

The September 7, 2022 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
Jeremy W. Connors, Councilman
Eric A. Catricala, Councilman
Lyn A. Murphy, Town Attorney
Cathy L. Drobny, Deputy Town Attorney
Lynda A. Bryan, Town Clerk

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

Supervisor Tollisen: I just want to make a comment that that was awesome to hear everyone join in the Pledge of Allegiance. It is so good to hear everyone joining in.

The next item on the agenda is the Tribley Mix Use PDD. I have had a very close relationship with Ms. Tribley during her life and as I have done throughout this, I have recused off of this matter. I am going to turn this over to Deputy Supervisor Hotaling and excuse myself from this portion of the meeting and I will be back as soon as this part is done.

PUBLIC HEARING: TRIBLEY RESIDENTIAL PDD

Deputy Supervisor Hotaling: Good evening everyone.

OPEN: 7:03pm

Deputy Supervisor Hotaling: We are going to have Mr. Dell do a brief presentation. We have all of your comments and letters on file. We will be giving everybody a 3 minute opportunity to speak on the project.

Jason Dell, Engineer for Lansing Engineering: Good evening. I am here on behalf of the applicant for the Tribley Mix Use PDD. As you indicated, we are here this evening for the public hearing for the project with the hope and goal to move the project forward

- 22.08 acre site on 315 Farm to Market Road Zoned A-R, Agricultural – Residential
- It consists of a development of a new PDD for the creation of 42 single family homes
- Access to the project will be via a new road connecting to Farm to Market Road as well as via a connection to Saville Row.
- Approximately, 2,450 linear feet of proposed roadway 7 to be dedicated to the Town of Halfmoon.
- We meet all of the requirements of the GEIS Statement of Findings which requires 20% of Open Space
- 30' no cut buffer along the southern boundary & SW boundary
- Public Benefit:
 - 6,000 sf. Maintenance garage at the Town Park for the use by the Town personnel
- Water: connection to an existing municipal water on Farm to Market Rd.
- Sanitary Sewer Service: provided by a connection to the Saratoga County Sewer District (SCSD #1) located within Saville Row
- Stormwater: will be managed on-site through the use of multiple green infrastructure run-off reduction practices

Jason Dell: We are here this evening to answer any questions the public or the Board may have for this project and hope to advance the project forward. Thank you.

Deputy Supervisor Hotaling: Anything from the Town Board?

Councilman Wasielewski: We have had the benefit I think of two years of meetings on this project, at least one and a half years. The original proposal was a far different animal than what we see here today. At the last Planning Board meeting on August 8th, I thought it was decided that the number would be 38 units and tonight I'm hearing 42.

Bruce Tanski, Clifton Park: That's correct, but after doing a lot of research, I have to go back to the 42 units, only because of the cost of the road which went from before Covid from \$750 a foot to \$1,100 a foot, plus the cost of materials. Square foot on a house now went from \$180 to \$250 a foot and these are just raw costs. That would be a big detriment if we didn't have the extra lots. That would be the reasoning behind it.

Councilman Wasielewski: So 42 is your final number?

Bruce Tanski: Correct.

Deputy Supervisor Hotaling: Anyone else? Anyone from the public have a question? Come forward, state your name and address for the record and remember that you have 3 minutes.

Ed Dewhurst, 17 Gladstone Circle: I have written 3-4 letters to the Town Boards

- The Open Space that is close to Farm to Market, a little more than 4 acres, I think should be designated as permanent Open Space
- In the Code for a PDD, it calls for a Common Open Space which I think is appropriate for this community, about 2.2 acres. It would reduce the number of homes & lend itself to the area: trails or play area for the targeted seniors & starter families
- To be comparable with the smaller lots to the surrounding communities, the smallest lot size should be 10,000 sf
- All wetlands, permanent open space & 30 no cut buffer zone should be protected by deed restrictions with permanent markers
- 36 homes should be appropriate for the land size
- These points should be written into the Local Law & Town Code
- All Stormwater features done on site, great care has to be taken as the storm water is going to run into downstream 8.1 mile into a trout spawning stream

Town Attorney Murphy: We do have all of your letters and they are made part of this record and will be referenced when this Board makes a decision, but they did set a 3 minute limit and we have reached it.

Mike Morand, Arlington Heights: Good evening. I just want to comment on a couple of things:

- I was at the Planning Board meeting when they made a positive recommendation to the Town Board with the following conditions:
 - Max. 38 units/homes
 - Maximize the number of lots at 10,000 sq. ft. or greater
 - The connecting road to Saville Row shall be a full two-way access town road
- Everyone on that Planning Board made that positive recommendation under those conditions.

- Based on this, I do not see how you can approve at 42 units/homes as Mr. Tanski & Mr. Dell have stated they must have 42 instead of the 38 units/homes based on rising costs.
- I want to thank the Town Board for going forward with my request for a speed study. I look forward to the results and hopefully get the speed lowered

Sharon Levitas, 37 Saville Row, I live next to the proposed road: We knew when we bought the house that there was a paper street, nobody's in shock here.

- Problems are: possibility of construction invading our area with its issues
- My suggestion for a compromise for the new road: Make it an emergency only during construction & might eliminate some dirt & help with parking outside
- The farm zoning was for about 20 houses without a variance. I do not understand how we get to 42 from 20 so that you get a parking garage.

