

The September 15, 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
Eric A. Catricala, Councilman
Lyn A. Murphy, Town Attorney
Cathy L. Drobny, Deputy Town Attorney
Lynda A. Bryan, Town Clerk

Jeremy W. Connors, Councilman - Excused

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

PRESENTATION: ANDY GILPIN, EXECUTIVE DIRECTOR OF CAPTAIN

Supervisor Tollisen: The first thing on our agenda this evening is Andy Gilpin who is the new Executive Director of CAPTAIN. Good to see you. Andy has taken over as Executive Director and doing a great job. We have met a few times and we appreciate the great work that CAPTAIN does for us and for the community.

Andy Gilpin: Thank you for that introduction, it was very gracious and thank you for having me here tonight. I was just hoping to talk to everybody and introduce myself as the new Executive Director as I took over from Sue Cotroppa. I also want to say thank you to this Board and to the Town for their amazing support over the years. You're ongoing support has helped CAPTAIN develop, grow and support the residents and people of Halfmoon, all of those folks who struggle with food, or hunger, income security, economic crisis, and all of the different challenges that we are facing. We are able to be there because of the Town, their support and all of the other support that you guys have done over the years. I really want to say thank you for that. I also brought along a quick pamphlet to help show some of the growth that we have had over the years. (Andy passed a copy to each Board member). The last few years CAPTAIN has had a lot of growth. Our main focus which is the hunger, homelessness, and economic crisis and making sure that we are there for folks when they need us, especially during Covid. It was very difficult. There was a 30% increase in new people coming to us for either the food pantry, rental assistance, housing, shelter, and all of our programs with our run away and homeless youth. I don't need to tell you how difficult things were, but I am glad that we were able to be there for them and largely due to the support the Town has given to us. My primary focus was to say thank you, thank you for your continued support and let you know that we will continue to be there for folks, especially for our Outreach Center over in Halfmoon Heights. This week was our first week back with after school support and the kids coming in for homework help. We are doing programs for those kids who are doing remote learning. So, it was our first week back with full services. And getting back to a more normal thing. One of our Board members, Tom Savino was gracious to be here with me tonight.

Tom Savino: In addition to the support that the Town gives us, you may not know that CAPTAIN'S Treasures that is located in the Town of Halfmoon, is one of our biggest revenue generators to help support the other programs that we have. Again, thank you for your support, we love being in Halfmoon and stop in CAPTAIN'S Treasures every once in a while. Thank you.

Andy Gilpin: Please look through the booklet. If you have any questions let people know. If you come in contact with people in town let them know that we are there for them in any of these areas. We have 30 programs, and I think that is the amazing part and that is that we can do something for everyone from childhood to

seniors. Thank you for that support for Care Links for our seniors, they really do count on that support. Thank you.

Councilman Wasielewski: Thanks

Supervisor Tollisen: Just let me say from the Town side of it, we greatly appreciate CAPTAIN and the great work that they do. It is from our youth all the way to our seniors and everything in between. Whether it is care that they need, food or services, it is great to have a partner that you can call up and know that the people who are in need are being taken care of. I told Andy that I remember the first time I was in as Supervisor and Sue Cotroppa came and met with me. It was budget time and I think that she was trying to make sure that I wasn't going to cut her out of the budget because we had some pretty tough financial times. I always say that they are the front line and do an extraordinary job so from the Town of Halfmoon, thank you Andy and your entire team. They do a fantastic job, thank you so very much.

Andy Gilpin: Just an open invitation, if anybody is ever interested in a tour and see some of the programs and see what we do, I would love to take you around for that. Thank you.

Councilman Hotaling: Kudo's to your whole staff. I have been to Cheryl's Lodge, I have been to the runaway shelter. I can't say how much it appreciated knowing that those folks are being taken care of. The kids are learning and you don't have to worry about anybody. You guys are doing a fantastic job.

Andy Gilpin: Thank you, Paul. We have some of the best people working for us. I just can't say enough. It was amazing during Covid, they came together and dealt with different challenges, they never stopped coming in and never stopped dealing with the folks. They are super heroes in my opinion! Thank you.

Supervisor Tollisen: Have a good night.

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.

FALL CLEANUP DATES: 9/14, 9/17, 9/18, 9/21, 9/24, 9/25. You must have a sticker to show residency to gain access to the Transfer Station, available at no cost in the Town Clerk's Office.

HARVEST FESTIVAL AT THE HALFMOON TOWN PARK: Saturday, September 25th from 12:00pm to 4:00pm. Fall fun for the entire family!

