

The August 6, 2014 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
Daphne V. Jordan, Councilwoman
John P. Wasielewski, Councilman
Lyn A. Murphy, Town Attorney
Cathy L. Drobny, Deputy Town Attorney
Lynda A. Bryan, Town Clerk

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

PROCLAMATION: CLOWN WEEK, AUGUST 1st through 7th in the TOWN of HALFMOON

WHEREAS, the people of the Town of Halfmoon recognize the importance of laughter in their lives; and

WHEREAS, Clowning encourages laughter in people from young to old, rich to poor; and

WHEREAS, Clowns can dissolve thoughts of prejudice, and intolerance of others, and,

WHEREAS, Clowns can make people forget their pain, sadness, illness, and distress,

NOW, THEREFORE, I, Kevin J. Tollisen, Supervisor of the Town of Halfmoon, do hereby proclaim the week of August 1 through 7, 2014 as:

*CLOWN WEEK
in the Town of Halfmoon, New York*

RESOLUTION NO. 256

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

RESOLVED, that the Town Board proclaims August 1 through 7 as Clown Week in the Town of Halfmoon.

Supervisor Tollisen: Congratulations and thank you so much for all that you do in our community.

Next, we have a resolution in honor of the Baker Family Reunion that has been in town for 150 years. It is a long resolution but it is a very rich in history of our Town. Cathy Leggett, who is one of the family members, is with us tonight representing the Baker Family. They have invited me to attend the reunion, but I am going to be out of town. We think that it is important to honor the Baker Family.

PROCLAMATION: BAKER FAMILY 150TH REUNION

RESOLUTION

WHEREAS, it has come to the attention of the Town Board of the Town of Halfmoon that the Baker family will celebrate their 150th anniversary of the Baker Family Reunion on August 9, 2014 at the Shenantaha Town Park in the Town of Malta; and

WHEREAS, the Board wishes to recognize the Baker Family Reunion as it is one of the oldest continually meeting family reunions in all of America beginning informally in 1862 when the sixteen sons of James Baker, who lived in Stillwater, began getting together annually until 1865 when the event became a recognized as a formal full family reunion; and

WHEREAS, the Baker family and their descendants have contributed so much to our local community throughout the 150 years in our area; and

WHEREAS, the Halfmoon community, and the communities around us benefit greatly from the Baker family's service to our community; and

WHEREAS, Spencer Cassedy, great grandson of James Baker, was a Justice of the Peace in the Town of Halfmoon beginning in 1933 following in the footsteps of his grandfather William Cassedy who served as a Halfmoon Justice of the Peace for thirty years. Spencer Cassedy was elected Town Supervisor of the Town of Halfmoon in 1937 thereby becoming a member of the Saratoga County Board of Supervisors resigning in 1947 to become the Auditor for Saratoga County where he continued until 1955 when he became the Commissioner of Jurors for Saratoga County. Beginning in 1953 he was also the Secretary Treasurer of the Saratoga County Mutual Fire Insurance Company all the while being very active in the 4H division of the Saratoga County Cooperative Extension; and

WHEREAS, this Board recognizes the importance of remembering our history while looking forward to the future as a community;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Town Board of the Town of Halfmoon hereby recognizes and congratulates the Baker family on this their 150th anniversary of the Baker Family Reunion.
2. That a copy of this Resolution be presented to the Baker family to recognize their value to our community.

DATED: August 6, 2014

KEVIN TOLLISEN, TOWN SUPERVISOR
TOWN OF HALFMOON

RESOLUTION NO. 257

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

RESOLVED, that the Town Board recognizes and congratulates the Baker Family on their 150th Anniversary of the Baker Family Reunion. It is one of the oldest continually meeting, family reunions in the country that started in 1862.

Supervisor Tollisen: Congratulations!

He then presented the Resolution to Cathy Leggett who was representing the family

Cathy Leggett: I am really proud to accept this resolution. I am sorry that more of the family isn't here. They are getting ready for the reunion. We are getting people off the plane and everything else. I have been to 34 of the reunions, every year of my marriage. It is wonderful for people all over Saratoga County and farther to come. The Peck family who is the Town Supervisor from Northumberland, Roger Crandall is also a member and he is the Malta Highway Supervisor. With 16 sons, there are a lot of descendants. I find it very interesting. My Mother-In-Law had a tremendous love for it and she would be very proud to know that you have acknowledged it. Thank you very much.