Phil Wolf, 19 Saville Row: President of the Arlington Heights HOA

- Traffic Study: Only included 3 of the 4 intersections. Wheatfield Way, Pinebrook Hills & Farm to Market should have also been considered
 - Should also include new projects being developed on FTM Road
 - Town should be looking to reduce traffic instead of overloading
- Attended a Planning Board meeting on solar project & residents noted that the project was close to their homes, not compatible & the Planning Board rejected the project that evening. Similar situation with the Tribley project.
 - High density housing inconsistent in that area
 - Minimum lot size needs to be considerably larger than 10,000 sf
 - Showed the lot sizes in Arlington Heights & gave their numbers

Attorney Murphy: Sir, we do have all the written comments that have been submitted and is part of the record. They are doing a 3 minute

Phil Wolf: and I'm up?

Attorney Murphy: You are. Sorry.

Phil Wolf: I just wanted to bring up what Mr. Dewhurst brought up I was going to go over again about the common areas. There is no common area, no recreational area in the development. Thank you.

Mary Arzoumanian: 347 Farm to Market Road:

- Traffic: Today during a 10 minute period, 100 cars went by my house. 5 Minute period, 40 cars went by my house.
 - School days at FTM & Route 9, you will get backed up.
- Economic Development: We don't want taxes raised but after the census, the population growth in Halfmoon has only been 367 people (not families). What is the reasoning behind a new development?
- Not a lot of job growth in the area, our labor force is down. Can we support this development?
- Traffic study not getting the whole story without including the new & not finished developments such as the one down the road
- What is the timeline for the current development & now this one?
- Have difficulty getting into driveway because of traffic & debris along road
- Has there been a cost benefit analysis? What is the impact to our water & sewer and the impact of our taxes, and schools

Attorney Murphy: Thank you very much for your comments. You are a little bit over, but maybe Mr. Dell will respond as it relates to the time line.

Mr. Dell: By summer next year. Speaking from the audience & could not hear the rest.

Patricia Amedore, 29 Saville Row: I live near the water retention pond is going to be

- Is that going to be privately owned & who is going to maintain that area?

Mr. Dell: The Stormwater area is intended to be dedicated to the Town of Halfmoon for ownership & maintenance.

John Arzoumanian: 347 Farm to Market Road:

- The Proposed Garage: I wish I could get more information concerning that

Attorney Murphy: That is off the table.

John Arzoumanian: Oh, that is off the table.

Attorney Murphy: Correct.

John Arzoumanian: Thank you so much, appreciate that.

Mary Anderson, 12 Danforth: I live in Kingsbrook across the street

- Children trapped in the development because of FTM Road
- Is the public benefit still under consideration & maybe the benefit could be tailored to the area that is in question:
 - Walking path on FTM Road
 - Park or green space would benefit the public that is being directly impacted by this project

Carol Steven, Arlington Heights:

- Question for Mr. Dell: You said that you were donating the garage to the Town of Halfmoon and now you're saying it is off the table?

Attorney Murphy: There was discussion at a previous meeting as it related to contributing towards the renovations to the Highway garage, I assume that is what that gentleman was referring too. We are no longer talking about that.

Carol Steven: So, when Mr. Dell made his proposal about the maintenance garage and you're saying that is not part of it? So he misspoke? So he led us to believe

Attorney Murphy: I honestly did not hear him say that, so I do not want to characterize what he said

Carol Steven: He definitely did.

Attorney Murphy: OK. The Town Board is not accepting that proposal.

Bruce Tanski: My original proposal was for a 6,000 sf maintenance garage at the park. Now, whether that is going to be acceptable, that is a decision that the Town Board has to make. Whatever decision that come up with, I will acquiesce to that and do what they want. Thank you.

Comment made from the audience

Attorney Murphy: The Town Board is saying that they're not accepting that as the public benefit.

Comment made from the audience

Attorney Murphy: I am the attorney who writes the legislation. I am telling you that is not going to be part of the legislation.

Comment made from the audience

Attorney Murphy: That is still being discussed. It is not going to be that.

Mary Anderson: How does the public benefit get chosen? Do you have a pick list and find something that has a similar cost or can people come and say we want this and put it on the list for consideration?

Attorney Murphy: I am sorry. Just for purposes of the record, Mary Anderson, correct?

Mary Anderson: Correct. That is what I'm asking. I don't think that most people in this room know.

Councilman Wasielewski: I think that your suggestion is a good one. The people most affected by any project should have a say in what they would like to see the public benefit monies used for. I think that is the sentiment of the Board.

Pat Donovan, Arlington Heights: I'm a little confused about something. I was at that Planning Board meeting. At the conclusion of it, the Planning Board recommended the 38 homes with a 10,000 sf minimum and talked about the connecting road.

- If the Planning Board, who is familiar with the building, recommends to the Town 38 homes and he comes in and says 42 and we're back to square one again.
- I moved from Galway & picked Arlington Heights in a farming type town. I know I was surrounded by vacant property and eventually developed and naively thought that it would look similar to what I was living in.
 - The idea that we are not going to have a similar property next to us is disappointing.
 - I'm disappointed that someone can come in and propose something like the apartments, but I don't think that this is much better. It's too crowded,

Deputy Town Supervisor: Anyone else care to speak?

Mo Lynch: I had a lot of words to say to hold the builder to a couple of things

- Foundation drains, sump pumps will go to a storm sewer and not to daylight as in the other neighborhoods.
- We have a water problem on Saville, it floods.
- We have heard about Camp LeJuene water contamination
 - I am a victim of Camp LeJuene water pollution and have cancer
 - I will not tolerate run off in my yard. With the addition of soil and lack of berms, there will be flooding. I won't tolerate that. If it requires a load to go to a lawyer, I will.
 - HOA meets here tomorrow night & I will talk to them about retaining a lawyer to not have it flowing through my yard or my neighbors.
 - I can put a berm in my yard, but it will then go to my neighbor's yard and I won't do that. I'll fight you to the end. Thank you.