COUNTYWIDE MUSEUM OPEN HOUSE: Saturday & Sunday September 25th & 26th from 12:00 to 5:00 pm. All museums in the County will be open including the Halfmoon Historical Society. Stop by and see 8 displays of Halfmoon History!

HAZARDESS WASTE DAY: September 25th from 8:00 am -2:00 pm at 22 Ray Road, near the Clifton Park Transfer Station. You must register with Clifton Park by September 22. Forms are available at the Town Clerk's Office or go to www.cliftonpark.org you may call 518- 371- 6651 for more information.

CLIFTON PARK – HALFMOON LIBRARY BUDGET VOTE: Thursday, September 23rd from 7:00 am – 9:00 pm at 475 Moe Road, Clifton Park.

BLOOD DRIVE – HALFMOON TOWN HALL: Thursday October 7, 2021 from 1:00 pm – 6:00 pm in the A. James Bold Meeting Room. To schedule an appointment call 1-800-RED-CROSS or visit redcrossblood.org and use sponsor code HALFMOONTOWNHALL.

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)

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

Yes, the Highway guys are finishing up paving Colonial Green and doing a fantastic job. Thank you to the Highway guy also for the Fall Cleanup at the Transfer Station. All of the guys pull together making sure that our residents are taken very good care of. It is greatly appreciated.

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

Thanks, Mr. Supervisor. I just want to thank you and the Town staff who put together such a wonderful 9-11 Ceremony this past Saturday. It was very well attended and just a beautiful ceremony. I would like to invite anybody who hasn't attended one of these ceremonies in years past to make sure that they see it next year. It is just a great thing that brings people together under difficult circumstances. Thank you. That is all that I have tonight.

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

Excused

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 would like to say that the Highway Department has done an outstanding job. I like to ride on our new pavement. It looks like we have shoulder to shoulder, 6 miles of road repaved. It might not sound like a lot, but if you run it with me, neither one of would finish. Thank you.

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

As you can tell, we have a fabulous new display in the foyer. The Library has announced the Two Towns One Book Community read this year is “Finding Dorothy”. The Halfmoon Celebrations Committee has all of these amazing costumes that will be worn for Halloween at Trunk or Treat and they have graciously allowed us to have them on display and eventually they will travel over to the Library!

The Historical Society will be a participant in the Countywide Museum Open House on September 25th & 26th from 12-5.

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

Lyn Murphy, Esq., (Town Attorney) I have no report this evening

Cathy Drobny, Esq. (Town Attorney) I have no report this evening

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

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 REPORTS –

1. Building Permits

Total # Permits – 36 Total Fees Submitted to the Supervisor - \$17,127.00

2. Fire Inspections

Total # Inspections – 33 Total Fees Submitted to the Supervisor - \$2,425

3. Town Justice Suchocki

Total # Cases – 139 Total Fees Submitted to the Supervisor - \$21,207.50

4. Town Justice Fodera

Total # Cases – 148 Total Fees Submitted to the Supervisor - \$21,831.00

DEPARTMENT MANAGER MONTHLY REPORTS – (Can be viewed at the Town Clerk’s Office) Building/Code Enforcement, Water Department, Planning Department, Animal Control, Assessor, Recreation Department

CORRESPONDENCE

1. Received from the NYS Department of Environmental Conservation the Notice of Complete Application for the permit submitted by Troy Topsoil and Aggregates for an expansion of the existing Troy Top Soil Co. Inc. mine located on Hudson river Road.

Received & Filed

2. Received from the Clifton Park – Halfmoon Library their Notice of Election on September 23, 2021 from 7:00am until 9:00 pm at the library located at 475 Moe Road, voting on the Budget and Election of Trustees.

Received & Filed

3. Received from CAPTAIN, a letter of thanks for the generous donations of items for CAPTAIN's Emergency Food Pantry and Karyl's Kupboard. It is greatly appreciated.

Received & Filed

NEW BUSINESS

RESOLUTION NO. 240-2021

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

RESOLVED, that the Town Board approves the minutes of Town Board Meeting of September 01, 2021 as presented.

RESOLUTION NO. 241-2021

Offered by Councilman Wasielewski, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Catricala
Resolution Introduced by Superintendent of Water Tironi

RESOLVED, that the Town Board authorizes the Supervisor to enter into an agreement with MJ Engineering and Land Surveying, P.C. for the McBride Road Water Main Extension in the not to exceed amount of sixty eight thousand nine hundred dollars (\$68,900.00) and to authorize the Supervisor to sign the agreement dated June 22, 2021, and any documentation necessary to complete the work, subject to the review and approval of the Town Attorney.

