

The June 19, 2019 Regular meeting was called to order at 7:00 pm by Supervisor Tollisen in the A. James Bold Meeting Room at the New Town Hall with the following members present:

Kevin J. Tollisen, Supervisor  
Paul L. Hotaling, Councilman  
John P. Wasielewski, Councilman  
Jeremy W. Connors, Councilman  
Eric A. Catricala, Councilman  
Lyn A. Murphy, Town Attorney  
Cathy L. Drobny, Deputy Town Attorney  
Kelly L. Catricala, Deputy Town Clerk

Lynda A. Bryan, Town Clerk - Excused

#### **PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE**

#### **PUBLIC HEARING: AMEND TOWN CODE TO MODIFY THE SENTENCING OPTIONS FOR VIOLATIONS OF THE TOWN LOCAL LAWS.**

Supervisor Tollisen asked if anyone wanted to have the public hearing notice read. Hearing from no one he opened the public hearing at

**OPEN: 7:01 pm**

**Town Attorney Murphy:** Our previous iteration of the code allowed for us, myself as the prosecutor and Miss Drobny to request up to 6 months in jail for violations of the Town Code. The town has decided to reduce that to less than 15 days which obviates the needs for a jury trial and makes the process run a little bit quicker, especially when we are talking about improper cars being parked or a lawn not being mowed. We are adjusting the code to better reflect the intention of this Board that people come into compliance and not go to jail for violating our town code. So that is what this does.

Supervisor Tollisen asked if there were any questions from the Town Board

Supervisor Tollisen asked if there were any questions from the public

Hearing no more questions or comments, he closed the public hearing

**CLOSED: 7:02 pm**

#### **RESOLUTION NO. 231-2019**

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

**RESOLVED**, that the Town Board of the Town of Halfmoon accepts Lead Agency status to amend the Town Code to modify the sentencing options for violations of the Town Local Law.

#### **RESOLUTION NO. 232-2019**

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

**RESOLVED**, that the Town Board of the Town of Halfmoon declares a negative declaration in accordance to SEQRA to amend the Town Code to modify the sentencing options for violations of the Town Local Law.

**RESOLUTION NO. 233-2019**

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

**RESOLVED**, that the Town Board approves amending the Town Code to modify the sentencing options for violations of the Town Local Laws.

**PUBLIC HEARING: PROPOSED ZONING and PLANNING AMENDMENT.**

**Supervisor Tollisen** asked if anyone wanted to have the public hearing notice read. Hearing from no one he opened the public hearing at

**OPEN: 7:03 pm**

**Supervisor Tollisen:** Our Director of Planning and Zoning is here and I will ask Director Harris to please give us a summary of the changes.

**Director Harris** told the audience that there were copies of the proposed changes on the dais and that they could follow along with him. This is the 5<sup>th</sup> public presentation. There were 4 workshops and this is the first public hearing. I will present what has come to fruition as the result those public workshops and some changes that have been done on the overall proposal.

The changes are as follows:

**SUMMARY OF PROPOSED ZONING & PLANNING AMENDMENTS (6/5/19)**

#1: Official Zoning Map update

#2: Routes 4 & 32 Zoning Changes. Add three (3) new districts to be known as:

- A. M-2 Clean Manufacturing
- B. W-1 Waterfront Mixed Use
- C. W-2 Waterfront Commercial

#3: Create a Small Business Redevelopment Overlay District in five (5) locations

#4: Crescent Road Re-Zoning from Professional Office - Residential (PO-R) and Residential - 3 (R-3) to Commercial - 1 (C-1)

#5: East Route 146 Commercial Re-Zoning from A-R Agriculture - Residential to C-1 Commercial

#6: Route 9 Re-Zoning from A-R Agriculture - Residential to C-1 Commercial

#7: Establish a "Cluster Zoning" provision

#8: Increase Residential building setbacks and buffers

#9: Clarify "soil-disturbance activity"

#10: Reduce negative stormwater impacts of large developments by ensuring:

- A. lawns are established and stabilized
- B. yards are properly graded
- C. building foundation locations and elevations match approved plans

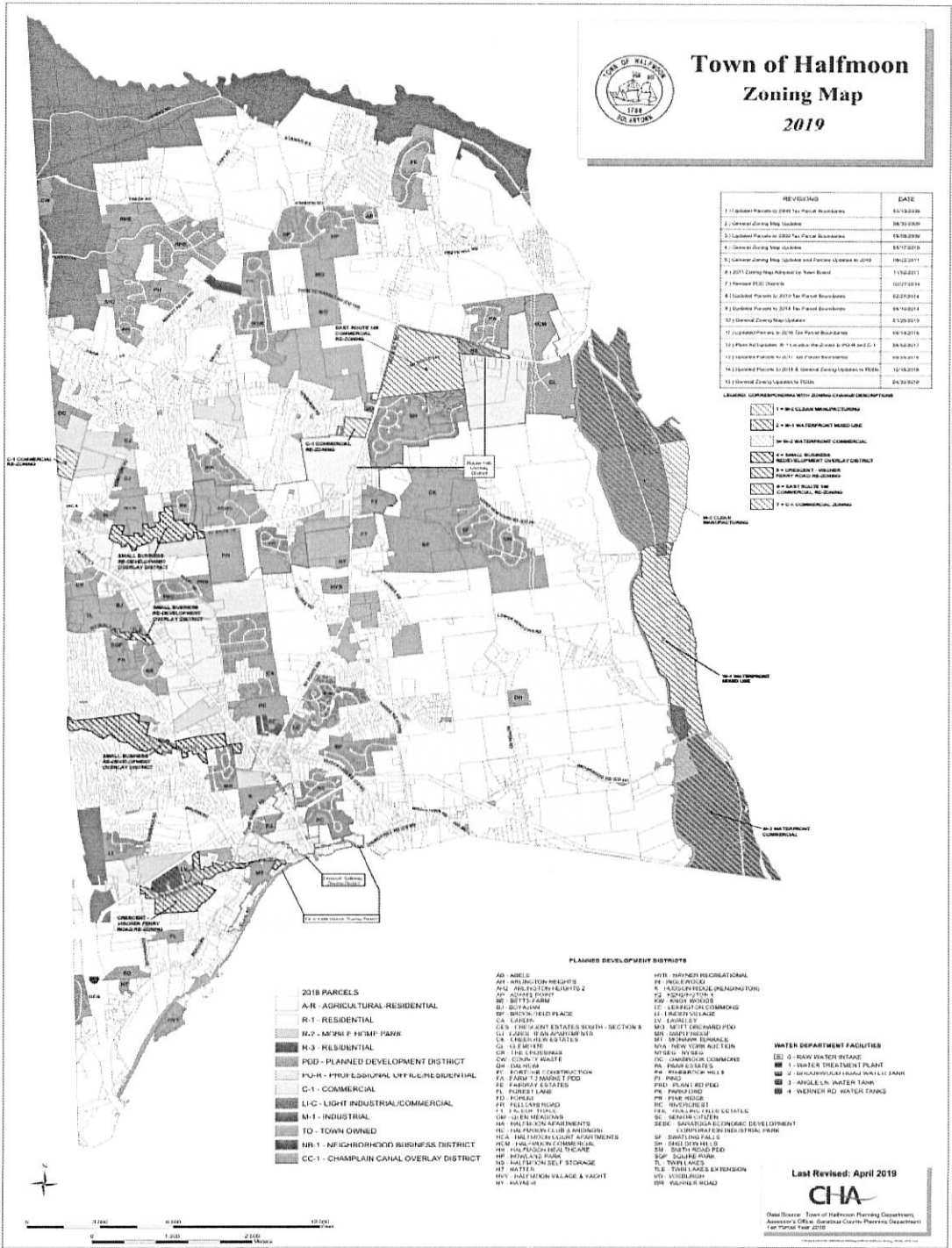
#11: Establish the term of Building Permits for Pools at 180 days

#12: Revise required fire inspections to match current procedure/practice (1 per 12 mo.)

- #13: Clarify the governing zoning district for a lot divided by a district boundary
- #14: Delete prohibition of “commercial facilities” allowed pursuant to a Special Use Permit
- #15: Revise Town Road & Infrastructure Dedication Procedures to reflect current procedure/practice
- #16: Revise Sign Ordinance to reduce the time an LED sign message may change
- #17: Eliminate Temporary Certificates of Occupancy
- #18: Clarify the enforcement authority for construction requiring a Certificate of Compliance

Item #1:

Zoning Map Update (including updated tax parcels, PDDs & re-zonings)



**Item #2:**

**Routes 4 & 32 Zoning Changes**

Add three (3) new districts along Routes & 32 (Hudson River Road) as follows:

**§ 165-6 (add)**

- M-2 Clean Manufacturing
- W-1 Waterfront Mixed Use
- W-2 Waterfront Commercial

**Item #2.A: § 165-22.1. M-2 Clean Manufacturing**

CURRENT ZONING: M-1 Industrial, LI-C Light Industrial Commercial and R-1 Residential

PROPOSED ZONING:

**§ 165-22.1. M-2 Clean Manufacturing**

The intent of this district is to provide an area for clean technology manufacturing businesses taking advantage of the existing rail infrastructure and waterfront access.

A. Permitted uses:

- (1) Manufacturing or treatment of product, articles or merchandise serving the technology industries, including but not limited to mechanical, electrical, optical, scientific, photographic processes.
- (2) Tool making.
- (3) Laboratories, research and or testing facilities that do not cause hazardous, noxious or offensive conditions in the district in which said facility is located.
- (4) Professional Offices.
- (5) Assembly or fabrication of products whose components have been Predominately manufactured off-site.

