



Town of Halfmoon
Road & Infrastructure Construction & Dedication Process

Step-by-Step Guide
with
Forms, Checklists & Regulations

April 2016

TABLE OF CONTENTS

	<u>PAGE</u>
1. STEP #1: Acknowledgment Form	1
2. STEP #2: Construction Initiation Request Form	2
3. STEP #3: Pre-Construction Meeting Checklist	3
4. STEP #4: Dedication & Acceptance Checklist	4
5. STEP #5: Infrastructure Security Release Checklist	5
6. Hold Harmless and Indemnity Agreement	6
7. Stormwater/ Soil Disturbance Permit Application	7
8. SAMPLE Letter of Credit (LOC)	8
9. Offer of Cession	9
10. Tax Escrow Letter	10
11. Design and Construction Standards, Chapter 74 Attachment 3 - "Roadway and Infrastructure Dedication Procedures"	11

STEP #1: Acknowledgment Form

The following form must be completed by the owner/builder/developer and submitted to the Town at the time of submittal of the final, approved plans for stamping and signature by the Planning Board Chairman. The completed form should be included with at least two (2) mylars and seven (7) sets of hard copy/paper plans. Once signed/stamped, one (1) mylar and one (1) hard copy/paper plan set will be returned. If additional signed/stamped copies are needed, please submit accordingly.

Please Initial

_____ I acknowledge receipt of the Town of Halfmoon Road & Infrastructure Dedication Procedures, Chapter 74 Attachment 3 of the Halfmoon Town Code (attached).

_____ I understand that no more than five (5) Building Permits may be issued prior to submittal and approval of all required documents, maps, deeds, descriptions, etc. by the Town Attorney or her/his designee. Following approval of such documents by the Town Attorney, an additional five (5) Building Permits may be issued prior to completion of the Dedication Process.

_____ I understand that only one (1) Certificate of Occupancy for a Model Home, allowing no overnight occupancy, will be issued by the Town of Halfmoon in advance of completion of the Road & Infrastructure Dedication Process, including submission to the Town of the proof of filing of all necessary documents, maps, deeds, etc. with the Saratoga County Clerk.

_____ I understand that all roads 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.

_____ I understand that a Pre-Construction Meeting will not be held until the forms and required documents listed in Step #1 and Step #2 (attached) are submitted to the Town.

Date: _____

Signature: _____

Completed by (Print Name): _____

STEP #2: Construction Initiation Request Form

Please complete the following form to begin the Town of Halfmoon Road & Infrastructure Construction & Dedication Process. Prior to scheduling a Pre-Construction Meeting with the Town, the below form and the attached "Step #3: Pre-Construction Meeting Checklist", and any listed or related documents, must be completed and sent to the Director of Planning and/or via email to rharris@townofhalfmoon.org. Upon receipt of the completed form, checklist and checklist documents, the Director will contact you to schedule the Pre-Construction Meeting. **Please retain a copy of the completed documents for your use and guidance during the Construction and Dedication Process.**

1.) Project Name: _____

2.) Applicant/Developer (Primary Contact): _____

Phone: _____ Email: _____

3.) Engineer/Design Consultant (Primary Contact): _____

Phone: _____ Email: _____

4.) Attorney: _____

Phone: _____ Email: _____

5.) Roads, Infrastructure & Other Items to be Dedicated to the Town as part of this request:

a. Road Names (If portions of a road will be dedicated, or any amendments/modifications made during construction, please provide stations): _____

b. Other Infrastructure (e.g. stormwater areas, open space/parks, trails, other lands or items). Please list and describe (attach additional pages, if necessary):

1. _____

2. _____

3. _____

4. _____

5. _____

6.) Easements. Please list all easements to be dedicated to the Town. Please list and describe (attach additional pages, if necessary):

1. _____

2. _____

3. _____

4. _____

5. _____

Date: _____

Signature: _____

Completed by (Print Name): _____

STEP #3: Pre-Construction Meeting Checklist

The following checklist ***must*** be completed and all listed documents/items submitted to the **Director of Planning** prior to scheduling a Pre-Construction Meeting:

Step/Document	Check
1. FINAL PLANS: Submit two (2) copies of the approved, signed final subdivision plans (by Planning Board Chair & other agencies) and any off-site improvement plans for the Town Engineer/CHA.	<input type="checkbox"/>
2. PROOF OF MAP FILING: Provide proof of filing of the final subdivision map with the Saratoga County Clerk.	<input type="checkbox"/>
3. TOWN STORMWATER/SOIL DISTURBANCE PERMIT ISSUED: See attached for a blank application. Please attach a completed copy.	<input type="checkbox"/>
4. PROOF OF CERTIFICATE OF INSURANCE: A Certificate of Insurance must be filed with the Building Department, naming the Town and Town Engineer/CHA as additional insured. Please attach proof from the Building Dept.	<input type="checkbox"/>
5. HOLD HARMLESS & INDEMNITY AGREEMENT: A Hold Harmless and Indemnity Agreement must be completed and submitted. See attached sample.	<input type="checkbox"/>
6. ANTICIPATED CONSTRUCTION START DATE: _____	<input type="checkbox"/>
7. CONSTRUCTION SCHEDULE: Attach a schedule detailing when proposed operations will take place.	<input type="checkbox"/>
8. WORK HOURS: Monday - Friday: _____ Saturday: _____ Sunday: _____ Other/Special Conditions: _____ _____	<input type="checkbox"/>