COMMUNITY EVENTS:

Sons of the American Legion Squadron 1450 on Grooms Road will be hosting their **ANNUAL LOBSTER BAKE** on Saturday August 9th from Noon to 7 pm

Clifton Park & Halfmoon EMS will be sponsoring a **SENIOR CITIZEN SAFETY PROGRAM** at their 15 Crossing Blvd Headquarters. This event will be held on August 13th at 1pm

The **ALL PAUL SHOW – BEATLES TRIBUTE** with **FIREWORKS** to follow 6:30 – 9:00 at the Town Park on August 14th.

Donny “Elvis” Romines Fundraiser to **SUPPORT OUR TROUPS** Friday August 15 at 7:00 pm at the Wilton Elks hosted by Carol Pingelski Hotaling, the Yellow Ribbon Lady.

American Red Cross will be hosting a **BLOOD DRIVE** on Tuesday August 19th at Town Hall from 1-6 in the Large Meeting Room,

MOVIE NIGHT: August 22nd Shown at Dusk, weather permitting at Town Park

9/11 CEREMONY will be held at the Gazebo on September 11th at 6:30pm.

Halfmoon Celebrations is hosting the **FALL FESTIVAL PARADE** on September 20th kicking off at noon and festivities all day at the Town Park to follow

6th Annual RALLY 4 ALI, in search of a cure for Diabetes, will host **PICNIC FOR A CAUSE** at Krause's Grove on Saturday, September 20th from 1-6

Halfmoon Celebrations is hosting the **FALL FESTIVAL PARADE** on September 20th kicking off at noon and festivities all day at the Town Park to follow

6th Annual Rally 4 Ali, in search of a cure for Diabetes, will host **PICNIC FOR A CAUSE** at Krause's Grove on Saturday, September 20th from 1-6

SUPERVISOR'S HIGHLIGHTS:

The **ALL PAUL SHOW – BEATLES TRIBUTE** with **FIREWORKS** to follow 6:30 – 9:00 at the Town Park on August 14th.

Supervisor Tollisen: Tomorrow the Flags on town properties will be at Half Staff under the direction of Governor Cuomo in honor of the General that was killed in Afghanistan.

TOWN MEETINGS:

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

Zoning Board of Appeals: 9/2, 10/6, 11/3, 12/1, & 1/5/15

Ethics Committee: To be announced

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

Board of Assessment Review: 4th Tuesday in May

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

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

Zoning Review Committee: 3rd Thursday of month

Open Space & Trails Committee: September 15th at 7 pm

Resident Relations Committee:

Business & Economic Development Committee:

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

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

The Open Space & Trails Committee: Short term project currently being worked on is for new signage for the Champlain Canal. The sign will be at the McDonald Creek Culvert and Halfmoon's Historic Waste Weir. The Halfmoon Waste Weir is the only visible waste weir with a culvert on the Old Champlain Canal System, so the signage will reflect that history. The sign is being purchased with grant money provided by the Hudson - Hoosic River Partnership.

As an extension of my role on the Open Space & Trails Committee, I am now also the Town representative for the Mohawk Towpath Scenic Byway Coalition and I attended my first meeting for that in July. The Byway is a series of local, county and state highways that follow the historic route of the Erie Canal between Schenectady, Cohoes and Waterford. In following the Byway, you could see how the Mohawk River and the Erie Canal and the communities along the way, Halfmoon being one of them, played a role in the westward expansion of our country and also the Industrial Revolution. The Byway Coalition itself is a not for profit consisting of representatives from each of the ten municipalities along the way and oversees the implementation of the corridor management plans. So I look forward to serving on the coalition for Halfmoon.

The Business & Economic Development Committee is continuing its work in identifying parcels of land in commercial and industrial zoned areas in town. We are examining very closely the industrial land within the town that lie along the railroad tracks and looking at what businesses that may want to partnership and use that land along the railroad. A resolution on tonight's agenda also comes with a strong recommendation from the Business & Economic Development Committee and that involves the Towns membership renewal with SEDC, Saratoga Economic Development Corporation. Dennis Brobston, the President and Jim Angus the Vice President of SEDC, who are members of the Business & Economic Development Committee and attend the meetings, are essential ingredients in the Towns recipe

for the successful attraction of new industry. I know that my fellow Town Board Members are in agreement with this and we look forward to our membership renewal with SEDC. I could keep going on but I will end it here for this evening. Thank you.