B. General requirements:

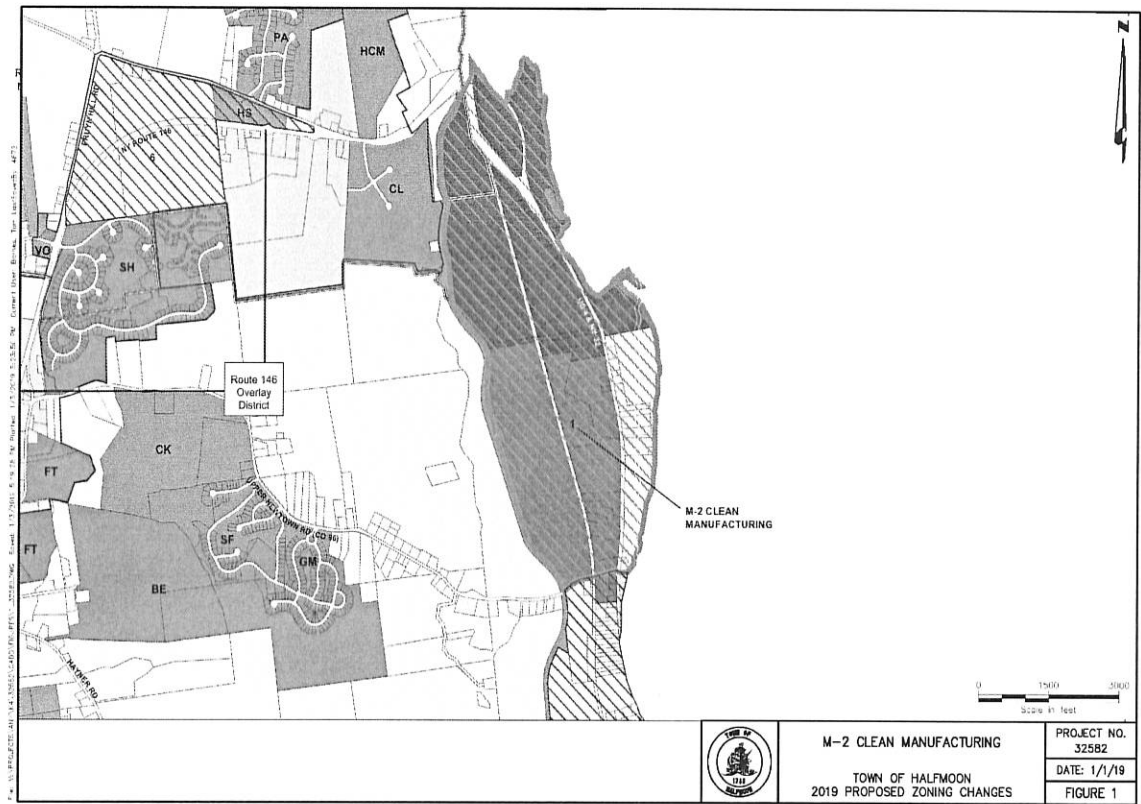
- (1) A minimum of 20% green space must be incorporated into the development plans.
- (2) No front yard storage is allowed.
- (3) No on street parking is permitted.
- (4) All loading should occur to the rear and side of the building if practicable.
- (5) Loading and docking areas must be screened from adjacent properties.

- Add this district to §165 Attachment 1, Schedule A for setbacks and minimum requirements; apply the same minimum standards as M-1 Industrial.
- Amend §165-32(F) to also require transition yard requirements (100' setback or 50' setback with fencing or evergreen landscaping) to any non-residential use in this district that abuts the Old Chaplain Canal land (SBL 274.-1-28; Owner: Town of Halfmoon)



MAP

§ 165-22.1. M-2 Clean Manufacturing



**Item #2.B: § 165-22.2. W-1 Waterfront Mixed Use**

CURRENT ZONING: M-1 Industrial, LI-C Light Industrial Commercial, A-R Agriculture Residential, and R-1 Residential

PROPOSED ZONING:

**§ 165-22.2. W-1 Waterfront Mixed Use**

The intent of this district is to provide a greater variety of allowable uses while restricting manufacturing and encourage dense levels of mixed residential and commercial businesses including retail, recreational, office and service oriented uses thereby providing waterfront access opportunities to purchase goods and services.

The following use regulations shall apply in any W-1 Waterfront Mixed Use:

A. Permitted uses:

- 1) Professional Offices.
- 2) Medical Facilities.
- 3) Spas, Barber Shop, Beauticians, Nail Salons.
- 4) Convenience Stores.
- 5) Restaurants, Bars, Bed and Breakfast Homestays, Bed and Breakfast Inns, Inns, Marinas.
- 6) Lodges and Fraternal Organizations.
- 7) One Family Dwellings.
- 8) Retail Stores with a maximum of 8,000 square feet.

B. General Requirements:

- (1) No portion of any site shall be used for temporary and/or permanent storage or display of any product or material or for parking of any vehicles and/or storage containers unless specifically designated for such use on the site plan.
- (2) No on street parking is permitted.
- (3) No front yard storage is allowed.

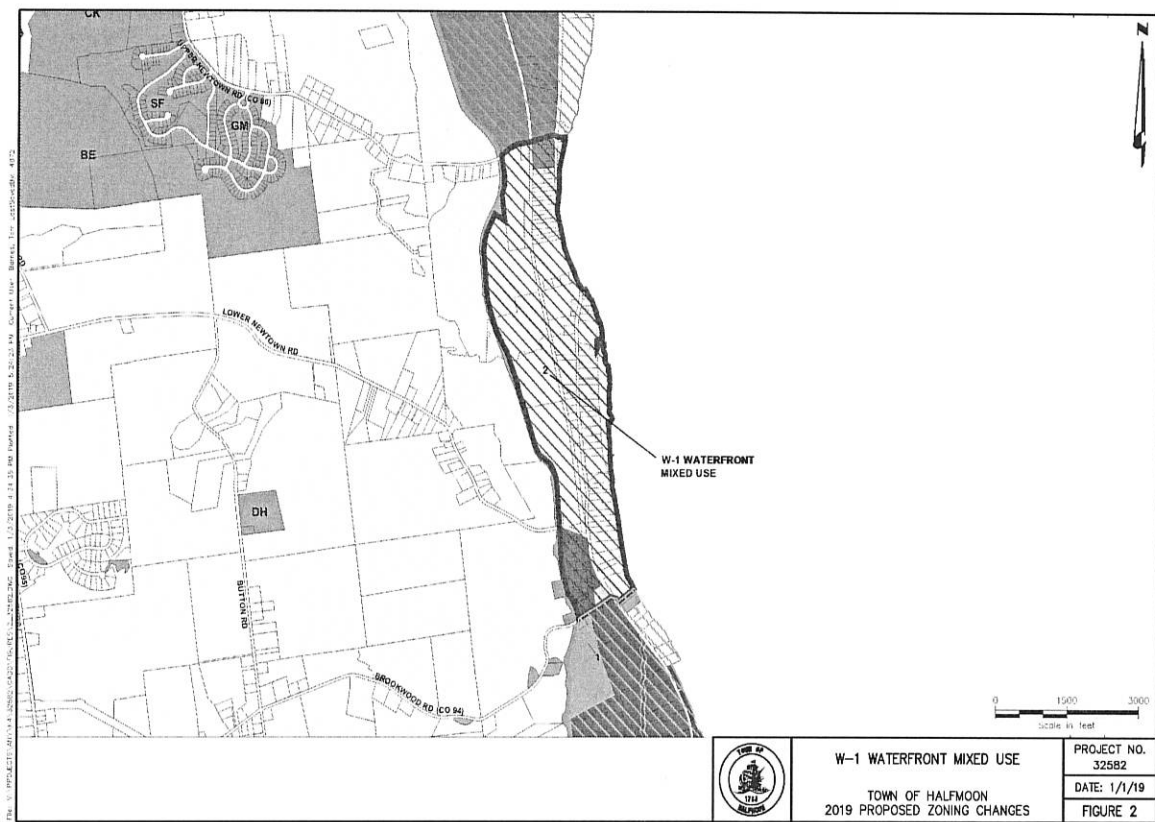
C. Uses permitted upon issuance of a special use permit by the Planning Board:

- (1) Two Family Dwellings

- Add this district to §165 Attachment 1, Schedule A for setbacks and minimum requirements; apply the same minimum standards as C-1 Commercial.
- Amend §165-32(F) to also require transition yard requirements (100' setback or 50' setback with fencing or evergreen landscaping) to any non-residential use in this district that abuts the Old Chaplain Canal land (SBL 274.-1-28; Owner: Town of Halfmoon)

MAP

§ 165-22.2. W-1 Waterfront Mixed Use



Item #2.C: § 165-22.3. W-2 Waterfront Commercial

CURRENT ZONING: M-1 Industrial and R-1 Residential

PROPOSED ZONING:

§ 165-22.3. W-2 Waterfront Commercial

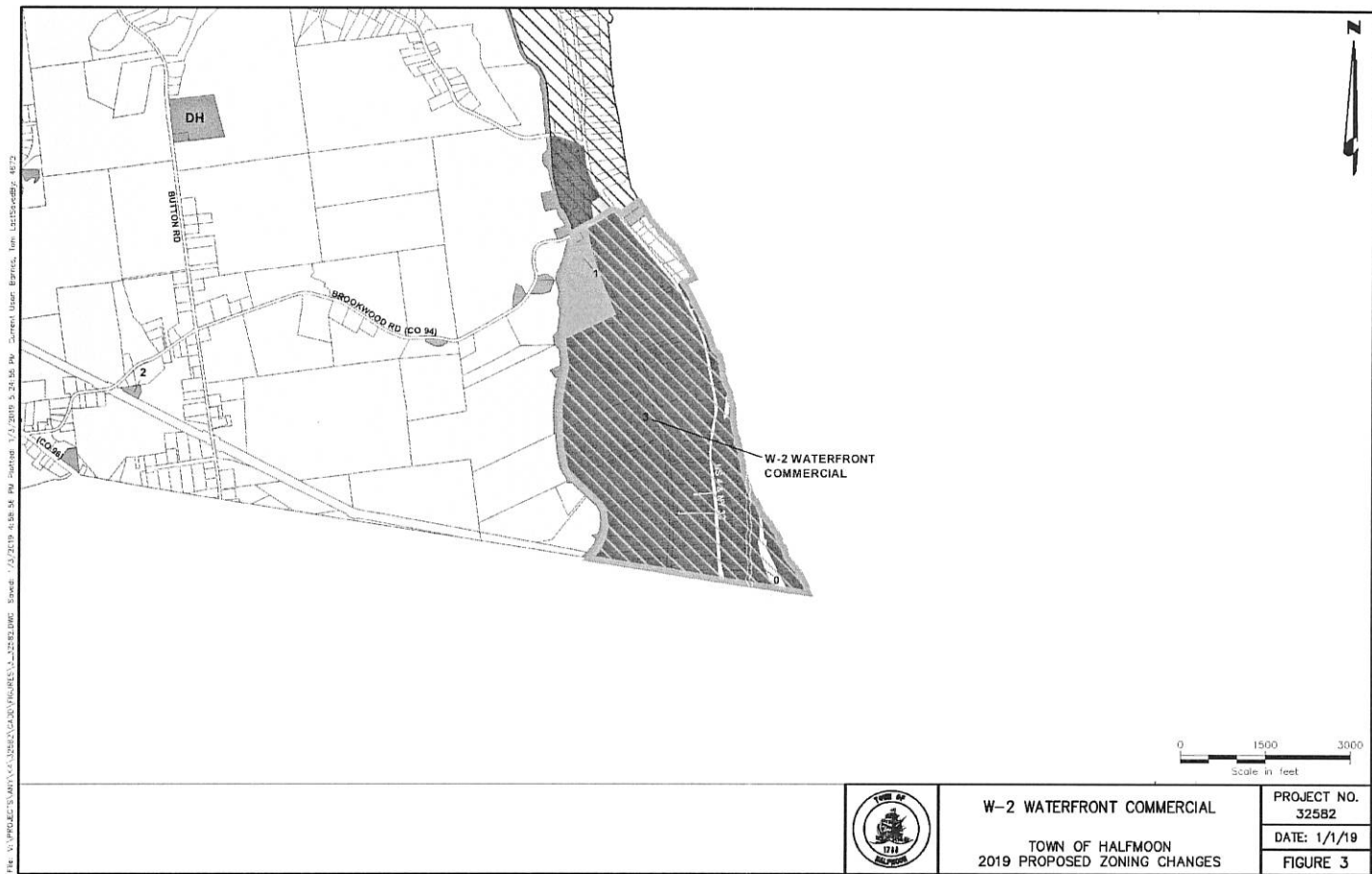
The intent of this district is to provide flexibility in allowable uses, to provide residences in Town with waterfront access opportunities, provide retail and services, and to foster mixed uses.