Deputy Town Supervisor: Anyone else care to speak? Hearing from no one, I will close the public hearing.

CLOSE: 7:35 PM

Deputy Town Supervisor: What is the Board's pleasure?

RESOLUTION NO. 277-2022

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

RESOLVED, that the Town Board tables the public hearing for the Tribley Residential PDD to the September 21st meeting.

Deputy Town Supervisor: Motion passed. I will table the meeting until September 21st at 7:00 PM. We will take a 5 minute recess. Thank you everyone.

Supervisor Tollisen presided over the meeting.

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.

FARMER’S MARKET: Every Wednesday from 3-6 in the Abele Park. Come visit our local farms, crafters, and vendors that will be on hand every week.

SUSAN B. ANTHONY: An Evening with Susan B. Anthony on Thursday, September 8th at 6:00pm in the Foyer of Town Hall. In 1878 Susan submitted a proposed amendment to the Congress and 42 years later in 1920, it became the 19th Amendment to the U.S. Constitution. Come and listen to her story!

9-11 REMEMBERANCE: Sunday, September 11, 2022 at 6:00pm at the Abele Memorial Park

CLIFTON PARK-HALFMOON LIBRARY ELECTION – Thursday, September 15th from 7 AM until 9 PM at the Public Library at 475 Moe Road. The election is for voting for the Budget and Election of Trustees.

PAPER SHREDDING DAY: Saturday, September 17th from 9:30am to 11:30am at the Highway Department located at 322 Route 146. This is a FREE service to Town Residents, but you are encouraged to bring canned items for donation to a local food pantry with a maximum of 3 bags/boxes to be shredded. Registration not required.

FALL CLEANUP: Fall Cleanup is limited to Halfmoon Residents and no contractors. A required Transfer Station sticker can be obtained at the Town Clerk’s Office. Dates: September 20, 23, 24, 27, 30 and October 1st.

Times: Tuesday 8am-12pm, Friday 12pm-5pm, Saturday 8am-3pm

Fees: Car Load \$5.00, Truck/Van Load \$10.00, Trailer/U Haul, Priced accordingly. Regular household garbage, charged normal rate

HARVEST FESTIVAL: Saturday, September 24 from 12:00pm to 4:00pm Kids fun activities, Shopping/Vendors 12:00pm to 7:00pm. Chicken BBQ Dinners 4:00-6:00pm, Live Music Featuring Jukebox Rebellion 4:30-7:00pm and Fireworks at 7:00pm. Come and join us for a fun filled day!

2022 RABIES CLINICS: October 8. At the 4-H Training Center 556 Middle line Road, Ballston Spa. Cats 5:30-6:30, Dogs 6:30-7:30
Vaccinations are FREE.

ERIE CANAL TOWPATH WALK: Saturday, October 8th at 10:00 am. Park at the Town Complex and you will transported to the Trailhead. Upon completion of the

walk, we will return to Town Hall and enjoy lunch at the Historical Society Building and Highlight the History of the Canal.

COUNTYWIDE MUSEUM OPEN HOUSE: October 8, 9, 10th from 10am-1:00pm. The Historical Society will be featuring two new displays: One Room Schoolhouse, the History of Quilting and the connection with the Underground Railroad, and History of the Erie Canal.

MOTT APPLE EMPIRE PRESENTATION: Did you know that the Mott Company started right here on Farm to Market Road? Come to Town Hall on Tuesday, October 25th at 6:00 pm to hear about this amazing piece of Halfmoon History!

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).

Trails and Open Space Committee: 9/19, and 11/21/22, at 7:00 pm in the Town Hall.

Supervisor Tollisen: Please note the number of Community Events that are on the agenda.

PUBLIC COMMENT (for discussion of agenda topics)

Sharon Levitas, 37 Saville Row: I'm totally confused. We were told the public benefit was going to be a parking garage and now it's not. Can somebody explain that to me? Is that a question that I am allowed to ask?

Attorney Murphy: The Supervisor has a conflict as it relates to this matter. The public hearing was closed. So, that is done. I would be more than happy to step out and explain it to you. It is just that he has a conflict as it relates to this matter and they closed the public hearing.

Sharon Levitas: I'll be happy to do that. Thank you.

Attorney Murphy: Perfect.

Comment from the audience that could not be heard.

Attorney Murphy: You were given an opportunity to speak. They closed the public hearing. It is up to the Board but they closed the public hearing. I thought that I was pretty clear that that facility is off the table, but I would be more than happy to take the time to step out to explain it.

Supervisor Tollisen: Let me step out for a minute as I think that there is some confusion.

Comment from the audience that could not be heard.

Attorney Murphy: You want to be part of the record for the public hearing. Just making comments does not make you part of the record for the public hearing and you want that. That is why we give you the opportunity to speak.

Councilman Connors: Please explain.

Attorney Murphy: The maintenance facility is off the table. At the first meeting, it was mentioned. Many of the residents were not happy with that idea as a public benefit for your community so the Board said that we are not doing it. Is that unclear?

Phil spoke from the audience and was not heard.

Attorney Murphy: I think that there was some communication issues, I don't know, but he does not control what's in the legislation, this Board does.

Someone spoke from the audience and was not heard.