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

Just a couple of things tonight, the **Ethics Committee**, I will make a motion to approve new members on that committee under New Business.

Emergency Services: The 9-11 Ceremony that we have had here annually at the Town Gazebo will be sponsored by local Fire Departments on September 11th. I will have more news about that at our next Town Board Meeting.

Resident Relations: We are finally able to move forward and have some information from our IT folks that will enable us to move forward. Committee members will be notified very shortly of our next meeting date. Thank you.

Paul Hotaling:1) Chair of Parks & Recreation, Infrastructure (Water, Highway, Building & Maintenance), 2) Chair of Committee on Not for Profit Organizations and Character Counts, 3) Chair on Committee on Baseball/Athletic Organizations, (4)Co- Liaison to Planning Board, (5) Co-Liaison to Zoning Board, (6) Co-Chair of Zoning Review Committee

I had quite an exciting day today. This morning I spent some time at our Rec sites. We had over 700 campers this summer and Friday will be their last day. We had a dynamite staff and the kids had a lot of fun.

This afternoon, I attended our Senior Citizen's Business Meeting. They have grown to be over 1,000 members.

I want to invite people to come out to the **American Red Cross BLOOD DRIVE on Tuesday August 19th at Town Hall from 1-6 in the Large Meeting Room**. There have been numerous accidents this summer and they always seem to be behind in blood. I would be great if you had some time between 1 & 6 and came out to donate blood. Thank you.

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

Supervisor Tollisen: Just a quick couple of items from me. **Linden Village**, we held a public hearing at the last meeting. There will be no action taken on Linden Village tonight. We are still waiting for comments and responses from our Town Attorney's with respect to the comments made by the public at the last meeting.

I am requesting the Board to make a resolution for **Fred's Tents** which was approved by the Planning Board. It is a business that manufactures tents for all over the world. The Planning Board approved it to be in the Yankee Dollar site on Hudson River Road. They are making an application to the IDA. Jim Angus had sent Miss Jordan and me an email today looking for the town's support of that. I did let him know that the Planning Board did approve it and they are looking for a

Town Board Resolution for support of him moving from the Town of Stillwater to a bigger facility in Halfmoon. There was also a consideration that he would move to Montgomery County and they are looking for some help from the town with a letter of support for Fred's Tent's moving into The Town of Halfmoon.

RESOLUTION NO. 258

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

WHEREAS, on May 20, 2014, applications were filed with the Town of Halfmoon Planning Board by Mr. Fred Tracy for approval of a Change of Use/Tenant and Sign for Fred's Tents to operate at 420 Hudson River Road, and

WHEREAS, the Planning Board of the Town of Halfmoon, in regular session duly convened on June 9, 2014 approved the Change of Use/Tenant for a tent manufacturing business to occupy 40,000 SF of the 80,000 SF building; and approved the application for a free-standing business sign;

RESOLVED, that the Town Board is in full support of this project.

Supervisor Tollisen: With respect to the Town Budget, I promised that I would keep you updated on it. The mortgage tax for the 10th month in a row is below the projected amount budgeted. I have met with several departments and I have made cuts in several areas in the budget for the remainder of the year. We are going to continue to monitor that. I am very critically analyzing the Town Budget and the finances of the town. The spending freeze will continue for all town departments. I will continue to make cuts where I can. I will tell you that there are a few items that are obviously out of my control and weather is the #1 issue. I can tell you that with our snow plowing and our salting budget, we had a number of events in the beginning of the year, which basically ate up about 95% of our budget. There are many things to look at and I have made some substantial cuts with the help and aid of our Highway Superintendent as well as some others areas too. I will continue to do that and make every effort to balance the budget.