The following use regulations shall apply in any W-2 Waterfront Commercial Use:

- A. Permitted uses:
  - (1) All uses permitted in M-2 Industrial.
  - (2) All uses permitted in W-1 Waterfront Mixed Use.
- Add this district to §165 Attachment 1, Schedule A for setbacks and minimum requirements; for M-2 uses, apply the same minimum standards as M-1 Industrial; for W-1 uses, apply same minimum standards as C-1 uses.
- Amend §165-32(F) to also require transition yard requirements (100' setback or 50' setback with fencing or evergreen landscaping) to any non-residential use in this district that abuts the Old Chaplain Canal land (SBL 274.-1-28; Owner: Town of Halfmoon)

MAP

§ 165-22.3. W-2 Waterfront Commercial



Item #3: § 165-18. Small Business Redevelopment Overlay District

§ 165-18. Small Business Redevelopment Overlay District

The purpose of the section is to encourage the redevelopment of parcels in existence at the time of the effective date of this section that do not meet the minimum area requirements of the underlying zoning along a portion of Route 146, Sitterly Road, Grooms Road, Crescent Road, and Jones Road.

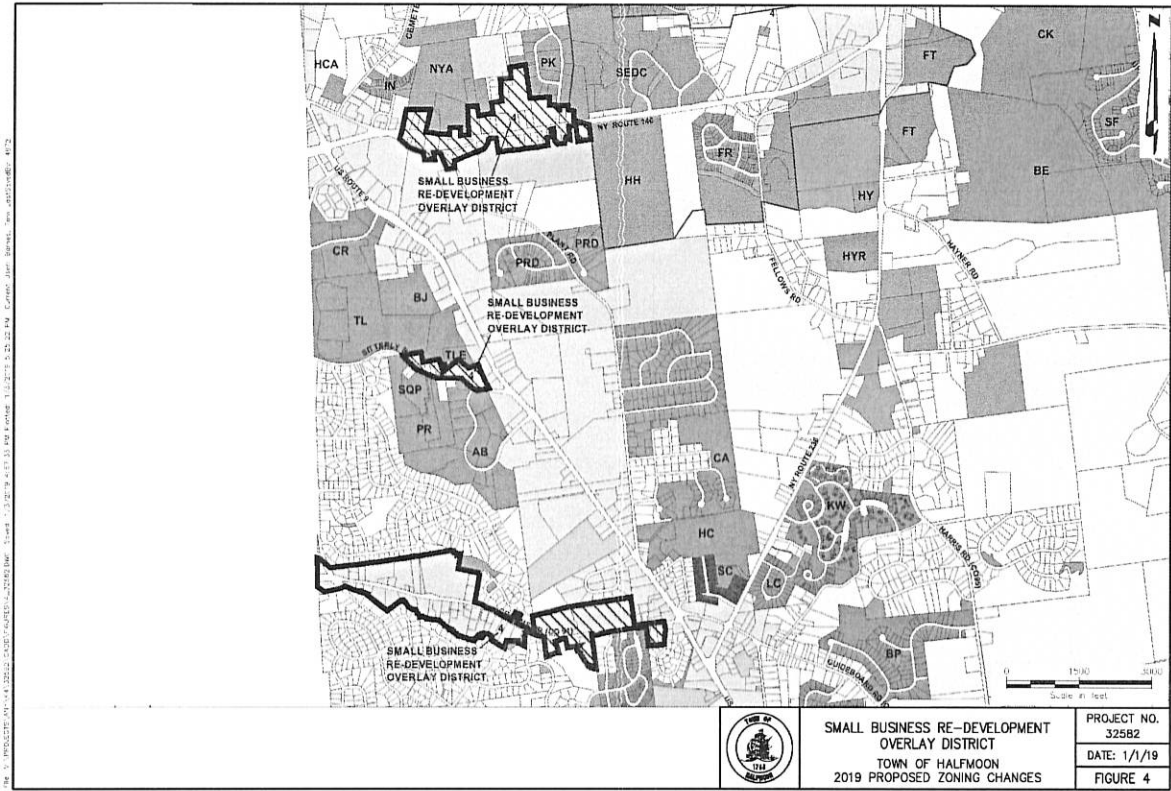
- A. The overlay district shall only apply to the following parcels:
- (1) The parcel shall be located in the C-1 Commercial or PO-R Professional Office-Residential zoning district;
  - (2) The parcel shall have at least one property boundary that abuts one or more of the following roads:
    - (a) Route 146 from the Old Plant Road intersection (western intersection) to the NY Route 146 Overlay District boundary;
    - (b) Sitterly Road
    - (c) Grooms Road;
    - (d) Crescent Road;
    - (e) Jones Road.
  - (3) The parcel does not meet the minimum Lot Size Area and/or minimum Lot Width requirements of the underlying zoning district;
  - (4) Public water and public sewer connections exist and are utilized.

- B. The following standards shall apply to those qualifying parcels under Section 165-18(A):
- (1) The minimum front yard setback shall be 25 feet;
  - (2) The minimum rear yard setback shall be 20 feet;
  - (3) Maximum building size (total square footage of all buildings and structures) shall be 5,000 sq.ft.
  - (4) Allow consideration of shared parking and internal site circulation driveway and aisle connections among adjacent parcels to help minimize curb cuts;
  - (5) All other minimum area requirements shall be the same as the underlying zoning, except for Lot Size Area and Lot Width, as noted in Section 165-18(A)3.

**§ 165-18. Small Business Redevelopment Overlay District**

**MAPS**

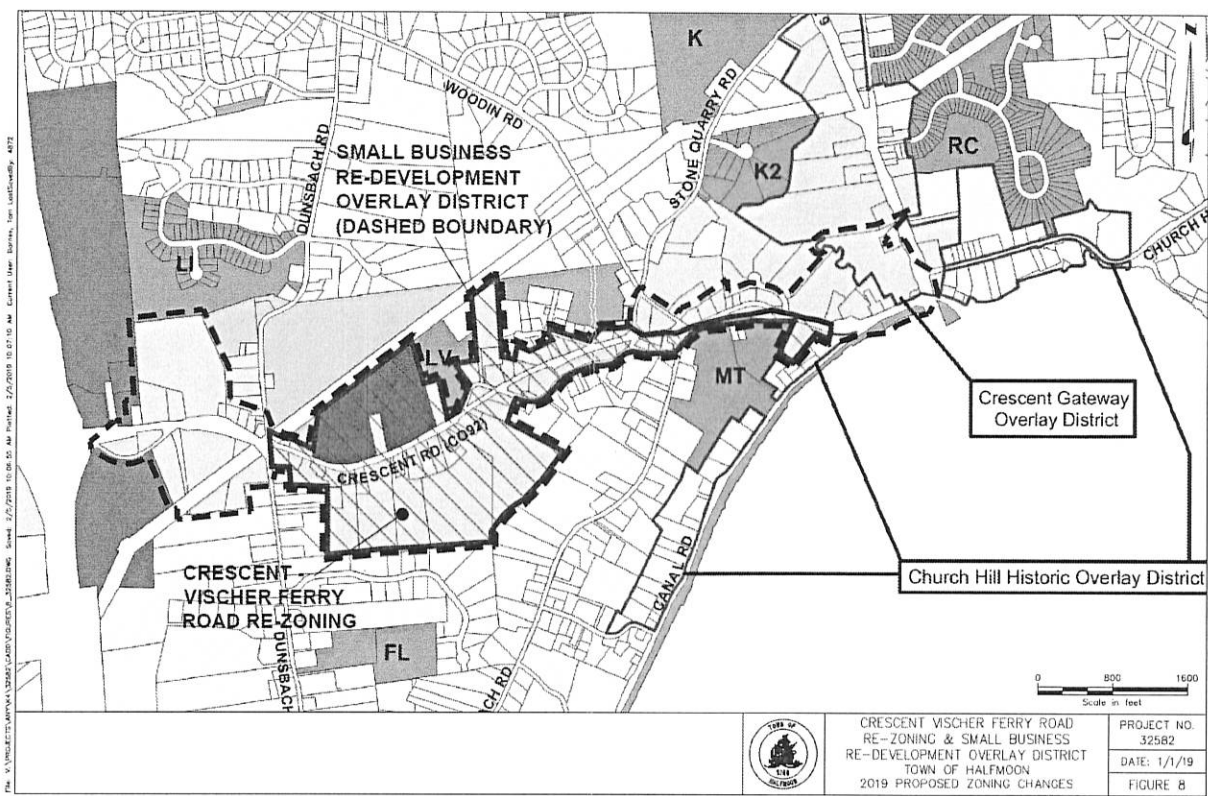
- Route 146 from the Old Plant Road intersection (western intersection) to the NY Route 146 Overlay District boundary
- Sitterly Road
- Grooms Road



§ 165-18. Small Business Redevelopment Overlay District

MAPS

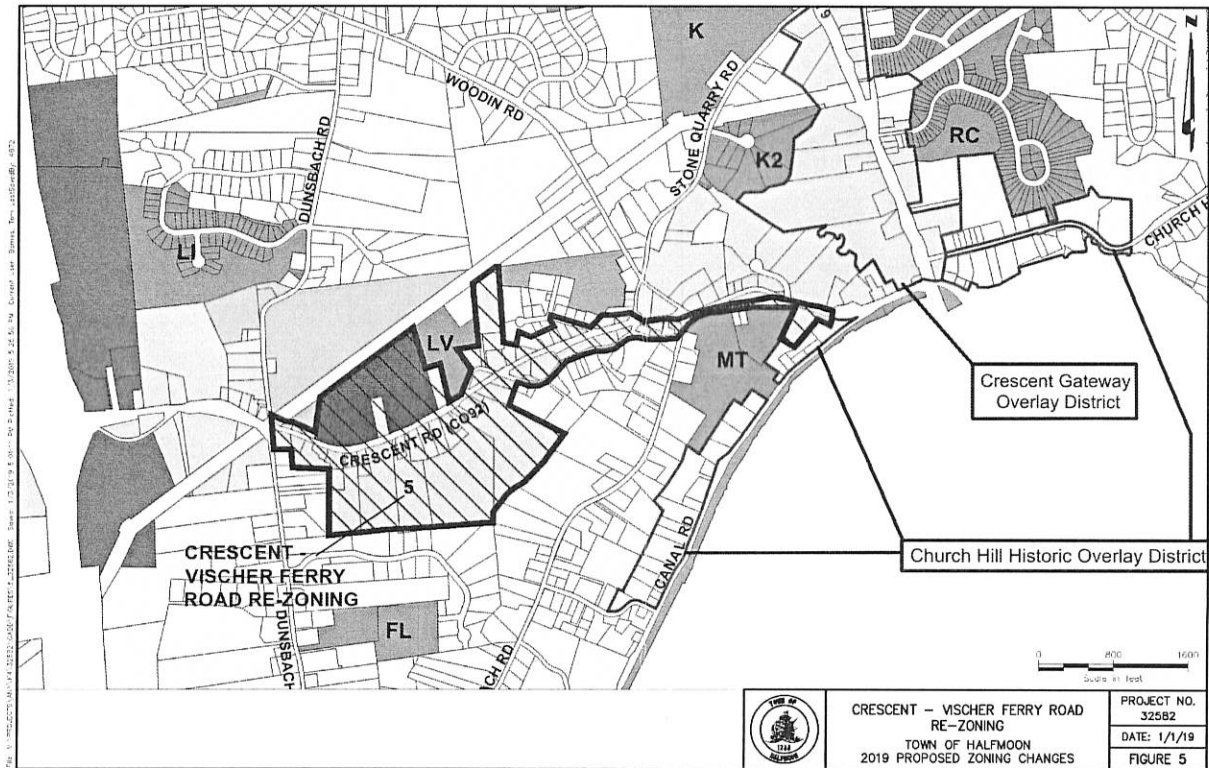
- Crescent Road
- Jones Road



Item #4:

Crescent Road Re-Zoning

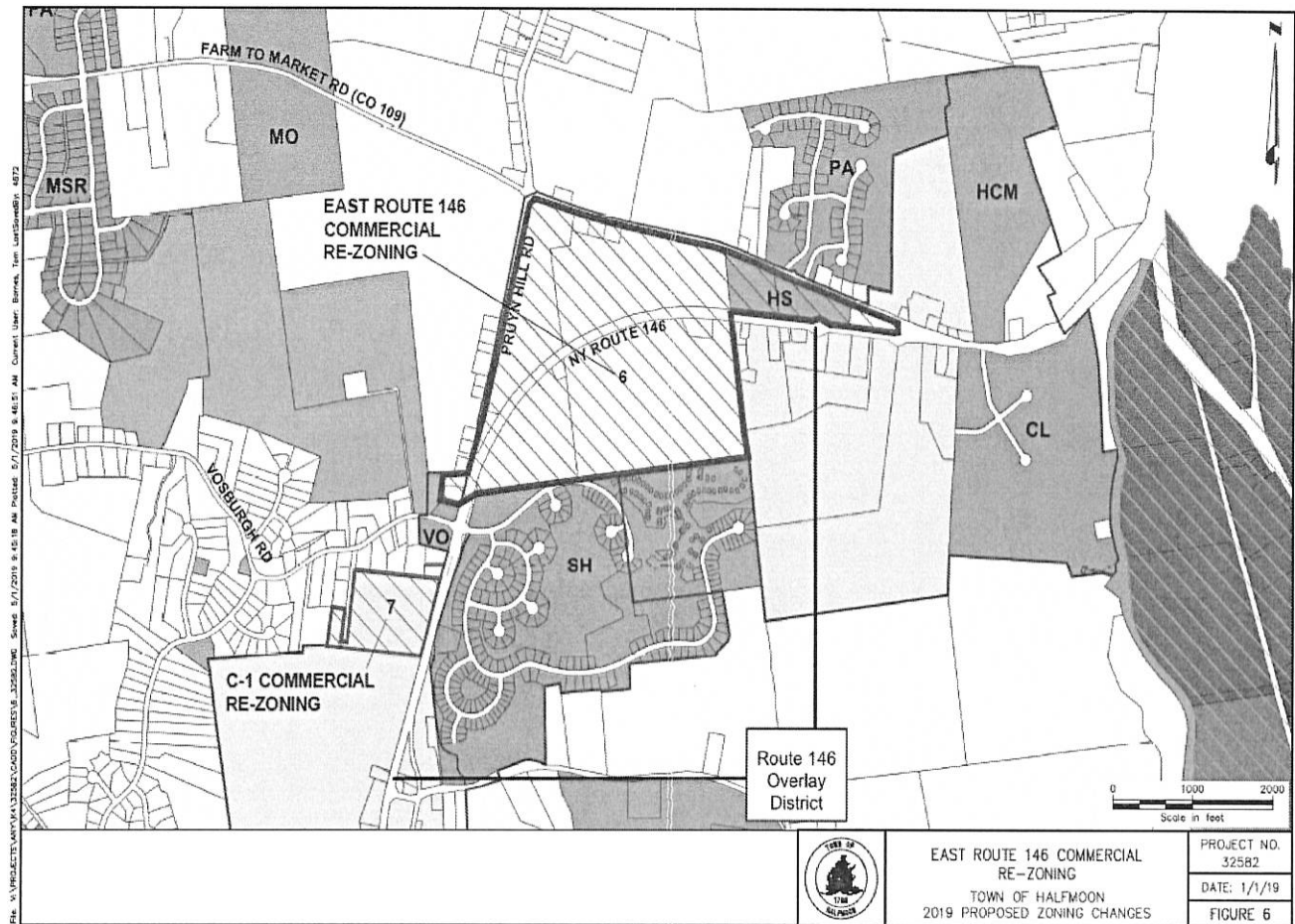
All parcels with frontage on Crescent Road and zoned Professional Office - Residential (PO-R) and Residential - 3 (R-3) shall be rezoned to Commercial - 1 (C-1).





**Item #5:**

Please Note: For C-1 Commercial zoned property, current Town Code requires minimum setback and buffer protections from adjacent residential properties (100' setback or 50' with a fence/buffer; Section 165-32F Transition Yard), and notification requirements to adjacent residential property owners.



**Item #6:**

**C-1 COMMERCIAL RE-ZONING**

OC

7

HCA

IN

NYA

CEMETERY RD

PK

SE

WERNER RD

WR

Scale in feet: 0 800 1600

FIGURE 7

PROJECT NO. 32582

DATE: 1/1/19

TOWN OF HALFMOON  
2019 PROPOSED ZONING CHANGES

C-1 COMMERCIAL ZONING

FILE: V:\PROJECTS\NYA\12357\CAD\FIGURES\7\_FIGURE7.DWG    Sheet: 1/2 (2019 5:22:06 PM Printed: 1/2/2019 5:25:53 PM)    User: Blaine\_Town    Path: C:\Users\Blaine\_Town\AppData\Local\Temp\12357\FIGURES\7\_FIGURE7.DWG



**Item #7:**

**§143-4 (A) & (B) and §143-6 A, C-G. Cluster Zoning:**

Amend §143-4 (A) & (B) and §143-6 A, C-G of the Town Code (current "Conservation Residential subdivision") to establish a "Cluster Residential" subdivision process for consideration by the Planning Board. The Cluster Residential subdivision law would allow the Planning Board to consider a "clustered" subdivision when it is in the best interests of the Town (preserve open space, protect environmentally-sensitive or desirable land characteristics, trail or park development, minimize future maintenance and infrastructure costs, etc.) and after weighing a "cluster" design with a standard subdivision plan for the site.

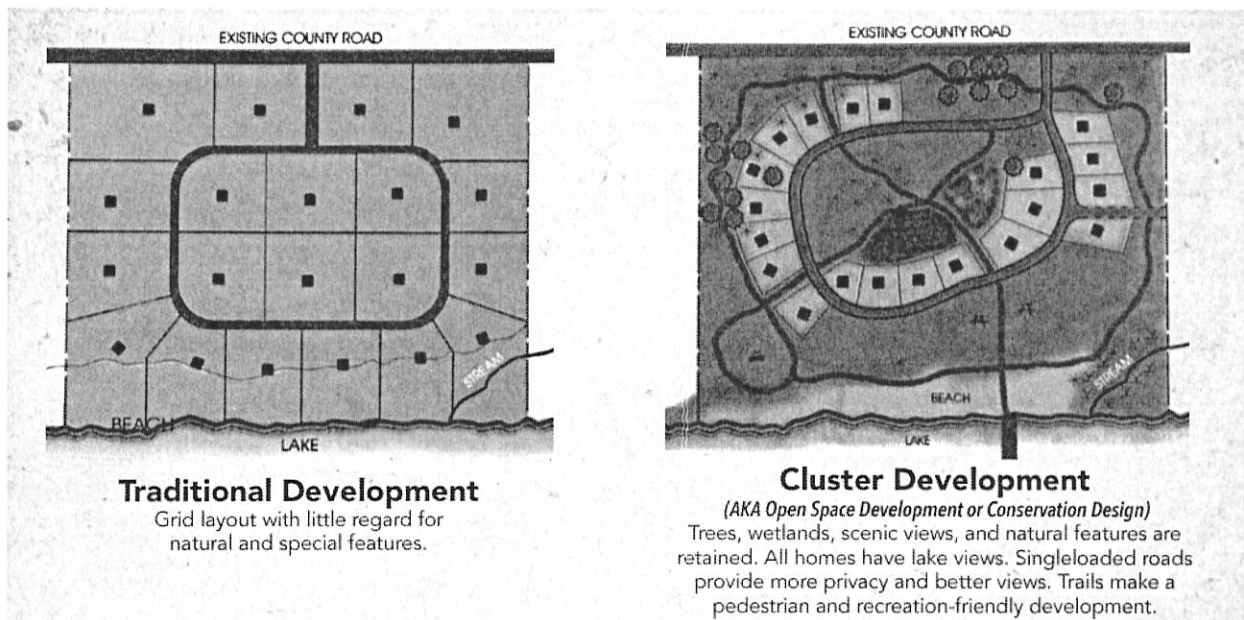
Specifically, the Cluster Residential subdivision law would allow the Planning Board to consider developments within the following minimum standards and requirements:

**A. Minimum Standards:**

- i. A cluster residential design must be submitted prior to or in conjunction with the application to the Planning Board for subdivision approval.
- ii. A cluster residential design shall only be permitted in the R-1 Residential and A-R Agriculture Residential zoning districts.
- iii. A cluster incentive shall only apply to single family residential use with public water and public sewer connections.

**B. Minimum Area Requirements:**

- i. Minimum lot size of 10,000 SF (conventional subdivision = 20,000 SF)
- ii. Minimum front yard setback of 25 feet (conventional subdivision = 50 feet)
- iii. Minimum rear yard set back of 15 feet (conventional subdivision = 30 feet)
- iv. Minimum side yard setback of 10 feet/side & 20 feet total (conventional subdivision = 10 foot minimum, with 25 foot minimum combined side yards).
- v. Minimum road width of 28 feet.



**Item #7:**

**§143-4 (A) & (B) and §143-6 A, C-G. Cluster Zoning:**

Amend §143-4 (A) & (B) and §143-6 A, C-G of the Town Code (current "Conservation Residential subdivision") to establish a "Cluster Residential" subdivision process for consideration by the Planning Board. The Cluster Residential subdivision law would allow the Planning Board to consider a "clustered" subdivision when it is in the best interests of the Town (preserve open space, protect environmentally-sensitive or desirable land characteristics, trail or park development, minimize future maintenance and infrastructure costs, etc.) and after weighing a "cluster" design with a standard subdivision plan for the site.