Attorney Murphy: I didn't even hear said to be honest with you but I know that this Board has said that they are rejecting that based on the comments from the residents.

Councilman Catricala: This is nothing new, what we are talking about. Who is Phase II? Whose houses are in Phase II? You all can't be in Phase I in Arlington Heights. Phase I for some reason, from what I understood, did not pay a public benefit. Everybody in Phase II paid \$2,000 per household.

Attorney Murphy: I think the confusion is that maybe they didn't pay the \$2,000 but the builder did.

Councilman Connors: It was incorporated into the price of your home.

Much talk in the audience.

Councilman Connors: We're done with the public hearing piece for the Tribley project. We are going to resume our scheduled meeting. We will have the Supervisor come back in.

Attorney Murphy: You can always submit, like you have been doing to the Planning Department anything that you want in writing and it will be included in what the Town Board refers to. It's just legally, when the public hearing closes, it's closed.

Supervisor Tollisen came back in.

Supervisor Tollisen: Sir, do you have a question?

Roger George, 9 Hidden Farm Lane: Awhile back I spoke about a project that the Board was considering that at the time was an apartment project that more affected me personally. I haven't followed with the revised project that the Board has held some discussion with. I came to a meeting recently to hear some public comments. I might add that I requested from the Town Clerk some copies of documents that area residents had already sent into the Town. I was told that I could get them and later got a form that I had to fill out for each project but I didn't end up following through. Sitting at a recent meeting and hearing a number of residents getting up and making very specific comments with square footage and so forth and hearing the attorney and I'm referring to a meeting in general

Attorney Murphy: I am just going to respectfully request that a Town Board member, Deputy Supervisor Hotaling respond to this question as opposed to the Supervisor

Roger George: I haven't said my question yet. I heard some very specific information being exchanged and I heard the Town Attorney, and I forget your exact words, excuse me, but this was already in the record or the Town has received....I was surprised that these concerned residents were held to just 3 minutes, but would

respectfully suggest that when there is considerations before the Board like this, if you already heard comments with specific data, you hand out an agenda, multi-page that really isn't critical for most of us. I think it would be helpful to have a summary of some of the concerns that have been raised and so when the speakers are cut short by saying this has already been presented by you and the Board is aware of it or has considered it. What are the awareness's and what considerations have been given, I think that would be more respectful to town residents in general. So, that's my point. Another case in point, the decisions that the Board has already reached that the residents aren't aware of such as any community benefit that is going to be forth coming for a project. I just think that the public could be more respectfully noted and heard in such matters, as an outside observer just coming here tonight. Thank you.

Deputy Supervisor Hotaling: Thank you for your comments. They will be taken into consideration.

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Kevin J. Tollisen (Town Supervisor) Does anyone else have any questions on the agenda this evening? OK.

I just have one item that is not on the agenda. Currently, the Town Board has been considering through the recommendation of the Director of Water, the Town water billing that goes out twice a year. The billing rate is \$4.95 per thousand and I believe up to 60,000 gallons and then there is a tier that goes from that to a higher rate. Based upon our analysis of this and the very dry summer and the increased costs across the board, I would ask the Board for a resolution to remove the tier rate and before the billing goes out shortly, that it just be the base rate across the board for residential and not be subject to a tier based upon the very dry summer.

RESOLUTION NO. 278-2022

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

RESOLVED, that the Town Board hereby amends the current residential water rates to remove the tiered billing rates and authorizes charging the current base rate of \$4.95 per 1,000 gallons regardless of the gallons used, subject to the review and approval of the Town Attorney.

Supervisor Tollisen: I will note, I want to be as transparent as possible here with the cost for the Town to purchase water. As you know, we purchase water from the City of Troy, the Tomhannock Reservoir and we also purchase water from our second source, Saratoga County Water Authority. The rates change yearly and I will tell you that we just received the rates from the City of Troy and they went up 16% over one year just to purchase water. So, just know that we will be putting it in the billings and just charging the base rate this year, but note that water rates are going to change because unfortunately our costs just to purchase water before we treat it, has gone up significantly. We are very attentive to the costs to our residents. I want it to be very clear that we expect to increase it only as much as we need, but that there will be an increase in the next billing cycle. We want everybody to be aware of it. The calculations that I did for my own house of 4 people and 2 of them are kids who shower 5 times a day, is about a \$12 increase. Any increase is a lot, but we just want to make it clear. The raw purchase of water is going up significantly for the Town so we need to be aware of that.

The second part of my report is the Town Budget, it is in process. The Deputy Supervisor and I have met with all of our Department Managers and the

preliminary will be submitted by the end of the month. The good news is the Town is in very good financial shape. The Town is doing very well and in our General Fund we have about \$10 million dollars in reserves. We continue to budget very fiscally conservative. When we do the budget, and the budget is submitted to the Town Board by the Comptroller. I will have Budget Highlights and go over them with everyone. But just note, that the Town Budget is looking ok. Also note that insurance rates is another factor in the Town Budget and they look like they are going up about 10%. I have seen some analyses and not for us but for some are even higher. I'm not sure where you all get insurance but costs are continually creeping up. That is it for my report.

Councilman Wasielewski: Mr. Supervisor, just for the record, could you mention how commercial water rates might be effected, if at all?

Supervisor Tollisen: We have not changed the commercial water rates with respect to this resolution whatsoever. This is only for residential.

Councilman Wasielewski: Thank you.

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

I just want to highlight a couple of things on the agenda. Our Town staff does a great job but over to the Highway garage we have paper Shredding Day on September 17th from 9:30 – 11:30 and Fall Cleanup, all of the dates are listed. Thank you.