RESOLUTION NO. 242-2021

Offered by Councilman Hotaling, seconded by Councilman Catricala: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Catricala
Resolution Introduced by Superintendent of Water Tironi

RESOLVED, that the Town Board authorizes the Supervisor to enter into an Agreement with Abele Builders, Inc. to provide potable water to the Betts Planned Development Agreement and to authorize the Supervisor to execute any documents to enter into the Agreement, subject to the review and approval of the Town Attorney.

RESOLUTION NO. 243-2021

Offered by Councilman Wasielewski, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Catricala
Resolution Introduced by Superintendent of Water Tironi

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Tyler Technologies to provide Neptune 360 meter reading equipment and associated support and software in the not to exceed amount of \$6,770.00 and further authorizes the Supervisor to execute said agreement, subject to the review and approval of the Town Attorney.

RESOLUTION NO. 244-2021

Offered by Councilman Wasielewski, seconded by Councilman Catricala: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Catricala
Resolution Introduced by Comptroller Hatter

RESOLVED, that the Town Board approves the Comptroller’s Report for the month of August, 2021 as presented.

RESOLUTION NO. 245-2021

Offered by Councilman Catricala, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, & Catricala
Recused: Wasielewski
Resolution Introduced by Building, Planning Development Coordinator Harris

RESOLVED, that the Town Board hereby approves extending the Kensington at Halfmoon Phase II Planned Development District for an additional one year period, to commence development by September 21, 2022.

Supervisor Tollisen: I will note and Mr. Catricala and Mr. Hotaling will agree that as condition of that, it would be part of the letter that they are putting in water service to the resident on Stone Quarry Road within 90 days of Board approval.

Supervisor Tollisen: Is that okay with you Mr. Catricala?

Councilman Catricala: Yes.

Supervisor Tollisen: Is that okay with you Mr. Hotaling?

Councilman Hotaling: Yes.

POLL OF THE BOARD

Councilman Catricala	Aye
Councilman Wasielewski	Recuse
Councilman Hotaling	Aye
Supervisor Tollisen	Aye

RESOLUTION NO. 246-2021

Offered by Councilman Wasielewski, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Catricala
Resolution Introduced by Supervisor Tollisen

RESOLVED, that the Town Board hereby agrees to act as project sponsor on behalf of Sysco in their application for funds from NYSDOT pursuant to the CMAQ program, funds to be utilized to convert their food distribution vehicles to zero emissions vehicles, at no cost to the Town, subject to the review and approval of the Town Attorney.

RESOLUTION NO. 247-2021

Offered by Councilman Wasielewski, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Catricala
Resolution Introduced by Building, Planning Development Coordinator Harris

RESOLVED, that the Town Board hereby to accept for Road Dedication Wheatfield Way, Dutch Lane and Paper Street, in the Pinebrook Hills PDD. The standards as set by the Town of Halfmoon Roadway Dedication Procedure have been satisfied, with minor conditions. The required documents will be finalized and executed by the Town Attorney. The Town shall not issue certificates of occupancy or maintain, plow or otherwise care for the roads until proof of recording of the documents with the County Clerk's office are received.

RESOLUTION NO. 248-2021

Offered by Councilman Hotaling, seconded by Councilman Wasielewski: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Catricala
Resolution Introduced by Supervisor of Buildings & Grounds Maiello

RESOLVED, that the Town Board hereby hires James T. Williams, Sr. as a part time Cleaner to work less than 30 hours per week, Grade 1 Step Base Pay \$16.81/hr., subject to successful completion of pre-employment testing.

RESOLUTION NO. 249-2021

Offered by Councilman Hotaling, seconded by Councilman Wasielewski: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & Catricala
Resolution Introduced by Supervisor of Buildings & Grounds Maiello

WHEREAS, the Town Board of the Town of Halfmoon has previously approved the repairs necessary for the Town Highway Garage; and

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

WHEREAS, the Town received one bid for the project from Machnick Builders, Ltd. In the amount of \$46,500;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Town Board of the Town of Halfmoon hereby awards the bid for the repairs necessary for the Town Highway Garage to Machnick Builders, Ltd. in the not to exceed amount of \$46,500.00 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.

RESOLUTION NO. 250-2021

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

WHEREAS, the Town Board of the Town of Halfmoon has previously approved the purchase of a 2022 Senior Transport Bus with a capacity of 12 passenger seats and 2 wheelchairs plus the Driver; and

WHEREAS, the purchase involved letting bids to determine the apparent low bidder for the purchase contract; and

WHEREAS, the only bid received for the purchase of the vehicles was from Don Brown Bus Sales, Inc. in the amount of \$72, 030.00;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 2. That the Town Board of the Town of Halfmoon hereby awards the bid for the purchase of a 2022 Senior Transport Bus with a capacity of 12 passenger seats and 2 wheelchairs plus the driver to Don Brown Bus Sales, Inc. in the amount of \$72,030.00, and authorizes the Supervisor to execute any and all necessary documents to proceed with this purchase, subject to the review and approval of the Town Attorney.