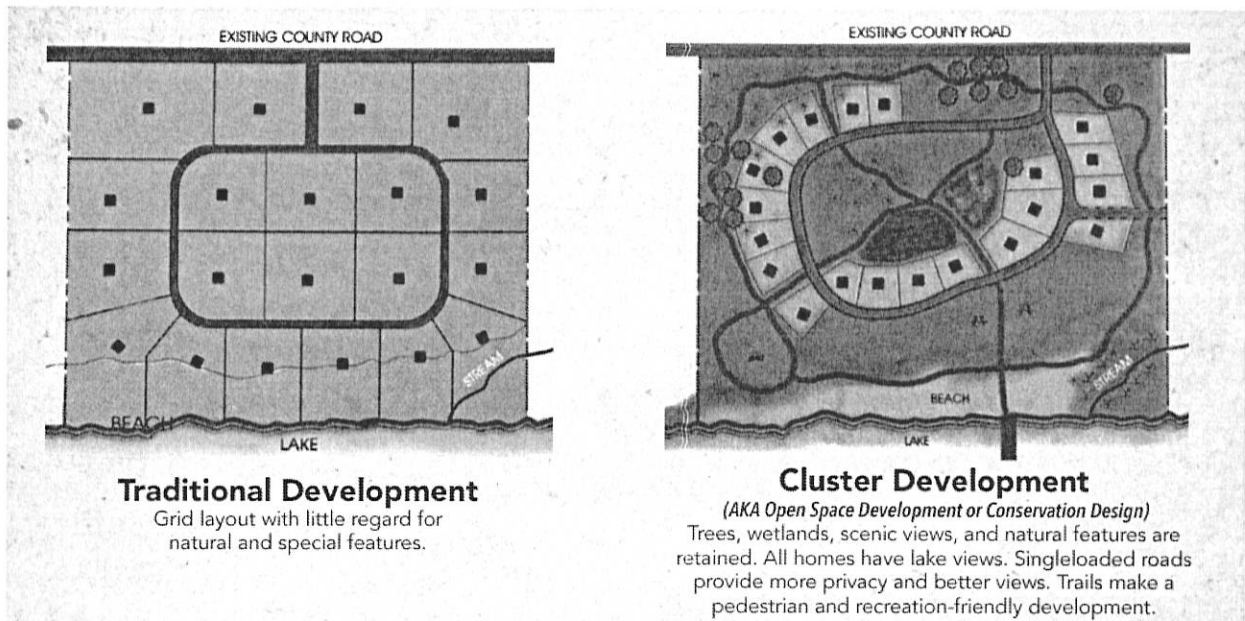
Specifically, the Cluster Residential subdivision law would allow the Planning Board to consider developments within the following minimum standards and requirements:

A. Minimum Standards:

- i. A cluster residential design must be submitted prior to or in conjunction with the application to the Planning Board for subdivision approval.
- ii. A cluster residential design shall only be permitted in the R-1 Residential and A-R Agriculture Residential zoning districts.
- iii. A cluster incentive shall only apply to single family residential use with public water and public sewer connections.

B. Minimum Area Requirements:

- i. Minimum lot size of 10,000 SF (conventional subdivision = 20,000 SF)
- ii. Minimum front yard setback of 25 feet (conventional subdivision = 50 feet)
- iii. Minimum rear yard set back of 15 feet (conventional subdivision = 30 feet)
- iv. Minimum side yard setback of 10 feet/side & 20 feet total (conventional subdivision = 10 foot minimum, with 25 foot minimum combined side yards).
- v. Minimum road width of 28 feet.



Item #8:

**Amend §165 Attachment 1, Schedule A  
to Increase Residential Building Setbacks & Buffers:**

Amend §165 Attachment 1, Schedule A as follows:

- 1) Increase setbacks for structures within R-1 Residential and A-R Agriculture Residential zoning districts to allow increased yard space and reduce likelihood of conflicts between adjacent properties. Specifically:
  - a) Minimum rear yard setback of 50 feet (current regulations = 30 feet)
  - b) Minimum side yard setback of 15 feet/side & 30 feet total (currently = 10 foot minimum, with 25 foot minimum combined side yards).
- 2) Establish setbacks to federal wetlands and state wetland buffers in the R-1 Residential and A-R Agriculture Residential zoning districts to reduce incremental encroachment, protect these environmentally significant and sensitive resources, and minimize flooding and related stormwater issues that can occur when homes are constructed close to regulated wetlands.
  - Proposed setbacks: 50' setback for principal structures; 20' for accessory structures.

**Item #9:**

**Clarify “Soil Disturbance Activities”:**

PURPOSE: Clarify the definition of “soil-disturbance activity”.

**9.A) Amend §165-5 Definitions**

**CURRENT DEFINITION:**

SOIL-DISTURBING ACTIVITIES: Any activity affecting one or more acres which directly or indirectly changes the natural topography or vegetative cover of a parcel either by excavation or tree clearing. Sound agricultural practices as defined by Agriculture and Markets Law Article 25AA are exempt from this definition.

**PROPOSED DEFINITION:**

SOIL-DISTURBANCE ACTIVITIES: Any activity which directly or indirectly changes the natural topography, drainage or vegetative cover of a parcel either by grading, excavating, placement of fill or tree clearing of trees six inches or greater in diameter as measured four feet from grade. Sound agricultural practices as defined by Agriculture and Markets Law Article 25AA are exempt from this definition.

**9.B.) Amend §165-42 Soil disturbance. A.**

**CURRENT:**

No soil disturbance activities shall be conducted within 50 feet of the edge of pavement of any public roadway or property line without first obtaining a permit from the Code Enforcement Officer. Any activity affecting one or more acres which directly or indirectly changes the natural topography or vegetative cover either by excavation or tree clearing shall be considered a soil disturbance activity. No soil disturbance permit will be issued prior to preliminary approval for any subdivision submitted pursuant to Halfmoon Code, § 143-6, or final approval for all other applications that are under review by the Town Board and/or Planning Board.

**PROPOSED:**

A permit from the Code Enforcement Officer or other designated person shall be required for soil disturbance activity, as defined in §165-5, affecting one acre or more or less than one acre of total land area that is part of a larger common plan of development or sale, even though multiple separate and distinct soil disturbance activities may take place at different times on different schedules. No soil disturbance permit will be issued prior to preliminary approval for any subdivision submitted pursuant to Halfmoon Code, § 143-6, or final approval for all other applications that are under review by the Town Board and/or Planning Board.

**Item #10:**

**Reduce Stormwater Impacts of Open Developments**

The purpose of the following amendments is to prevent and minimize adverse stormwater impacts of open development sites by ensuring: (1) new lawns are established and stabilized; (2) new yards are properly graded; and (3) new building foundation locations and elevations match approved plans.

**§165-42. Add new subsection "G":**

**G. Final Lawn Stabilization.**

If a soil disturbance permit is issued by the Town, the applicant shall submit a monetary amount on a per acre of disturbance basis, either through cash placed in escrow, bond, letter of credit or other means deemed acceptable by the Town. The per acre amount shall be established by resolution of the Town Board. These funds shall be used to ensure the final stabilization of lawns or property through a perennial vegetative cover or equivalent stabilization measures deemed acceptable to the Town, such as permanent landscape mulches, rock rip-rap or washed/crushed stone, applied on all disturbed areas that are not covered by permanent structures, concrete, pavement or other impervious surface materials. These funds shall only be released back to the applicant when a Notice of Termination associated with the stormwater pollution prevention plan (SWPPP) is filed by the applicant.

**§165-42. Add new subsection "H":**

**H. Final Grading Review and Approval**

The Town Engineer or other Town official authorized by the Town Board shall review the proposed grading submitted pursuant to Section 71-5B.(2)(e) and/or any other Site Plan or Subdivision Plan approved by the Town of Halfmoon. The Town Engineer or other designated Town official shall inspect the lot grading following submittal of the grading plan pursuant to Section 71-5B.(2)(e) and in coordination with the Code Enforcement Officer. The first inspection shall occur following installation of the foundation. A second inspection shall be conducted by the Town Engineer or other designated Town official prior to issuance of the Certificate of Occupancy. Payment for the services of the Town Engineer or other designated Town official for this review and inspections shall be at a rate and manner established by resolution of the Town Board.

**§71-5B.(2)(e) is amended:**

- (e) Three sets of plans and specifications for the proposed work. Plans shall include, at a minimum, a survey from a licensed surveyor with proposed lot grading, building elevation and foundation location. Upon completion of the foundation, verification of the as-built building elevation and foundation location by a licensed surveyor shall be submitted prior to authorization to proceed with any work or construction on the site.

**Item #11:**

**Establish term of Building Permits for Pools at 180 days**

PURPOSE: Currently, the term of a pool permit is 90 days, with an optional 90 day extension. This amendment will make pool permits valid for 180 days, with no extension.

**Amend §71-5C(4):**

Building permits for pools shall expire in 180 days and lawn sprinklers in 30 days.

**Amend §165-72B:**

Extension of building permit. Not including permits for pools and lawn sprinklers as cited in Section 71-5C(4), a building permit may be extended by the Enforcement Officer for a period of 90 days upon written request by the applicant. The request for a ninety-day extension shall be reviewed on a case-by-case basis by the Enforcement Officer. Under no circumstances shall a second ninety-day extension be granted. Any additional extensions shall be governed by § 71-5C(3).

**Item #12:**

**Revise Town Code to match procedures in place for Fire Inspections**

PURPOSE: Amend §71-8. Inspections, B (1) & (3) to match current Town procedures related to the frequency of fire inspections for multi-family dwellings and all other non-single-family or two-family dwellings (e.g. commercial, light industrial, manufacturing, etc.). Town Code currently states 1 inspection every 36 months for multi-family and 1 inspection every 24 months for other non-single/two family dwellings.

**§71-8. B. Fire prevention and property maintenance inspections.**

(1) Multiple dwellings shall be inspected for the purpose of determining compliance with fire prevention and property maintenance requirements of the Uniform Code at least once in every 12 months. Inspections of such buildings shall include the common areas such as halls, foyers, staircases, etc. and vacant dwelling units. Where the tenants of occupied dwelling units allow, the inspection may include such units.

(3) All other buildings, uses and occupancies (except one- or two-family dwellings) shall be inspected at least once in every 12 months.



**Item #13:**

**Clarify the governing zoning district for a lot divided by a district boundary**

**§165-8 District boundaries. D.**

**CURRENT:**

Where a district boundary line divides a lot of record held in one ownership at the time of adoption of said district line, the regulations for the less restricted portion of such lot shall apply to the remainder of said lot up to a distance of not more than 50 feet from said district line.

**PROPOSED:**

Where a district boundary line divides a lot of record, the zoning regulations for the less restricted portion of such lot shall apply to the remainder of said lot.

**Item #14:**

**Revise §165-9.B.4 to eliminate the prohibition of “commercial facilities” allowed pursuant to a Special Use Permit**

**CURRENT:**

§165-9.B(4): Private or public recreation or playground area, golf club, country club, or other open recreation uses but not including commercial facilities or amusement parks.