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

DEPARTMENT REPORTS- Month of July

1. Town Justice Suchocki

Total # Cases – 333 Total Fees Submitted to the Supervisor - \$36,594

2. Town Justice Wormuth

Total # Cases – 249 Total Fees Submitted to the Supervisor - \$30,564

3. Town Clerk - Total Fees Submitted to the Supervisor - \$8,958.39

4. Senior Express

Total # Riders – 292 Total # Meals - 524

CORRESPONDENCE

1. **Received** from the Town Planning Board Resolutions approving the following: Sign Application for Law Offices of Alice M. Breeding, Esq., PLLC, 21 Executive

Drive, Change of Use Applications for CGM Construction, Inc. 2 Brookwood Road, Contemporary Athlete, 1613 Route 9 and for Crossfit, 11C Solar Drive, for Change of Use and Sign Applications for Bright Horizons, 1673 Route 9 and for the Cell Phone Connection Inc., 1603 Route 9, for a Special Use Permit for Oakcliff Bed & Breakfast, 78 Churchill Road, and Approval of Addition to Site Plan and Sign Application for Jack Byrne Ford, 1003 Hudson River Road.

Received & Filed

2. **Received** from Halfmoon Celebrations, notification of Road Closures for the FALL FESTIVAL PARADE on September 20th on Route 236 from Knox Woods to the Town Park

Received & Filed

3. **Received** from Donna DeVoe, member of the Halfmoon Celebrations Committee & Adirondack Shelby Mustang Club, a thank you email to the town for their support of this event. It was the 50th Anniversary of the Mustang.

Received & Filed

4. **Received** from the Saratoga County Sheriff's Office, their report for the month of June for the Clifton Park/ Halfmoon Patrols and the Halfmoon Patrols.

Received & Filed

5. **Received** from the Concerned Citizens of Rolling Hills Estates, a letter requesting that they be notified if an application is received from New Castle Asphalt, LLC.

Received & Filed

6. **Received** from the Department of State, State Records and Law Bureau, notification that Local Law # 1-2014, Oak Brook Commons PDD Amendment has been filed by their office.

Received & Filed

7. **Received** from Crestmore PDD (Halfmoon Healthcare) an amendment to their Planned Development District

Received & Filed

8. **Received** from Bright Horizons Adult Day Services, notification that they will be opening their new Adult Day Program at the Clifton Park – Halfmoon HealthPlex in September

Received & Filed

9. **Received** from the Town Supervisor notification that the Town Board will be setting up interviews for the open Town Council position. All interested persons should submit their resumes to the Town Clerk's Office by 12:00 pm on August 20th.

Received & Filed

Supervisor Tollisen: Just to further elaborate on that, the Council position that we are looking to replace is obviously the position of our longtime colleague Walter Polak. The appointment, if the Town Board chooses, is to appoint in the interim until January 1st and the election will determine who the next sitting Council person is. With respect to that, we will accept resumes until August 20th and then set up interviews. The appointment will only be until December 31st. I just wanted to be clear on that.

10. **Received** from a concerned resident on Route 236, a request to increase awareness of the heavy traffic and asking for additional signage for “No Driving on Shoulder” as there are many residents walking and waiting for the bus on the shoulder of the road from Pine Lane to Hayner Heights.

Received & Filed

RESOLUTION NO. 259

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

RESOLVED, that the Town Board approves sending a request to the Department of Transportation for additional signage of Route 236 between Pine Lane & Hayner Heights as many pedestrians are walking and jogging and children are waiting for the bus on this busy road.

Supervisor Tollisen; That letter will go out to DOT to review that area.

11. **Received** from NYS Department of Taxation & Finance, that the State Office of Real Property Tax Services established a final State equalization rate of 62.0 for the Town of Halfmoon.

Received & Filed

12. **Received** from the residents from 13 A,B,C,D,& E Tupelo Drive, a copy of the letter sent to Timothy Lai, the Litigation Examiner for NYMIR, responding to the claims of their townhomes.