Councilman Hotaling: I would like to personally thank Supervisor Tollisen for his hard work on this obtaining a grant to pay for part of this vehicle.

Supervisor Tollisen: You as well, Mr. Hotaling for your hard work.

RESOLUTION NO. 251-2021

Offered by Councilman Wasielewski, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Tollisen, Hotaling, Wasielewski, & 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	\$359.04
	Subsidiary: Home & Community Services		
	25-4-2189.00		\$359.04
CREDIT:	Appropriations	25-960	\$359.04
	Subsidiary: Engineering Contractors Inspections		
	25-5-1440.40		\$359.04

Information Only: The above was derived from the following breakdown of charges to be paid on September 16, 2021 Abstract for engineering and related fees.

NAME	AMOUNT
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Paar Estates	\$359.04
Total	\$359.04

A resolution is necessary to create the project budgetary accounts within the Capital Projects Fund for the Hayner Road Water Main Extension. The project will improve system hydraulics and increase redundancy by installing new ductile iron pipe (DIP) between the existing water mains to complete a loop on Hayner Road between Route 236 and Lower Newtown Road.

DEBIT: Estimated Revenues 35-510 \$830,000
Subsidiary: Interfund Transfers
35-4-5031 \$830,000

CREDIT: Appropriations 35-960 \$830,000
Subsidiary: Transmission & Distribution- Hayner Road Water Main Ext.
35-5-8340.25 \$830,000

Create budgetary accounts from Town of Halfmoon Water Fund:

DEBIT: Unappropriated Fund Balance 30-911 \$830,000

CREDIT: Appropriations 30-960 \$830,000
Subsidiary: Transfer to Capital Projects
30-5-9950.90 \$830,000

A resolution is necessary to create the project budgetary accounts within the Capital Projects Fund for the McBride Road Water Main Extension. The project will improve system hydraulics and increase redundancy by installing new ductile iron pipe (DIP) and/or high-density polyethylene pipe (HDPE) between the existing termination points of the distribution system to complete the loop between Larsen Place and the existing 12-inch main on Pruyn Hill Road. The project will be funded by Water Fund Capital Reserves.

DEBIT: Estimated Revenues 35-510 \$1,174,250
Subsidiary: Interfund Transfers
35-4-5031 \$1,174,250

CREDIT: Appropriations 35-960 \$1,174,250
Subsidiary: Transmission & Distribution- McBride Road Water Main Ext.
35-5-8340.26 \$1,174,250

Create budgetary accounts from Town of Halfmoon Water Fund:

DEBIT: Appropriated Reserves 30-511 \$1,174,250

CREDIT: Appropriations 30-960 \$1,174,250
Subsidiary: Transfer to Capital Projects
30-5-9950.90 \$1,174,250

The following creation is necessary in the Landfill Post-Closure Care Capital Fund per Resolution #238-2021, September 1, 2021 authorizing MJ Engineering and Land Surveying, P.C. to perform annual Environmental Monitoring Services at the Town Landfill site in accordance with NYSDEC approved Post-Closure Monitoring & Maintenance per the operations manual in the not to exceed of \$6,500. This creation will set up one year of funding in Post-Closure Care Capital Fund. Monies from the Post-Closure Care Reserve Fund will fund these expenditures.

DEBIT: Appropriated Reserves 40-511 \$6,500

CREDIT:	Appropriations	40-960	\$6,500
	Subsidiary: PC Landfill Capital Outlay		
	40-5-8160.20		\$6,500

PUBLIC COMMENT (for discussion of non-agenda items)

John Higgins, 31 Cary Road: I noticed that there was a resolution that was skipped over, is this not accurate?

Supervisor Tollisen: The resolution was removed during the pre-meeting as there was no need for the resolution.

John Higgins: Thank you.

Supervisor Tollisen: Just for the record, Mr. Higgins and Mr. Mars spoke at the pre-meeting regarding some of the run off issues that they have had with respect to the Marini development. I will note that Mr. Goldman, who is the attorney for Mr. Marini is here tonight. I think that Mr. Goldman wanted to address the Board briefly on that. I will note that I did have a conversation with Mr. Goldman yesterday who assured me that any of those issues would be resolved so that we would not have continuous issues. Our Director of the Planning Department, Mr. Harris is here and is on top of the matter.