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

Supervisor Tollisen: I did want to mention that some of you I know are here regarding the Eco Park. Just know that that is not on our agenda yet. It is actually with the Planning Board right now. What we are doing is, we have set up an e-mail list from my office. As this project goes forward and you want to be advised of what happens on the Town Board side, you can sign up to be e-mailed. We got a petition with many signatures and I believe mostly from Sheldon Hills. Just know that these signatures and letters received are part of the public record for the Town and for this project. My secretary Terri will pass along the list and as we continue the meeting, you can sign up to be placed on the master e-mails list. Just note that it is not before the Town Board yet, it is before the Planning Board. They have not sent any public information yet and even when they are done with it, note that it will come back to the Town Board and a public hearing would be in order before anything happens with that. There is quite a process with this Eco Park and I know that there are some questions and concerns, but know that the process will be very transparent and we want you to be part of that. If you have any questions after the fact, please feel free to reach out to my office and I am happy to talk and meet with anybody that wants too. Terri will start to pass that list around. Mr. Wasielewski, back to you.

Councilman Wasielewski: Thanks Mr. Supervisor. I would just like to invite all Town residents this Sunday at 6:00 PM to the annual 9-11 Memorial Remembrance Ceremony at the Abele Park Gazebo. Anyone who has attended this ceremony before, knows what a poignant and touching ceremony it is. So, if you are available this Sunday at 6:00 PM, I'd love to see you there. That is all that I have, Mr. Supervisor.

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

Thank you Mr. Supervisor. I have just a few things. I just wanted to thank Lynda and the Church Hill residents for getting the Church Hill Historic District designated. I am hearing a lot of positive responses from my neighbors and other residents who drive through there. The beauty of some of these older homes that have been kept up and restored. They are beautiful, take a ride through Church Hill Road and admire those Erie Canal era homes!

With school back in session, please be aware of bus traffic and student traffic. The kids are excited to be back in school but just be diligent. Thank you.

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

Thank you, Mr. Supervisor. Even though this isn't really in the Town of Halfmoon, thank God the Sitterly Road Bridge is opened today!

Supervisor Tollisen: I went by there at noon today and it wasn't open yet. But I heard it opened just after!

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

Thank you. Tomorrow at 6:00, in the foyer the Historical Society will be hosting "An Evening with Susan B. Anthony". Linda McKenny does an excellent job as Susan and provides snippets of her life and roles in Temperance, Abolition and the Women's Suffrage Movement. She is 1st Cousin to Joshua Anthony, founder of the Baking Powder Factory and future relative to Harvey Hayner and family. So, come and join us for an enjoyable evening!

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

Lyn Murphy, Esq., (Town Attorney) I have nothing

Cathy Drobny, Esq. (Town Attorney) I have nothing

Mike Morand, Arlington Heights: Mr. Chairman, point of order. I don't know if I missed something but I know that you opened up for public comments on the agenda topics and then you added the water thing and went through the committee reports. I don't know if anybody got a chance to speak on the agenda topics. There is a lot of new people who have never been to a Board meeting here and I know that you mentioned that other project Eco Park and there is a lot of them here. Although it's not on the agenda, at the end of the meeting, they can still get what they have to say on the record. I just wanted to point that out.

Supervisor Tollisen: And Mr. Morand, if you look at the agenda, I'm going back to public comment in a minute here because I kind of went off myself and thank you

Mike Morand: Didn't want you to skip that

Supervisor Tollisen: I typically don't skip that, but thank you very much.

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. **Town Clerk** Fees Submitted to the Supervisor - \$9,359.29
2. **Senior Express**
Total # Rides – 536 Total # Meals - 565
3. **Building Permits**
Total # Permits – 84 Total Fees Submitted to the Supervisor - \$110,634
4. **Fireworks**
Total # Permits – 1 Total Fees Submitted to the Supervisor - \$150
5. **Fire Inspections**
Total 3 Permits – 24 Total Fees Submitted to the Supervisor - \$1,785
6. **Town Justice Suchocki**
Total # Cases – 149 Total Fees Submitted to the Supervisor - \$22,293

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

CORRESPONDENCE

1. **Received** from the Town Planning Board Resolutions approved at the, meeting: approved at the August 22, 2022, meeting: Sign Application for Ambiance Salon, 23 Executive Park Drive, for a Change of Use/Tenant Applications for Dan Glogowski Storage, Farm to Market Storage Center, 40 Farm to Market Road, for Kruse Athletics, Farm to Market Storage Center, 40 Farm to Market Road, for Hydro Sanit, Farm to Market Storage Center, 40 Farm to Market Road, for (Outdoor Seating) Application for Sparx Fine Chinese Cuisine, 1570 Route 9 and for Callanan Industries, 1471 Route 9, for Co-Location for Telecommunications Equipment for Verizon Wireless, 12 Dunsbach Road and for T-Mobile, 7 Vosburgh Road, for Site Plan Approval & a Special Use Permit for Tech Electric, 570 Hudson River Road, for a Minor Subdivision for Lands of Noradki South, 3 Tabor Road, and for an Amendment to the Final Approval of Brookwood Farms Phase II, Brookwood and Devitt Roads.

Received & Filed

2. **Received** from the NYS Department of Taxation & Finance, Office of Real Property, an executed RP-412-a form for the 113 Tabor Road LLC Project, with a copy of the PILOT Agreement which is being filed in accordance with Section 412-a of the Real Property Tax Law and Section 874 of the General Municipal Law.