**PROPOSED:**

§165-9.B(4): Private or public recreation or playground area, golf club, country club, or other open recreation uses but not including amusement parks.

**Item #15:**

**Revise 74 Attachment 3 Road & Infrastructure Dedication Procedures:**

The attached includes amendments to the Town Road & Infrastructure Dedication Procedures to more accurately reflect the actual process and an existing checklist used by staff and builders.

DESIGN AND CONSTRUCTION STANDARDS (Proposed Revisions 1/31/19)  
*74 Attachment 3*

**Town of Halfmoon  
Roadway and Infrastructure Dedication Procedures**

1. The roadway and infrastructure dedication process begins at the time that the Planning Board Chairman stamps and signs the subdivision plan(s) approved by the Planning Board and proof of filing of the subdivision plan with the County is provided to the Planning Department.

2. The applicant and/or developer, contractor, consultants (hereinafter referred to as "applicant") shall request a pre-construction meeting by contacting the Planning Department and submitting the following to the Planning Department:

- Construction Initiation Request Form; to include contact information of the applicant, their engineer/design consultant, their attorney and a list of the roads, infrastructure, easements and/or any other items proposed to be dedicated to the Town;
- Two (2) copies of the plans filed with the County and any approved off-site improvement plans related to the project;
- Town Stormwater/Soil Disturbance Permit issued by the Town; if not issued at time of pre-construction meeting, a Notice of Intent Acknowledgement Letter from NYSDEC;
- Proof of Certificate of Insurance, naming the Town and Town Engineer as additional insured;
- Hold Harmless and Indemnity Agreement;
- Anticipated construction start date;
- Proposed construction schedule;
- Proposed work hours;
- The applicant shall pay any outstanding engineering review escrow costs and any necessary inspection funds shall be deposited in escrow with the Town based upon amounts determined by the Town Engineer;

3. Following receipt of the items in No. 2, above, a pre-construction meeting shall be held including representation from the following:

- Town of Halfmoon
- Town Engineer
- Applicant
- Applicant's contractor(s)
- Any other individual deemed necessary by any of the above

4. Infrastructure construction begins; coordination shall be made with the Town Engineer.

5. Joint construction review is provided by the Town Engineer and representatives from the Highway, Water and Planning departments.

6. Following substantial completion of construction of those improvements which will be dedicated and a minimum of one month prior to the Town Board meeting date at which dedication is being requested, subject to provisions of No. 11, below, a punch list of outstanding items to be completed by the applicant is developed by the Town Engineer and distributed to the applicant and the Highway, Water and Planning departments.

7. Building permits and model home certificate of occupancy prior to dedication:

A. The first five building permits may be issued if the Code Enforcement Official is satisfied that the roadway meets minimum standards for access, safety and any other requirement. A letter signed by the future homeowners and the applicant must be submitted with the application for a building permit, stating they acknowledge that a certificate of occupancy will not be issued unless and until the roadway and infrastructure are dedicated and evidence of filing with the County is provided. However, one certificate of occupancy may be issued at this time for a model home under the following conditions: (1) the applicant designates the building as a model home on the application for the building permit; (2) the Code Enforcement Official determines that the project has progressed sufficiently to support a model home; and (3) the certificate of occupancy shall be limited to purposes related to use of a model home and shall not allow overnight accommodations or residency, except as provided in #13, below. If the project was approved by the Planning Board in phases, construction of the improvements, acceptance and dedication to the Town, and issuance of building permits and certificates of occupancy, may be made on a phase-by-phase basis. However, a project may not proceed to a subsequent phase until the dedication is complete and evidence of filing is provided for the current phase. If the project was not approved by the Planning Board in phases or the applicant seeks a change in the approved phasing plan, the applicant shall return to the Planning Board for consideration of the new phasing plan.

i. An additional five building permits may be issued by the Code Enforcement Official following submittal by the applicant and review by the Town Attorney, and any additional Town staff requested by the Town Attorney, of a complete package of all required documents, as listed below. The Town Attorney and Town staff shall have a minimum of 14 business days and a maximum of 21 business days from the date of submittal of a complete package of all required documents, to review and respond to the applicant regarding their completeness. The Town Attorney will begin their review of the documents when a complete package is received and the minimum 14 business days shall not commence until a complete package is submitted. A complete package of required documents shall include:

- Certification from Saratoga County Sewer District No. 1 or other public or private sanitary sewer entity or agency with jurisdiction over the project area;
- Roadway and easement descriptions for all roads and easements to be dedicated or conveyed to the Town. A separate map and description should be provided for each easement and/or roadway. The maximum paper size for the descriptions shall be 8 1/2 inches by 11 inches, and the maximum sheet size for the maps shall be 8 1/2 inches by 11 inches. Each map and description shall bear the original signature and seal of a licensed land surveyor and last revision date.
- Title insurance.
- Warranty deed(s).
- Offer(s) of cession.
- Mortgage release.
- Resolution (if owned by an LLC or Inc.).
- Tax Liability letter.
- Transfer tax form (TP-584).
- Equalization and assessment form (RP-5217).
- Draft performance (if necessary), maintenance and top course bonds, letters of credit or cash security deposit (hereinafter referred to as "bond" or "bonds"), as described in No. 8, below.



- Substantial completion of the punch list described in No.6, above, and there are no outstanding health-, safety- and welfare-related items, as determined by the Town Engineer, and Highway, Water and Planning departments.
- As-built record mapping/certified survey.
- Payment of any outstanding town fees, engineering review or inspection escrow amounts (accounts receivable or estimates) or other required payments to the Town.

B. For purposes of the roadway and infrastructure dedication process, each individual building foundation shall constitute one permit.

8. Prior to further action, the following shall occur:

- The punch list described in No. 6, above, is completed to the satisfaction of the Town Engineer.
- Performance bond is established by the applicant for any outstanding items identified by the Town Engineer. The Town Engineer determines the appropriate performance bond amount to cover all incomplete work, and an additional \$10,000 to cover legal expenses associated with the dedication process. All performance bonds shall be made with a continuous renewal and no expiration date, unless otherwise determined by the Town.
- An estimate for the maintenance bond (in the amount equal to or greater than 10% of the total construction cost of the improvements to be dedicated) and a top course bond (in the amount equal to or greater than 110% of the cost of completion of any items that are expected to be required, including but not limited to raising framesets, tack coating, mobilization, top course paving, re-striping, etc.) are determined by the Planning Department, in consultation with the Town Engineer, if necessary. Costs shall be based on the most current edition of Means Site Work & Landscape Cost Data, or other approved basis, and shall be based on prevailing wages. The bond amount shall be increased a sufficient amount to cover the cost of public bidding and construction inspection. If a performance bond was previously established to cover incomplete work items, the performance bond amount can be reduced and established as a maintenance bond. The minimum amounts to be used for the calculation of the maintenance bond shall be \$60 per linear foot (10% of the total cost at \$600 per linear foot) and for the calculation of the top course bond shall be \$70 per linear foot. All bonds and renewals of existing bonds shall be made with a continuous renewal and no expiration date, unless otherwise determined by the Town.
- Draft performance, maintenance and top course bonds are submitted to the Planning Department for review.

9. A final roadway dedication package is submitted to the Town Attorney, including revised and/or final versions of the required documents listed in No. 7A, above.

10. A ready-for-dedication memorandum is provided by the Highway, Water and Planning departments and is sent to the Town Attorney.

11. As provided in § 143-10, all roadways and infrastructure to be dedicated to the Town must be accepted by the Town Board no earlier than the first Town Board meeting in May and no later than the first Town Board meeting in November. The Town Board may then accept the roadway and infrastructure by resolution. The Town Board may determine to accept a roadway and infrastructure for dedication prior to completion of all the units in the subdivision/development and prior to completion of the top course of asphalt pavement.

12. Evidence of filing is submitted by the applicant to the Town Attorney.

13. Once the evidence of filing with the County of the dedicated roadway and infrastructure is submitted, the Code Enforcement Official may issue additional building permits, and the applicant may apply for certificates of occupancy. Additionally, at the request of the applicant, any certificate of occupancy issued for a model home, pursuant to No. 7A, above, and upon the approval of the Code Enforcement Official, may be revised by the Code Enforcement Official to allow residency and overnight accommodations.

14. After the Town Engineer and Highway Department determine that the top course pavement may be applied based on the duration and extent of construction completed, a walk-thru shall be conducted with the applicant, Town Engineer and Highway, Water and Planning departments and a punch list of any outstanding items shall be developed.

15. Upon completion of the punch list to the satisfaction of the Town Engineer, the applicant may install the top course pavement. If the initial punch list is not completed to the satisfaction of the Town Engineer, additional walk-throughs may be conducted and punch lists developed until the Town Engineer authorizes the top course installation.

16. Upon installation of the top course pavement to the satisfaction of the Town Engineer, the top course bond shall be released.

17. After a minimum of one year from the date of installation of the top course pavement, the applicant may request release of the maintenance bond, which shall be released pursuant to the following:

- A walk-thru shall be conducted with the applicant, Town Engineer and Highway, Water and Planning departments and a punch list of any outstanding items shall be developed. If the initial punch list is not completed to the satisfaction of the Town Engineer, additional walk-throughs may be conducted and punch lists developed until the Town Engineer is satisfied.
- Upon completion of the punch list to the satisfaction of the Town Engineer, the maintenance bond shall be released.

18. At any time after the filing with the County of the dedicated roadway and infrastructure, as described in No.12, above, and prior to the release of the maintenance bond, as described in No. 17, above, an inspection may be performed by the Town Engineer, and/or Highway, Water and Planning departments. If work is required as a result of such inspection, the applicant shall be notified and the work shall be completed by the applicant to the satisfaction of the Town Engineer. If the applicant is not available to do the work or fails to complete the work within the parameters and/or deadline provided by the Town Engineer, the maintenance bond may be used to cover the cost of the work.

**Item #16:**

**Revise Sign Ordinance to reduce the time an LED sign message may change**

**§ 165-50D.**

**CURRENT:**

No rotating, projecting or animated sign shall be permitted. LED signs that change content every 10 minutes shall not constitute a violation of this section so long as there is no animation/movement other than the content change.

**PROPOSED:**

No rotating, projecting or animated sign shall be permitted. LED signs that change content every 20 seconds shall not constitute a violation of this section so long as there is no animation/movement other than the content change.

**Item #17:**

**Eliminate Temporary Certificates of Occupancy**

Amend § 71-5C(3), § 71-6), § 71-7B to eliminate references to the ability to issue temporary certificates of occupancy.

**Item #18:**

**Clarify Enforcement Authority for Construction Requiring a Certificate of Compliance**

PURPOSE: Add a new §71-7(C) to clarify that all items listed in §71-5 that should receive a Certificate of Compliance (C.C.) instead of a Certificate of Occupancy (C.O.), are required to do so. In addition to structures/buildings that are required to receive a C.O., §71-5 lists other items (lawn sprinklers, swimming pools, hot tubs, generators and furnaces) that are supposed to receive a C.C. However, §71-7 only references C.O.s as being required.

