency pursuant to the State Environmental Quality Review Act.
2. That the Town Supervisor for the Town of Halfmoon is hereby authorized to execute any necessary documentation to remain in compliance with the State Environmental Quality Review Act.

**RESOLUTION NO. 94-2018**

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

**RESOLVED**, that the Town Board acknowledges that the required examination or audit was conducted in compliance with Section 2019-A of the Uniform Justice Court Act for the Justice Court Records.

**RESOLUTION NO. 95-2018**

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

**RESOLVED**, that the Town Board of the Town of Halfmoon hereby authorizes Deputy Supervisor Paul Hotaling to attend the ACEC New York 51<sup>st</sup> Engineering Excellence Awards Gala on behalf of the Town of Halfmoon at which M.J. Engineering and Land Surveying, P.C. will receive the 2018 Gold Award in the category of Water resources for their Preservation of Historic Champlain Canal Structures in the Town of Halfmoon.

#### **RESOLUTION NO. 96-2018**

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

**RESOLVED**, that the Town Board authorizes the Highway Department to purchase the following equipment: 2018 Morbark Beaver M18R-TD wood chipper for \$90,973.50 from OGS Contract #NYSC#PC67648 and 2018 John Deere 450K Dozer \$84765.00 from NYSOGS Contract Group #40625 award #PGB22792

**Supervisor Tollisen:** Again, these are being purchased under state contract as we follow state contract bid policies.

#### **RESOLUTION NO. 97-2018**

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

**RESOLVED**, that the Town Board authorizes the Town Supervisor to execute an easement granting New York State Electric & Gas Corporation access to property owned by the Town of Halfmoon consisting of a 30 foot easement on Town Property located on Fellows Road for installation, construction, maintenance, relocation, inspection, replacement, ingress and egress for the transmission and/or distribution of electric current and/or for communication purposes, subject to the review and approval of the Town Attorney.

#### **RESOLUTION NO. 98-2018**

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

**RESOLVED**, that the Town Board authorizes the Supervisor to execute any documents necessary to claim the unclaimed funds currently held by the New York State Comptroller in the Office of Unclaimed Funds on behalf of the Town of Halfmoon.

**Supervisor Tollisen:** This is one of the things that while we were at the Association of Towns and at the table for Unclaimed Funds, found that the town was actually owed a little bit of money, about \$900 so we might as well put in a claim for those funds for our residents.

#### **RESOLUTION NO. 99-2018**

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

**RESOLVED**, that the Town Board hereby authorizes payment in the not to exceed amount of \$7,600 to Francis & Company to prepare an appraisal and trial ready documents for property located at The Kogstat Family Limited Partnership Property (Vosburgh Mobile Home Park), Vosburgh Road, Town of Halfmoon, to be utilized to defend an Article 7 lawsuit regarding proper assessed value, and to authorize the Supervisor to execute any documentation necessary to conduct the appraisal.

**RESOLUTION NO. 100-2018**

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

**WHEREAS**, a Project for the Pavement Preservation for Sitterly Road, US Route 9 to the Clifton Park Town line, P.I.N. 1759.86 (herein after the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

**WHEREAS**, the Town of Halfmoon desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Design and Construction/CI;

**NOW, THEREFORE**, the Town Board of the Town of Halfmoon duly convened does hereby

**RESOLVED**, that the Town Board of the Town of Halfmoon hereby approves the above Project; and it is further

**RESOLVED**, that the Town Board hereby authorizes the Town of Halfmoon to pay in the first instance 100% of the federal and nonfederal share of the cost of Design and Construction work for the Project or portions thereof; and it is further

**RESOLVED**, that the sum of \$482,167.00 is hereby appropriated from Highway and made available to cover the cost of participation in the above phases of the Project; and it is further

**RESOLVED**, that the additional sum of \$381,242.00 has been appropriated from Highway and made available to cover the cost of participation in the above phases of the Project; and it is further

**RESOLVED**, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and it is further

**RESOLVED**, that the Town Supervisor of the Town of Halfmoon be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Town of Halfmoon with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are no so eligible; and it is further

**RESOLVED**, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

**RESOLVED**, that this Resolution shall take effect immediately.

**RESOLUTION NO. 101-2018**

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

A resolution is necessary to close the project budgetary accounts for the Werner Road Water Storage Tank(s) Rehabilitation project for accounting purposes thru December 31, 2017. This capital project was for both a 750,000 gallon tank and a 1,000,000 gallon tank and updated security at the Water Treatment Plant. The total project was \$2,200,000 which was funded by Water Fund Capital Reserve, money left over will be returned to the Reserve.

Debit:	Appropriations 35-960	\$2,200,000
	Subsidiary: 35-5-8340.20 - \$2,200,000	
	Trans & Distribution–Capital Outlay	
Credit:	Estimated Revenues 35-510	\$2,200,000
	Subsidiary: 35-4-5031 - \$2,200,000	
	Interfund Transfers	

A resolution is necessary to reestablish appropriations within the Special Revenue Fund Budget for \$18,967.26. The purpose of this creation is to restore adequate budgetary appropriations (the original \$100,000 minus monies spent in the amount of \$81,032.74 in 2017) for the construction of a Dog Park per resolution 92-2017.

DEBIT:	Appropriated Fund Balance 25-599	\$18,967.26
CREDIT:	Appropriations 25-960	\$18,967.26
	Subsidiary: Parks-Dog - \$18,967.26	
	25-5-7110.20	

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	\$7,077.90
	Subsidiary: 25-4-2189 Home & Community Services	\$7,077.90
Credit:	Appropriations 25-960	\$7,077.90
	Subsidiary: 25-5-1440.40 Engineering Contractors Inspections	\$7,077.90

Information Only: The above was derived from the following breakdown of charges to be paid on March 1, 2018 Abstract for engineering and related fees.

NAME	AMOUNT
Crescent Gateway	\$170.00
Halfmoon Self Storage	\$1,445.00
Howland PDD	\$510.00
Paar Estates of Halfmoon	\$2,997.90
Regency Park	\$1,020.00
Werner Road	\$255.00
207 Route 146	680.00
<b>Total</b>	<b>\$7,077.90</b>

**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 Wasielewski, the meeting was adjourned at 7:10 pm.**

**Respectfully Submitted,**

**Lynda A. Bryan, Town Clerk**