Received & Filed

3. **Received** from Beverly Breen and Barbara Kasos, residents of Sheldon Hills, their concerns about the Twin Bridges Eco Park/Hughes Energy PDD project.

Received & Filed

4. **Received** from Lansing Engineering, the Application, Narrative, and Site Plans for the Hoffman Mixed Use PDD.

Received & Filed

5. Received from many Sheldon Hills residents, a letter with signatures voicing their opposition for the proposed Twin Bridges/Hughes Energy Eco Park Project.

Received & Filed

6. Received from Nick Godino, his letter of resignation as Parks Maintenance Laborer from the Parks Department, effective September 16, 2022.

Received & Filed

OLD BUSINESS

RESOLUTION NO. 268-2022

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

Resolution Introduced by Director of Water Tironi

WHEREAS, the Town Board of the Town of Halfmoon has been advised by the Superintendent of Water & Building Maintenance Supervisor and MJ Engineering and Land Surveying, P.C. that it was necessary to replace the water pumps at the water treatment facility to repair the Town's potable water transmission network; and

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

WHEREAS, the engineers for the project, MJ Engineering and Land Surveying, P.C., have determined that J Squared Construction Corp. is the apparent low bidder for the Project with a total bid of \$995,000 and recommends that the Town proceed with the Project and award Contract No. 1G-General Construction to J Squared Construction Corp.;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Town Board of the Town of Halfmoon hereby awards the bid for the replacement of the pumps at the water treatment plant to J Squared Construction Corp. 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.

Supervisor Tollisen: I will note that there were 6 different bids that were submitted on this and the Town did accept the low bidder.

POLL OF THE BOARD

Councilman Catricala	Aye
Councilman Connors	Aye
Councilman Wasielewski	Aye
Councilman Hotaling	Aye
Supervisor Tollisen	Aye

RESOLUTION NO. 269-2022

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

WHEREAS, the Town Board of the Town of Halfmoon has been advised by the Superintendent of Water & Building Maintenance Supervisor and MJ Engineering and Land Surveying, P.C. that it was necessary to replace the water pumps at the water treatment facility to repair the Town's potable water transmission network; and

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

WHEREAS, the engineers for the project, MJ Engineering and Land Surveying, P.C., have determined that B&D Industries is the apparent low bidder for the electrical portion of the Project with a total bid of \$328,700 and recommends that the Town proceed with the Project and award Contract No. 1E-Electrical Construction to B&D Industries;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Town Board of the Town of Halfmoon hereby awards the bid for the electrical portion of the replacement of the pumps at the water treatment plant to B&D Industries 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. 270-2022

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

RESOLVED, that the Town Board approves the minutes of Town Board Meeting of August 17, 2022 as presented.

RESOLUTION NO. 271-2022

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

RESOLVED, that the Town Board approves the minutes of the Special Town Board Meeting of August 24, 2022 as presented.

RESOLUTION NO. 272-2022

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

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Jukebox Rebellion to perform a public concert in the Town Park on Saturday, September 24, 2022, in the not to exceed amount of \$1,800.00 and hereby authorizes the Supervisor to execute said agreement, subject to the review and approval of the Town Attorney.

Supervisor Tollisen: This will be part of the Fall Festival. We are going to extend the hours from 12-4 to 12-7 and it will include fireworks at the end of the evening.

RESOLUTION NO. 273-2022

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

RESOLVED, that the Town Board authorizes the Supervisor to enter onto an agreement with Center for Security in the amount of \$4,450.00 to install electronic door timer systems on the two outdoor bathrooms in the Town Park per the recommendation of the Supervisor of Buildings & Grounds and hereby authorize the procurement of their professional services requiring technical skills which do not lend themselves to procurement through solicitation an authorize the Supervisor to execute any documents necessary to proceed with the project, subject to the review and approval of the Town Attorney.

RESOLUTION NO. 274-2022

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

RESOLVED, that the Town Board hereby authorizes the Highway Superintendent to enter into a Station Participation agreement with OPUS International, LLC, who contracts with the New York State Department of Motor Vehicles to provide network, warranty and training services to permit the Town to conduct Inspections for Town owned vehicles at the not to exceed cost of \$0.436 per inspection and hereby authorizes the Highway Superintendent to execute any documents necessary to effectuate the agreement, subject to the review and approval of the Town Attorney.

RESOLUTION NO. 275-2022

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

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into Memorandum of Intent with Saratoga County permitting the County to utilize facilities, grounds and equipment owned by the Town of Halfmoon for the purpose of mass dispensing clinics for disease prevention and control activities and authorizes the Supervisor to execute said Memorandum, subject to the review and approval of the Town Attorney

Councilman Connors: Is this for a POD Dispensary?

Supervisor Tollisen: This is for Emergencies.

RESOLUTION NO. 276-2022

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

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

A resolution is necessary to create the following budget amendment of appropriations and revenues in the Special Revenue Fund for engineering fees for on-site quality inspections. These funds are developer's monies held in escrow by the Town in a regular checking account and used for the payment of costs for that particular project. This resolution is necessary to comply with proper accounting procedures as set forth by NYS Department of Audit and Control.

DEBIT:	Revenues	25-980	\$9,275.00
	Subsidiary: Home & Community Services		
		25-4-2189.00	\$9,275.00
CREDIT:	Appropriations	25-960	\$9,275.00
	Subsidiary: Engineering Contractors Inspections		
		25-5-1440.40	\$9,275.00

Information Only: The above was derived from the following breakdown of charges to be paid on September 15, 2022, Abstract for engineering and related fees.