**§71-7(C):**

C. This section shall also apply to any building permit issued pursuant to Section 71-5 and in which a Certificate of Occupancy or Certificate of Compliance is required.

**Supervisor Tollisen** asked if there were any questions from the Town Board

**Supervisor Tollisen** asked if there were any questions from the public

**Theres Main, 14 Whitney Drive:** There are several of us here from Sheldon Hills and concerned about item #5. The property right behind our backyards has been changed from Agricultural to Commercial, and we of course are concerned. I was assured that any commercial building, trucking, business or anything being considered for that property, that we would be consulted. We are wondering what our position is, how would we be informed, and Sheldon Hills be assured that whatever is built next to our backyards would be amenable to our existing habitat. Thank you very much.

**Supervisor Tollisen:** I will let Director Harris address that. We have very specific policies and procedures that handle these types of matters but I will let the Director tell you how you would be notified about any projects that come in.

**Director Harris:** There are provisions in the Town Code right now that I will summarize and the primary one is that if this is changed to C-1 Commercial and a project came in as one of the allowed uses under C-1 zoning, it would require an approval at a minimum of the Town Planning Board. First of all, there would be a public meeting where we accept comments in writing at those meetings as it is not a public hearing. There would be a requirement that it be reviewed and approved by the Planning Board at a public meeting.

Second, because the zoning is residential adjacent to it, our Town Code requires the Planning Department to notify, at a minimum adjacent properties that border the property that we receive an application for commercial zoning. So, we would be required to send you a certified letter informing you that we received an application to do XYZ commercial zoning and encourage you to come in and review the file and submit comments for the Board and the applicant. In most cases, Paul or myself will read those comments into the record at the meeting, or at least acknowledge that we received it and provide copies to the Board members. In every case, we provide it to the developer to address it in some form and they comment or reply how they are going to address it. Final decision, of course whether they address that concern will be with the Planning Board on the final site plan approval.

The 3<sup>rd</sup> thing in way of a protection is that our Town Code requires a transition yard between commercial properties and residential properties and that transition yard minimum is 100' without any landscaping or wall or fence. If there is a fence or landscape buffer, the developer can propose no closer than 50'. That being said, that doesn't mean the Planning Board has to grant them a 50' setback, the Planning Board could require anything greater than that during the site plan process. That is the minimum that the builder could propose, so, there is the transition yard requirement. The Planning Board is limited to the allowed uses that are listed in the uses of the C-1 uses. They can't deny something just because it is an office building that the neighbors don't want and it is an allowed use.

The Planning Board has a long tradition here of buffers, fencing and walls. Now, when it comes to the Planned Development District (PDD) process, is a separate process. It requires Town Board approval with public hearings just like this, taking comments and having the developers address the comments. We do put forth a very good effort to try and buffer neighboring residential properties. But again, it is a process that has to be watched by not only us but neighbors/public. The PDD process, if that were to come in such as multiple buildings that don't meet the existing C-1 zoning, the Town Board is also required to send certified notification in advance of the public hearings that would be held.

There was a question from the audience that could not be heard. Director Harris restated the question. Have we received or aware of any interest in the area proposed adjacent to Sheldon Hills. He stated that since he has been working for the Town of Halfmoon, he has not had anyone come forward with interest or any inquiry.

**Michael Meyer, Pres. of the Sheldon Hills HOA:** I am here today just for the record to convey that there are concerns of the Sheldon Hills residents regarding the proposed rezoning of lands that abut our community. Route 146 cuts through an area of town that is in very close proximity to several residential PDD's as well as the new Vosburgh Preserve. I feel that we should strive to try and maintain this area in its rural suburban character. I had one other question that has been already asked and answered. I just wanted to go on the record that the Sheldon Hills Community will be watching any and all future site plan applications.

**Brad Konapas, 12 Whitney Drive:** I want to further what Mike and our neighbor have said. I hope that with the setbacks that they consider the topography. 100' when we are up here and someone is down here is really nothing. I was pleased to hear that was the minimum setback. Coming from a financial background, I find it hard to believe that why a farmer would want their land rezoned to commercial because they are probably getting a special tax treatment.

Director Harris spoke but could not be heard.

**Supervisor Tollisen:** There are prior minutes of the meetings of the Zoning Review Committee and the Business and Economic Development Committee that go back to discuss these issues. While you may find it curious, as the Director has said that no one has approached us nor have we talked to the owner about it. This has come from the two committees who have spent countless hours on it over these years. Just to be clear on that.

**Brad Konapas, 12 Whitney Drive:** Last thing and Michaels Group did a great job planning out Sheldon Hills, the integrity of Sheldon Hills. I think that it is one of the nicest showpieces in Halfmoon and hopefully we can spread that that throughout Halfmoon. I really do feel that it brings a lot of values and hope that the town considers that when it comes to making their choices.

**John Mitchell, 6 Melden Court:** As I mentioned I think on the 15<sup>th</sup> of May, I speak from an open space and trails perspective as I am the Chair of the committee. The open space element of the trails and open space has not had much attention. I look at this corridor as a primary visual open space that is appreciated by all of the people driving on 146 and I would again encourage a maintenance of the agricultural/residential versus C-1 zoning. I have said my piece before and I appreciate it, thank you.

Hearing no more questions or comments, he closed the public hearing

**CLOSED: 7:27 pm**

#### **RESOLUTION NO. 234-2019**

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

**RESOLVED,** that the Town Board of the Town of Halfmoon accepts Lead Agency status for the Zoning and Planning Amendments



## **RESOLUTION NO. 235-2019**

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

**RESOLVED**, that the Town Board of the Town of Halfmoon declares a negative declaration in accordance to SEQRA for the Zoning and Planning Amendments as presented

## **RESOLUTION NO. 236-2019**

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

**RESOLVED**, that the Town Board approves the Zoning and Planning Amendments for the Town of Halfmoon as presented.

**Supervisor Tollisen:** Thank you for all of your comments. We are now going to go a little out of order. We have a special presentation. A few months ago, the Town of Halfmoon Town Board started a new program called The Halfmoon Hero Program. It is basically a program designed to highlight someone who has made a difference in our community, someone who has done something just a little bit different making something better or do something for someone else. We have our first recipient this evening, our first designated Halfmoon Hero and that is Michael Bartlett. Michael is a Town of Halfmoon Highway Department employee and has been with us about 3 years and we have a special Halfmoon Hero Certificate to present to Mike tonight.

WHEREAS, the Halfmoon Hero Award was created to recognize a Halfmoon resident who has voluntarily made a major contribution to the betterment of Halfmoon; and

WHEREAS, Michael Bartlett has proven through his willingness to engage in community service that he is a person worthy of recognition as a Halfmoon Hero; and

WHEREAS, Michael Bartlett is always willing to lend a helping hand by helping others when they are need by providing transportation, support, and showing others some of the great things Halfmoon has to offer; and

WHEREAS, the Town Board of the Town of Halfmoon recognizes and appreciates the contributions Michael Bartlett has made to our community and wishes recognize him as a Halfmoon Hero;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Town Board of the Town of Halfmoon hereby recognizes Michael Bartlett as a Halfmoon Hero.
2. That a copy of this Resolution be presented to Michael Bartlett.

## RESOLUTION NO. 239-2019

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

WHEREAS, the Town Board of the Town of Halfmoon recognizes and appreciates the contributions Michael Bartlett has made to our community and wishes recognize him as a Halfmoon Hero

Supervisor Tollisen: On behalf of the Town of Halfmoon congratulations, this is a well-deserved award and we wish you the best! We know who nominated you, so Darlene you come up here for the picture too!

### COMMUNITY EVENTS:

The “BUY A BRICK” program for the Halfmoon Veterans Walk of Honor at the Halfmoon Veterans Memorial in the Town Park is now accepting orders. Create a lasting tribute for your veteran. For more information please call 371-7410 ext. 2200 or visit our website [www.townofhalfmoon-ny.gov](http://www.townofhalfmoon-ny.gov).

The Town of Halfmoon in Partnership with Lifesong, Inc. Presents the Halfmoon Farmer’s Market, which will be held every Wednesday starting June 19, 2019 through September 25, 2019 from 3-6 p.m. The Farmer’s Market is located at the corner of Route 236 and Harris Road at the Gazebo.

The Halfmoon Senior Quilters on Friday, June 21, 2019 at 10 a.m. at the Senior Center will present/donate many of the handmade quilts to this year’s Charity Recipient: The Double H Ranch. Located in New York’s Adirondack Park, the Double H Ranch provides specialized programs and year-round support for children and their families dealing with life-threatening illnesses.

Saratoga County Presents: The Year of the Senior Celebration! June 26, 2019 at the Canfield Casino, Congress Park in Saratoga Springs. 11 a.m. kickoff with Senior Center and Group Recognition Ceremony. Games, Prizes, Live Music, and Carnival Style Food. 11 a.m. to 3 p.m.

Summer Concert & Family Movie Night, Join us for “Music in the Park” on June 28, 2019, at 6:30 p.m. with Tony’s Polka Band & Movie to follow.

Free Rabies Clinic offered by Saratoga County Animal Shelter on July 2<sup>nd</sup>, September 17, and November 12, located at 4H Training Center, 556 Middleline Road, Ballston Lake, NY 12019 - Cats from 6 p.m. to 7 p.m. & Dogs from 7 p.m. to 8 p.m.

Saratoga County Fair will be held from July 23<sup>rd</sup> to July 28<sup>th</sup>, located at the Saratoga Fair Grounds. Signs will be placed throughout the town with more details.

Join us July 26<sup>th</sup>, for our “Community Night & Family Movie Night” at the Halfmoon Town Park, Bounce House, crafts and many other kid friendly activities. Check out our website for more details: [www.townofhalfmoon.org](http://www.townofhalfmoon.org)

“End of Summer Bash” August 23<sup>rd</sup> at the Halfmoon Town Park. Concert and Fireworks! Check out our website for more details [www.townofhalfmoon.org](http://www.townofhalfmoon.org)

National Purple Heart Day Ceremony to be held on Wednesday August 7, 2019 at 10:00 a.m. at the Halfmoon Veterans Memorial, located in the Halfmoon Town Park, Route 236. The Town of Halfmoon is proud to be a designated “Purple Heart Town”. For further information, please call (518)371-7410 Ext. 2200



## **TOWN MEETINGS:**

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

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

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

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

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

**Halfmoon Historical Society:** There will be no meetings until September 24th

**Trails & Open Space Committee:** 6/17, 8/19, 10/21, and 12/16, the 3<sup>rd</sup> Monday except Feb due to holiday.

**Resident Relations Committee:** TBD

**Business & Economic Development Committee:** TBD

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

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

**Kevin J. Tollisen (Town Supervisor)**

There are a number of community events, so please take note of that.

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

Next Friday there will be a Summer Concert & Family Movie Night, Join us for "Music in the Park". with Tony's Polka Band starting at 6:30 & Movie to follow.

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

Nothing like Polkas in the Park on a nice summer evening! Thank you for getting that arranged.