Received & Filed

Supervisor Tollisen: I know that there are some individuals here from Tupelo Drive. I do want to update you with respect to the drainage corridor. Yesterday, our Town Engineer Mike Blanchino, myself, the Sewer District Executive Director Mr. Cook and the representative from the Homeowners Association met and we now have confirmed that the property is in fact owned by the HOA. From this point, we have asked the HOA to take from Ponderosa Drive down through and remove some vegetation in that area and remove some of the vegetation that is lying in the stream and things of that nature. They are reviewing that. The second part of that is; the Town Engineers, Clough Harbour & Associates are sending two site inspectors out Monday to walk the entire drainage corridor. So you will be seeing people through there on Monday. The third component of that is, which really does not affect you folks in 13 Tupelo, but it does affect that particular area through 5, 7, & 9 Tupelo, the Sewer District did do a bunch of improvements to the drainage pipe in that area. They are hoping that the drainage area will improve because they were able to get out plastic bottles, trees and tree stumps, culvert pipes and some things of that nature. They are going to put that on their regular schedule to get that out so that can continue to improve that part of it.

I just wanted to let you folks know and if you have any further questions, I will be happy to answer it but that is the update on that particular area. OK?

13. **Received** from New York State Senator Kathleen Marchione, a thank you letter to Supervisor Tollisen for allowing the use of the Town Hall on July 31st for the purpose of presenting NARCAN training.

Received & Filed

14. **Received** from the Town Planning Board Resolutions from the July 28th Meeting approving the following: Change of Tenant and Sign Application for the Campaign Office to Re-Elect NYS Senator Kathy Marchione, 1707 Route 9 (Shoppes of Halfmoon), for Valero (Halfmoon Petroleum, Inc.), 1493 Route 9, and for Ruby Scissors Quilt Shop, 1603 Route 9 (Towne Center Plaza), for a Change of Use and Sign Application for Empire Exhibits & Displays, 131 Round Lake Ave., Approval of an Addition to Site Plan Application for Adirondack Basement Systems, 4 Jones Drive and for Ushers Road Properties, 60 Ushers Road, for an Addition to Site Plan & Special Use Permit for Fairways of Halfmoon Golf Course Accessory Building, Raylinsky Lane, and a Denial of Site Plan Application for Miranda Real Estate, 1482 & 1480 Route 9.
Received & Filed

NEW BUSINESS

RESOLUTION NO. 260

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

RESOLVED, that the Town Board approves and orders paid Vouchers numbered 1413 through 1586, as detailed.

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

10 GENERAL FUND	\$93,208.18
20 HIGHWAY FUND	\$114,832.02
25 SPECIAL REVENUE	\$3,479.50
30 CONSOLIDATED WATER	\$87,008.18
65 LIGHTING DIST	\$437.73
ABSTRACT TOTAL:	\$298,965.61

RESOLUTION NO. 261

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

RESOLVED, that the Town Board approves the minutes of Town Board meeting of, July 16, 2014 as presented.

POLL OF THE BOARD:

Councilwoman Jordan	Aye
Councilman Wasielewski	Abstain
Councilman Hotaling	Aye
Supervisor Tollisen	Aye

RESOLUTION NO. 262

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

RESOLVED, that the Town Board authorizes the Supervisor to accept the Town of Halfmoon's share of 2015 sales tax revenue in cash from Saratoga County Real Property Tax Services.

RESOLUTION NO. 263

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

RESOLVED, that the Town Board approves the Supervisor's Report for the month of June 2014, as presented.

RESOLUTION NO. 264

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

RESOLVED, that the Town Board acknowledges the Town Clerk's Certificate of No Filing, and authorizes the purchase of a new Salt Shed for the Highway Department, in the not to exceed amount of \$320,000.

RESOLUTION NO. 265

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

RESOLVED, that the Town Board authorizes the Town Supervisor to sign the proposal for professional services for Barton & Loguidice, D.P.C. to assist the Town with funding administrative support and assistance, per the review and approval of the Town Attorney.

Supervisor Tollisen: The hiring of Barton & Loguidice is in replacement of Nelson Ronsvalle, who retired as our Grants Writer for the town. In moving forward and how the town is going to be handling grants, we felt that hiring a professional service firm was better for the town, so we are going to be doing this for a while. We do believe that in the long run, we will save the town money. There will be specific projects that will be requested for grant funding.

RESOLUTION NO. 266

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

RESOLVED, that the Town Board approves participating in Hazardous Waste Day with Clifton Park again this year. It will be held on September 6th at the Clifton Park Transfer Station on Ray Road. Applications to register can be picked up at the Town Clerk's Office or to apply on line, go to townofcliftonpark.org.