NAME	AMOUNT
Bridgewater Solar	\$1,240.00
Dawson Senior Center	\$660.00
Tribley Active Adult Community	\$670.00
Twin Bridges Eco Park	\$2,065.00
Farm to Market Storage Center	\$1,640.00
Traffic Study Tribley Residential	\$3,000.00
Total	\$9,275.00

A resolution is necessary to create the project budgetary accounts within the Capital Projects Fund for the Highway Garage Improvements project.

DEBIT:	Revenues	35-980	\$2,177,467
	Subsidiary: Interfund Transfers		
		35-4-5031	\$2,177,467
CREDIT:	Appropriations	35-960	\$2,177,467
	Subsidiary: Garage- Highway Improvements		
		35-5-5132.21	\$2,177,467

Create budgetary accounts from Town of Halfmoon General Fund:

DEBIT:	Revenues	10-980	\$2,177,467
	Subsidiary: Federal Aid, Other		
		10-4-4089.00	\$2,026,659.07

	Unappropriated Fund Balance	10-911	\$150,807.93
CREDIT:	Appropriations	10-960	\$2,177,467
	Subsidiary: Transfer to Capital Projects		
	10-5-9950.90		\$2,177,467

PUBLIC COMMENT (for discussion of non-agenda items)

Carol Katz, 6 Lancaster Court: My husband & I were the ones who delivered the letter with 140 signatures from Sheldon Hills residents opposing the Twin Bridges Eco Park project. I have in my hand several more letters with about 54 more signatures from Sheldon Hills residents as well as residents from other areas in Halfmoon. May I present these letters to you?

Supervisor Tollisen: Sure, thank you. I will make sure that it gets dispensed to the Board and the original will go to the Town Clerk. OK, thank you.

Carol Katz: I have just a couple of questions. Is the Town of Halfmoon the lead agency for the Hughes Twin Bridges Eco Park project?

Supervisor Tollisen: I am going to defer to the Director of Planning Mr. Harris. I don't believe so. I think that DEC is doing so, but double check with Mr. Harris.

Mr. Harris: That has not been determined at this point. Our Town engineer did send out a 30 day lead agency letter, that is what it is commonly referred as, but no determination has been made.

Carol Katz: Has the Town of Halfmoon submitted a request to the DEC to be the lead agency?

Mr. Harris: A letter was circulated to DEC stating that it is the Town of Halfmoon's intent to serve as lead agency, but that final determination hasn't been made, as I mentioned.

Carol Katz: Is there a time line for when that decision may be made?

Attorney Murphy: We are waiting to hear from DEC to see what their response is to the initial, once the application is filed, we send out the lead agency letters and then if DEC contacts us and says that they want to be lead agency, we will defer to them.

Carol Katz: So you don't have a timeline from when you might hear back?

Attorney Murphy: It's 30 days.

Carol Katz: Oh, it's 30 days. When did you file?

Mr. Harris: I will have to check the letter, I do not know it off hand.

Supervisor Tollisen: Thank you, Ms. Katz.

Gary Heller, 12 Summerset Drive: (Gary had a Times Union article from this past Sunday that he passed copies to the Board)

I would like to hold my comments back as you have mentioned before as the project of Eco Park has not gone before the Planning Committee, but the timeliness of the situation, this past Sunday in the Times Union there was an article about time to eradicate forever chemicals. I do not know if the Board has seen it (Gary distributed copies to the Board) and I would like to take the time at a future meeting to maybe talk more about this. I thought that this was a very well written primer on what

some of the issues are that we face now in a civilized world with these chemicals that unfortunately appear to be long lasting. Thank you.

Supervisor Tollisen: Thank you.

Rosa Reeves, Sheldon Hills: Thank you so much for hearing me. First, I would like to excuse my ignorance on this because it is my first time here. I had a few questions, I just heard about that project a few days ago and my hair just stood up. I recovered from Non-Hodgkin's Lymphoma and a survivor for years now, very proud of it! PFAS. Of course, going through cancer, I have lots of research, my family didn't have any cancer. PFAS, also known for forever chemicals which can be found in fast food wrappers or some grease resistant papers. When ingested, they will stay in your body forever. There is a huge link from those forever chemicals and cancer.

I am a little bit nervous, as it is so closely built to our community especially with these beautiful people that are living in our community. We don't have that many children, but we do have lots of elderly people. I am just asking, how can this company ensure the safety of our residents, all of our residents? How can they guarantee that no chemicals will penetrate into the soil and into the drinking waters so that we have to be worried about it?

Another question. How can they guarantee that the smoke will not harm my child while he is playing outside? I do not care about the traffic, yes, it is an inconvenience, but that is something that I think we can live with, some of us could, but it is basically the threat of life and death that I am very much concerned about. So, both of my questions, and if anybody can give me great answers and can ensure that my family and my beautiful neighbors are going to be ok, then please, no worries, but I don't think that this can happen.

So, my next question is it really worth it? Is it worth it? That's all I can say. Unfortunately, I cannot move, unfortunately, but I do not want to have lymphoma again or any type of cancer and I do not want anyone sitting here to go through it. 4 years, I am cancer free. My hair grew back. I had no hair and it grew back curly and it was straight before. I don't want to cry because, it's emotional, but I do not want you to go through chemo or radiation. I am very young. I have a hip that is artificial, my cancer was in my bone and I do not want anyone to suffer the same fate. Thank you so much for hearing me out and I am sorry, I have to go, thank you so much.