**Halfmoon Hero's**, what a wonderful thing! Mike, you are the first one and that is pretty special. I would like to remind all residents that we all know somebody in town who does great things and we would like to acknowledge them. The application for Halfmoon Hero's is on the website and at the Town Clerk's Office. I encourage anyone to submit an application if you know someone as we would love to honor them.

I would also like to say as co-liaison to the Planning Board with Councilman Connors, we do take our obligation seriously to the residents and the businesses. We try and try to balance the needs of the residents and businesses very carefully and scrutinize on a regular basis. We are proud of the work that we have done there and love to continue that. That is all that I have tonight, thank you.

**Jeremy Connors (Town Board Member):** (1) Co- Liaison to Planning Board; (2) Chair of Business and Economic Development Committee (4) Chair of Parks and Athletic Organizations

Earlier this evening I had the opportunity to meet with the **Girls Softball League** here in Halfmoon and what an amazing group. From the humble beginnings of Deputy Supervisor Hotaling and Jim Corcoran, this program has exploded. They have over 170 girls and that is huge! We are trying to work with that organization for not only the fields and the facilities and give the girls a world class experience. We certainly appreciate all of the hard work you guys did to get it going.

**Eric Catricala (Town Board Member):** (1) Animal Control, (2) Liaison to Trails and Open Space Committee, (3) Zoning Board Liaison, (4) Chair for Not For Profit Organizations

As Mr. Mitchell brought up earlier about the **Open Space and Trails Committee**, I am the liaison for that committee and we spent the better part of Saturday on the new **Zim Smith Trail** which is not officially open unless you are part mountain goat try to get through there just yet, but on both ends of the trail they have done fantastic work. If you look at my Facebook page you can see pictures of the beautiful **Swatling Falls**. I put a movie clip up of the water falls behind the **Swatling Falls** development. You would not believe the treasures that we have on our trails. Look forward to seeing more in time. Thank you.

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

There is no report from the Clerk's Office this evening.

**Karen Pingelski (Receiver of Taxes):** (1) Chair of Committee on Residents Relations

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

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

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

**Supervisor Tollisen:** Department Reports and the monthly Department Manager Reports are listed and can be viewed in the Town Clerk's Office. We do ask our Department Managers to provide monthly reports in addition to having Department Manager monthly meetings that we all discuss the important things that go on in each of the offices.

#### **DEPARTMENT REPORTS –**

##### **1. Building Permits**

Total # Permits – 72      Total Fees Submitted to the Supervisor -\$ 20,389.50

##### **2. Fire Inspections**

Total # Inspections – 69      Total Fees Submitted to the Supervisor -\$4,170.00

**DEPARTMENT MANAGER MONTHLY REPORTS – (Can be viewed at the Town Clerk's Office)** Planning Department, Building/Code

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

#### **CORRESPONDENCE**

1. Received from Ann Tremblay, a note expressing appreciation and thanks for the Senior Express Service available to her and all seniors who need it. She praised the drivers and staff for their respect, kindness, and compassion.

*Received & Filed*

2. Received from Troy & Banks, Utility and Telecommunications Consultants, their report stating that there were no overbillings identified after conducting an investigation of the monthly service and equipment charges for the Town's telecommunication services.

*Received & Filed*

3. Received from MPM Silicones, notice of approval of minor permit modification to their Part 373 Permit.

*Received & Filed*

4. Received from the Town Planning Board, Resolutions from the June 10, 2019 meeting approving the following: Sign application for First New York Credit Union at 1533 Route 9, Change Use/Tenant and Sign Application for Aroma Foot Spa at 1602 Route 9; Change Use/Tenant for CM Fine Arts at 17 Executive Park Drive; Site Plan Approval for 421 Halfmoon Flex Park in the Parkford PDD, 421 Route 146; Site Plan Approval for JGS Recycling and Hauling, Inc., 392 Hudson River Road; Addition to Site Plan Approval for Kings Crossing, LLC at 1 Rexford Way, Halfmoon.

*Received & Filed*

5. Received from the NYS Department of State, notification of their filing of Local Law #6-2019, the 421 Flex Park, Amendment to the Parkford PDD.

*Received & Filed*

## OLD BUSINESS

## NEW BUSINESS

### **RESOLUTION NO. 240-2019**

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

**RESOLVED**, that the Town Board approves the minutes of Town Board Meeting of June 5, 2019 as presented.

### **RESOLUTION NO. 241-2019**

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

**RESOLVED**, that the Town Board authorizes the renewal of the Mobile Home Park License for the 2019-2020 licensing year, per the inspection and approval of the Coordinator Building, Planning & Development as follows: Crescent City MHP, Halfmoon MHP, Halfmoon Heights MHP, Martindale MHP, Midway Community, and D&R Village

### **RESOLUTION NO. 242-2019**

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

**RESOLVED**, that the Town Board authorizes the Town Supervisor to enter into an Agreement with Nicholas Volland to provide instruction and lessons in basketball and soccer for participants enrolled in the Town of Halfmoon summer camp program from July 1, 2019 until August 9, 2019, at a cost of \$1,680.00 for the 2019 season, subject to the review and approval of the Town Attorney.

### **RESOLUTION NO. 243-2019**

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

**RESOLVED**, that the Town Board authorizes the Town Supervisor to enter into an Agreement with Cartwheels Gymnastics Center, LLC to provide instruction and lessons in gymnastics for participants enrolled in the Town of Halfmoon summer camp program from July 1, 2019 until August 9, 2019, at a cost of \$1,850.00 for the 2019 season, subject to the review and approval of the Town Attorney.

**RESOLUTION NO. 244-2019**

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

**RESOLVED**, that the Town Board authorizes the Town Supervisor to enter into an Agreement with Arts & Glass to provide instruction and lessons in ceramics for participants enrolled in the Town of Halfmoon summer camp programs from July 1, 2019 until August 9, 2019, at the cost of \$1,300.00 for the 2019 season, subject to the review and approval of the Town Attorney.

**RESOLUTION NO. 245-2019**

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

**RESOLVED**, that the Town Board authorizes the Town Supervisor to apply for a grant from Saratoga County Trails Grant Program in the not to exceed amount of \$10,000. for paving a portion of the Crescent Park Trail between the Canal Road Parking Lot and the Crescent Bridge and to sign any documentation necessary to effectuate this project, subject to the review and approval of the Town Attorney.

**RESOLUTION NO. 246-2019**

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

**RESOLVED**, that the Town Board approves the Comptroller's Report for the month of May 2019 as presented.

**RESOLUTION NO. 247-2019**

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

**RESOLVED**, that the Town Board that the Town Board hereby modifies the Town of Halfmoon Employee Manual §VII(M) relating to Building and Grounds use policy so that the fee for the use of the Town Gazebo is removed. The Gazebo shall be available at no cost so long as the person utilizing the Town Gazebo executes an Agreement holding the Town Harmless for the period of time during which they are utilizing the Gazebo.

**RESOLUTION NO. 248-2019**

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

**RESOLVED**, that the Town Board authorizes the Comptroller to make the attached Creations of Appropriations

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

Debit:	Estimated Revenues	25-510	\$5,259.00
	Subsidiary: 25-4-2189		
	Home & Community Services		\$5,259.00
Credit:	Appropriations	25-960	\$5,259.00
	Subsidiary: 25-5-1440.40		
	Engineering Contractors Inspections		\$5,259.00

Information Only: The above was derived from the following breakdown of charges to be paid on June 20, 2019 Abstract for engineering and related fees.

NAME	AMOUNT
Adams Pointe PDD	\$360.00
Allco Drive	\$1,260.00
Dutch Lane Estates	\$450.00
GT Toyz	\$1,260.00
Paar Estates of Halfmoon	\$849.00
Swatling Falls	\$360.00
Olde Route 146 Site Plan	\$720.00
Total	\$5,259.00

A resolution is necessary to reestablish appropriations within the General Fund Budget in the amount of \$2400. The purpose of this creation is to restore adequate budgetary appropriations for engraved bricks for the Veterans Memorial located in the Halfmoon Town Park and the annual Veterans Memorial Annual Recognition Ceremony.

DEBIT:	Appropriated Fund Balance	10-599	\$4,000.00
CREDIT:	Appropriations	10-960	\$4,000.00
	Subsidiary: 10-5-7150.21		
	Culture & Recreation-Parks-Veterans Memorial		\$4,000.00

A resolution is necessary to increase appropriations in the Miscellaneous Capital Project Fund for the Interconnection with the Saratoga County Water Authority (SCWA) system to reflect grant funding received from the New York State Environmental Facilities Corporation (EFC).

Debit:	Estimated Revenues	35-510	\$1,200,000
	Subsidiary: 35-4-3991 -		\$1,200,000
	State Aid-Water Capital Project		
Credit:	Appropriations	35-960	\$1,200,000
	Subsidiary: 35-5-8340.21 -		\$1,200,000
	Trans & Distribution–SCWA		



**PUBLIC COMMENT (for discussion of non-agenda items)**

**Carl Bennati, 31 Hayner Heights:** I have already talked to Kevin about the cars on Hayner Heights. They are using Hayner Heights to go from Route 9 to 236 and race through there. Other residents that live on Hayner Heights are fed up with it too. I was thinking of getting a petition but that wouldn't do anything like Kevin said, but he is going to try and take care of it in his own way.

**Supervisor Tollisen:** Specifically, we are going to talk to the zone Sargent here and see if he can get some enforcement in your area

**Carl Bennati,** There are no speed limit signs there and people go as fast as they can. I live right on the corner and my mailbox has been hit twice by cars

**Supervisor Tollisen:** You would think that they would obey the stop signs, but I guess they don't.

**Councilman Wasielewski:** Do we as a town have the authority to make it a one way street?

**Attorney Murphy:** I do not believe that we do.

**Highway Superintendent:** We do not.

**Councilman Wasielewski:** Just asking, thank you. ,

**Supervisor Tollisen:** A lot of those things, especially speed limit, postings have a requirement from the Department of Transportation.

**Carl Bennati:** Well, we will see what Kevin can do. I have one other thing to say. Where the ball fields are, I walk my dogs there every single day and it is the best place that I have ever seen in my life. It is kept up very nicely. The only thing is if you can place some more of the blue cans for the waste. Thanks you.

**Darlene McGraw, 15 Jefferson Terrace in Saratoga Springs:** I am going to blame Michael Bartlett for getting me to Halfmoon as I met him in a different municipality and he has taught me about different businesses and reading maps and has become a good friend. So congratulations Mike! Pete Bardunias and Sandy from the Chamber of Commerce have also been a great help. I want to thank you guys for making this town a great place to visit. I am also working with municipalities from Latham to Wilton trying to get a bus route in the Southern Saratoga County neighborhoods. I would like to get a meeting with all parties to see what we can do.

**THE JULY 3<sup>rd</sup> TOWN BOARD MEETING WILL BE HELD ON TUESDAY, JULY 2<sup>nd</sup> AT 7:00 p.m.**

**ADJOURN**

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

**Respectfully Submitted,**

**Lynda A. Bryan, Town Clerk**