RESOLUTION NO. 267

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

RESOLVED, that the Town Board authorizes using Rec Funds to purchase a signs& plaques from Dave the Sign Guy for the Town Park & Historical Society, in the not to exceed amount of \$3,500, per the review and approval of the Town Attorney.

Councilman Hotaling: This is part of Rec Funds that we use for signs.

RESOLUTION NO. 268

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

RESOLVED, that the Town Board authorizes the Supervisor to sign the agreement with Advanced Information Management, Inc. for the Highway Superintendents Mobile Workforce Management System, in the not to exceed amount of \$200 monthly for 4 users for August – December 2014 per the review and approval of the Town Attorney.

RESOLUTION NO. 269

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

RESOLVED, that the Town Board authorizes renewing membership with the Saratoga Economic Development Corporation (SEDC), for the 2014 annual membership investment amount of \$600.00.

RESOLUTION NO. 270

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

RESOLVED, authorizing the Town Board & Town Supervisor to sign the 284 agreement to spend Town Highway Funds for the year 2014 as submitted by the Superintendent of Highways, per the review and approval of the Town Attorney.

RESOLUTION NO. 271

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

RESOLVED, that the Town Board approves the Proposed Sign Code Amendments as it was approved with no comments made by the County Planning Board.

POLL OF THE BOARD:

Councilwoman Jordan	Aye
Councilman Wasielewski	Aye
Councilman Hotaling	Aye
Supervisor Tollisen	Aye

RESOLUTION NO. 272

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

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

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 \$3,479.50
 Subsidiary: 25-4-2189 Home & Community Services \$3,479.50

Credit: Appropriations 25-960 \$3,479.50
 Subsidiary: 25-5-1440.40 Engineering Contractors Inspections \$3,479.50

Information Only: The above was derived from the following breakdown of charges to be paid on the August Abstract for engineering and related fees:

NAME	AMOUNT
Oak Brook Commons	\$1,545.50
Arlington Height PH II	324.00
Arlington Height PH II	390.00
Glen Meadow PDD	300.00
Victor’s Farm Subdivision	620.00
Rolling Hills Subdivision Ph 2&3	300.00
Total	\$3,479.50

From Account	To Account	Amount	Reason
10-5-1010.40 Town Board- Contractual	10-5-1920.40 Municipal Assoc. Dues	\$550	Transfer of appropriations for SEDC annual membership

Transfers between Appropriations

A creation of appropriations is necessary to create the budgetary accounts for the purchase of a Caterpillar skid steer. The total purchase amount is \$67,336 of which Highway Fund capital reserve monies will be used in the not to exceed \$70,000 per resolution #157.

Debit: Estimated Revenues 20-510 \$67,336
 Subsidiary: 20-4-5031 - \$67,336
 Interfund Transfers

Credit: Appropriations 20-960 \$67,336
 Subsidiary: 20-5-5130.20 - \$67,336
 Machinery–Capital Outlay

Create budgetary accounts from Town of Halfmoon Highway Fund:

Debit: Appropriated Reserves 20-511 \$67,336

Credit:	Appropriations20-960	\$67,336
	Subsidiary: 20-5-9901.90 - \$67,336	
	Interfund Transfers	

Councilman Wasielewski: Mr. Supervisor, I have an additional resolution. I would like to amend my resolution that was made at the previous Town Board Meeting of July 2nd, removing the nomination of Deanna Stephenson to the Ethics Committee as she has now become a political candidate. I would like to make a resolution to appoint Kevin Getnick and Carrie Paton to the Ethics Committee.

Supervisor Tollisen: Are you doing them as separate resolutions?

Councilman Wasielewski : As one resolution. We can do it separately if that is what is required.

Supervisor Tollisen: Does the Board request separate votes for each one? (No one had any objection to having one resolution)

RESOLUTION NO. 273

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

RESOLVED, that the Town Board appoints Kevin Getnick and Carrie Paton to the Ethics Board to fill the vacancies.

POLL OF THE BOARD:

Councilwoman Jordan	Aye
Councilman Wasielewski	Aye
Councilman Hotaling	Aye
Supervisor Tollisen	Aye

PUBLIC COMMENT (for discussion of non-agenda items)

Charles Blue, 13A Tupelo Drive: Kevin, could your clarify on something that you said a few minutes ago about who owns the land and the creek?