Supervisor Tollisen: Thank you. Ma'am, you're an amazing woman and thank you for your comments. I will just tell you this, I am a lifelong resident of the Town of Halfmoon. I have lived here my whole 50 years and I will tell you that me and this Board is reviewing this project, but understand that I will NOT put any resident in risk or jeopardy. Please note that this Board took steps when the Hudson River was being dredged and we were getting our water from the Hudson River. This Board made a commitment that we were not going to go back to Hudson River water again. And we didn't. We have the City of Troy water, which is good water, but we also looked for a second source of water through the Saratoga County Water Authority. Understand, we have 2 healthy sources of water right now in the Town of Halfmoon and that's because every resident should know that they are safe and healthy. Anything that happens from this Board's action will not harm. Thank you very much for your comments, but know that my family lives here. My kids are growing up here, I grew up here and my parents still live here and it's that important to me too. Thank you.

Mike McCormack, 26 Hearthstone Drive: Thank you, I appreciate the comments you just made. I am just here to ask a couple of questions and hopefully someone from the Board or the Planning group can address. I am interested in understanding and I am not familiar with the process and that something like this

would travel through the opportunities for public comment. Are there other areas of jurisdiction that would also weigh in where there would be opportunity for public comment? Is that something that you can share with us so we can take advantage of every opportunity to learn and to communicate questions and concerns that folks may have?

Supervisor Tollisen: Absolutely. The Planning Board does hold an information meeting and they do accept comments at that. Understand that any type of comment whether it's at a meeting like this or it's written in nature, it becomes part of the entire public record for a project. The Town Board will also hold a public hearing where all residents are allowed to speak and ask questions. I always say with respect to projects, at least for me, that education is key. So, this project that is coming in and has been referred to the Planning Board, is at its very early stages. I am not a scientist, I don't know what this does, I do know that we need to look at different aspects of the environment. Continuing to pile onto our landfills is not the answer. Is this project the right answer? I don't know that, I don't have those scientific expertise and that is why we have the engineers looking at this. That's why education on something like this is key. This process is a very long and through process and it's going to be as comprehensive as possible. Whatever we need to do to make sure people's questions are answered that we understand it. We as a community want it or don't want it, that's what we have to look at. Just because it is before us, doesn't mean it's going to get approved and it doesn't mean it won't. At the same token, we need to look at it thoroughly, completely and that's why we have our comprehensive group in this. There will be plenty of opportunities and at any point, you can certainly contact my office and I would be happy to meet with you. If you have specific questions and it's something that I can help answer, that's fine, but we want to make the process as transparent as possible.

This is a project that is not your everyday, normal project. It is not a housing project, it is a big deal. Before me, my mother was the Town Bookkeeper, and I remember there was the coal burning plant that was looking to come to the town and that was a big deal. This is a big project, something that we need to look at very thoroughly, intently and see if this is something that fits or doesn't fit for us.

Mike McCormack: Appreciate that, and what we're signing our names to for e-mails, would that also update us if this goes before NYS DEC for the environmental impact statement comments and would we also learn those type of steps and opportunities for input through that.

Supervisor Tollisen: That would be something through the Planning Board but we can advise you as much as we know. If it's on the agenda for the Planning Board meeting, we'll make sure the Director sends it to my secretary and get it sent to all of you. OK?

Mike McCormack: Thank you.

Gary Heller: Just to share with the Board, that I also am a cancer survivor. I am involved in the Roundup litigation, because of a leukemia I developed almost 38 years ago. One of the things that I brought to the podium is a letter from Lansing Engineering which I was able to take from the PDD Amendment, and as honest & truthful as I know the Board is, I am going to ask that one aspect of this be immediately disallowed and I am going to read it to you. "The applicant has offered a proposed public benefit of \$1,000,000 minus the GEIS fees, the amount approximately \$112,000. So roughly \$880,000 is being offered for this proposal to pass." I am asking that that be immediately rejected before it gets to the Planning committee because that in itself carries a lot of weight in the world that we live. Thank you.

Supervisor Tollisen: Thank you for that comment, just note that when I became Supervisor back in 2013, one of the policy changes that was made was that any project that came in, the public benefit had to be identified, ok? So if it is a change in zoning, the benefit would have to be identified, so that it would be transparent and up front to the Town residents. While you may want that immediately rejected, we do it on purpose because we want everyone to know what the benefit would be to the community if it were approved. I will tell you, I don't care if it is \$10,000,000, if it's not the right project for this town, it won't happen. The public benefit is put on for a specific reason and that is because we want to be transparent with that. That was one of the policy changes that as Supervisor, I made immediately. Alright?

Supervisor Tollisen: Would anyone else like to speak?

Ed Dewhurst, 17 Gladstone Circle: Just a suggestion about public benefits. It might go a long way if the Town were to put in a newsletter or a public notice, a short explanation of the process of the offering of a public benefit, how they go about being judged, where in the code that public benefits are allowed. It's legal, it's just that many people, many times at these meetings, view it as a pay to play type event. So, maybe a newsletter article, 2-3 paragraphs long to explaining public benefits to the community and post it on the website. It might go a long way with the community to understand more thoroughly about public benefits in projects.

Supervisor Tollisen: I appreciate that. Anyone else this evening? Thank you all for coming this evening. I hope that notepad is circulating around. If you haven't gotten to it, please be sure you do before you leave if you want to be part of the e-mail chain.

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 8:25 pm.

Respectfully Submitted,

Lynda A. Bryan, Town Clerk