Mr. Goldman: Thank you. My Name is Paul Goldman and I represent Marini Builders. I personally was out on the site yesterday to look at it. I want to tell you that we are working on this issue and working on it diligently. We really haven't been able to view the issue until today when we had the rain event. So, today we went there to look at it and I want to answer some questions. The structures were built as designed so there is no issue with the design of the structure. There was no failure of the check dams or any of the materials so we were containing the particulate so that we saw that there was no failures. So what we found today was that we have a very fine clay siltation that is running through our filter paper. That is not ideal for us. We are not looking to hurt our neighbors, we are not looking to hurt the community. That is what I called the Supervisor about. Mr. Harris knows me and I just want to come up here and say that we are taking this seriously. The problem is that the silt running from the clay is going through the filter paper. So we consulted today with an engineer and we have to put in a new finer, tighter filter paper on the front side or the project side of the dam. We are not going to remove any of the check dams or any of the stuff that is there so that is the next step. We have to wait for conditions to do that. I just wanted everyone to know that we are serious. We are not looking to hurt anyone. I just want to point out that our goal is that nothing is leaving our site. That is our goal. There are other contributing factors past the site which I have observed which contribute to the problem, but that's our goal. We are working on it. We are not leaving you guys in the lurch. We are not leaving the neighbors in the lurch. We appreciate the passage of the resolution on the dedication. Any other questions for me?

Supervisor Tollisen: Does the Board have any questions? Mr. Higgins, Mr. Mars do you have any questions?

John Higgins, Cary Road: Thank you for the update. What I mentioned in the pre-meeting and I talked about with Mike Marini several times, and Rich and Paul. The project, I voted for it on the Planning Board. I am in favor of the project, it's a great project. It is a good use of the land. There is only five lots that are really affecting the run off. Those are the five lots on the right going up the hill. Now, I mentioned to Mike Marini, the very first lot next to the stream, if you put a house there then there is not going to be any way in the future to do any kind of storm water

retention pond. Mike was going to talk to his partners, his brothers to see if that lot has in fact been sold and if it hasn't been sold to try and hold it off because the way the water comes down the hill there. If you were out there, you would have saw it. It goes right over the top of the temporary dams. Mike Marini and I were out there and we saw it. Last Labor Day, I happened to be there when we had the big storm and I actually saw it going over it and I took pictures. The rest of the development up the hill, that water goes the other way and doesn't really affect the front section. Also, the retention pond was pumped last week and dug out almost twice as deep and as of today it was already filled and over flowing. He was going to talk to Ivan about possibly checking the calculations and seeing if another retention pond might be required. So, that's all that we are saying is if they could, those five lots, especially the first one, they could hold off selling that one because I am not an engineer but if you look at it, another retention pond, may have to go in that spot.

Also, I mentioned in the pre-meeting that Will and I are going to take care of cleaning our ponds. We don't expect the contractor to do anything on our properties, we will take care of our own. Thank you.

Supervisor Tollisen: Very good. Mr. Mars, do you have anything?

Mr. Mars: No.

Mr. Goldman: Just on that, we have consulted with Mr. Zdrahal, we got a consulting engineer, Mr. Loucks to look at that. Let's see what they have to say in the terms of the filter paper and see how it goes. We have some of the HOA land available if we need to put in another retention basin in on there. We don't want to lose a lot, that's an issue to us but

Supervisor Tollisen: Just to be clear, the Town Board isn't requiring that. I think that it was mentioned, there was a discussion about it, so Mr. Higgins, and I am not speaking for him and just to be on record on that, I think that the big thing is and it sounds like from today's visit that you found something that potentially can help assist in this issue and that will be welcome news especially for these two homeowners that are in your neighborhood.

Mr. Goldman: We're not looking to hurt anyone. That is not who my client is. That's not who I am. We have to take this seriously. But, that is what we found, that the silt is so fine that it is running through the paper with the force of the water if you could imagine this. So, we have to get the engineers on it, wait for it to dry out a little bit then put in the next step. We are going to be at this. We are going to be part of this project for probably two years. It's not really a great thing for me to come here and explain this to your residents and to your Board members. It's not good. It's not ideal for us. We're working on it. We're not walking away from it and that is the message.

Supervisor Tollisen: Well, we appreciate it. The developer has been responsive anytime our office and the Planning Director has called. Thank you.

Mr. Goldman: Thank you.

Supervisor Tollisen: Anyone else?

There being no further business to discuss or resolve, on a motion by Councilman Wasielewski and seconded by Councilman Hotaling, the meeting was adjourned at 7:27 pm.

Respectfully Submitted,

Lynda A. Bryan, Town Clerk