Supervisor Tollisen: Sure, the drainage corridor is actually owned by the Mapleridge Home Owners Association. There was some question with respect to the Home Owners Association, that they didn't feel that they owned it. Since then we did some research. They actually provided their tax bill, and based upon the taxes they pay on it and the SBL numbers that we took off those bills, we were able to get copies of the deeds from Saratoga County and showing that it is actually owned by the Home Owners Association.

Charles Blue: Are you saying the land on the side of the creek they own?

Supervisor Tollisen: The drainage corridor in that area. I can show you the map. I am not sure if I have it with me, but I can show you what property they own.

Charles Blue: I am trying to understand. They own the land but they don't own the water right? They don't own the creek?

Supervisor Tollisen: The water is included in the property that they own. That drainage corridor is

Charles Blue: So we can just dam up that creek?

Attorney Murphy: I think what he is talking about is riparian water rights, which are very different from land ownership, and that goes back to law before there was

law. You cannot, and I'm not 100% familiar with it, but you cannot dam up water that would interfere with someone downstream, is the basic premise of it. It is much more complicated than that

Charles Blue: So we don't own it then.

Attorney Murphy: You do own the land. There is a difference between a drainage corridor and the water in a drainage corridor and the ownership of the property. I am not going to give you hypotheticals but suffice it to say, but if you have further questions you should speak with an attorney as I cannot give you legal advice and I would have to do a lot more research on riparian water rights. That is my law school memory in having to deal with that.

Charles Blue: I will take your word for it. You said that there was a Town Engineer that was going to walk the creek and look at it.

Supervisor Tollisen: Actually, I got the email today that they are going to be sending out two inspectors on Monday the 11th. They will be starting at 8:00 in the morning. They are actually going to start at Brookview Court and work their way north towards the intersection of Ponderosa and Mapleridge Ave.

Charles Blue: This is the town person?

Supervisor Tollisen: The Town Engineers.

Charles Blue: Somebody came out already

Supervisor Tollisen: I was out there with the town engineer and the Highway Superintendent and a couple of other individuals two or three weeks ago

Charles Blue: This was 3-4 days ago.

Supervisor Tollisen: I do know that our Highway Superintendent was on site a couple of times walking through there trying to get some graphics and pictures. I do not know who that specific individual was. I do not know that answer.

Charles Blue: I guess my question is, can we sit down with somebody and see what they find?

Supervisor Tollisen: Yes, as soon as we have a summary report, I will be happy to share that with you and whatever information that we have. We had a very good conversation with the Home Owners Association. I guess the Association only has one Board member, but we had a very good conversation yesterday.

Charles Blue: Was that Susan?

Supervisor Tollisen: Susan is your agent. She wasn't there. It was Joe

Charles Blue: Lives on Oakleaf?

Supervisor Tollisen: Yes. We had a very good conversation. We are committed to finding some answers to that area. As soon as we have some information, I would be happy to share that with you.

Charles Blue: OK, thanks.

Deanna Stephenson, 7 Cindy Lane: I just want it on record. I was just concerned about 94 Werner Road. A few weeks ago, I do believe a developer took an existing barn, dug a big hole and buried the barn in it. I do understand that DEC did

approve of it, but saying that some archaic law about if you are on agricultural land, you were able to do that. I'm thinking that was an old, old law. If you had a barn on a lot of land and you want to take the barn down, you probably couldn't do it. Aesthetically, of course, it does look better. But I am concerned, you dug a hole, you put a barn in it that had glass, asphalt shingles, things that are just not good for the environment and you bury it. Even though DEC approved of it, I would love to know what DOH would think of it. I just want it on record, I am concerned about that and it is noted that the house next to where the barn was buried, the developer is trying to sell the house. I find that odd. I just wanted that on record. Thank you.

Supervisor Tollisen: I will refer it this to Code so they can look into it.

Deanna Stephenson: I think Code is aware of it and did reach out to DEC.

Supervisor Tollisen: I will make a formal note of that information.

There being no further business to discuss or resolve, on a motion by Councilman Hotaling and seconded by Councilman Wasielewski, the meeting was adjourned at 7:40 pm.

Respectfully Submitted,

Lynda A. Bryan, Town Clerk