Date: _____

Signature: _____

Completed by (Print Name): _____

Town Staff Contact Information:

- Planning Department: Richard Harris, Director of Planning; rharris@townofhalfmoon.org
- Legal/Town Attorney: Cathy Drobny, Deputy Town Attorney; cldrobny@yahoo.com
- Legal Dept. Assistant: Kim Martin, Legal Assistant; kmartin@townofhalfmoon.org
- Highway Department: John Pingelski, Highway Superintendent; jpgingelski@townofhalfmoon.org
- Water Department: Frank Tironi, Director of Water; ftironi@townofhalfmoon.org
- Building Department: Steffen Buck, Director of Building/Code Enforcement; sbuck@townofhalfmoon.org
- Town Engineer(CHA): Joe Romano jromano@chacompanies.com

**Town of Halfmoon
Road & Infrastructure Construction & Dedication Process**

STEP #4: Dedication & Acceptance Checklist

The following items **must** be submitted, as noted, prior to completion of the Road Dedication process. (This checklist is for your use only and should not be submitted to the Town.)

Road Dedication & Acceptance Step	Lead Contact	Check
1. START: Applicant contacts Planning to begin the Road Dedication process & Planning schedules Walk-Thru.	Planning	
2. WALK-THRU/PUNCH LIST:		
a. Walk-Thru w/Applicant, Engineer & Town (Planning, Highway, Water).	Engineer	
b. Engineer distributes Punch List.	Engineer	
c. Applicant completes Punch List.	Engineer	
d. Applicant contacts Planning to schedule follow-up Walk-Thru with Town Engineer & Town Staff to verify items completed.	Planning	
3. CONSTRUCTION DOCUMENT REVIEW: Applicant submits the following to Legal; Follow-up may occur from other Town Staff during the review process.		
a. As-Built Record Mapping (Certified Survey) – One copy submitted to Town Engineer for review; once approved by Town Engineer, submit three (3) paper copies and one (1) electronic copy (DVD/CD, zip, or thumb drive) to Legal for distribution to Town Engineer & Water.	Legal (w/review by Engineer)	
b. Engineers Certification (by the Applicant's design Engineer or Town's inspecting Engineer)	Legal	
c. Roadway and Easement Descriptions for all roads and easements to be conveyed to the Town; a separate map (8.5 in. x 11 in. max) and description (8.5 in. x 11 in. max) for each easement and roadway; each must have the signature seal of a licensed land surveyor and last revision date.	Legal (w/review by Legal & Engineer)	
4. BONDS: Engineer & Planning calculate bonds/letters of credit/cash escrow amounts for Maintenance, Top Course and other items (Performance). Applicant submits bonds/LOCs/cash escrow to Planning for review and approval w/Legal. (Sample LOC attached)	Request/develop with Planning; Submit final to Legal	
5. OUTSTANDING TOWN FEES: Applicant pays all outstanding fees, escrows, etc.; Provide proof to Legal.	Legal	
6. LEGAL PACKAGE: Applicant submits the following to Legal:	Legal	
a. Saratoga County Sewer District #1 Certification	Legal	
b. Final versions, as approved by the Engineer, of the items listed in #3a & c, above, if necessary.	Legal	
c. Title Insurance	Legal	
d. Warranty deed(s) and/or Conveyance of Easements	Legal	
e. Offer(s) of Cession (Sample Attached)	Legal	
f. Mortgage release	Legal	
g. Resolution (if owned by an LLC or Inc.)	Legal	
h. Tax liability letter (Sample attached)	Legal	
i. Transfer tax form (TP-584)	Legal	
j. Equalization and Assessment form (RP-5217)	Legal	
k. Final versions of the Bonds/Letter(s) of Credit, as approved by Planning and Legal, as noted in #4, above, if necessary.	Legal	
7. DEDICATION MEMO: After Steps #1-6 are completed, Planning prepares Dedication Memo authorizing placement on Town Board agenda, signed by Planning, Highway, Water & Legal.	Planning	
8. TOWN BOARD RESOLUTION: Acceptance for Dedication Resolution placed on Town Board Agenda and approved.	Legal	
9. DEDICATION FILING: Applicant files with the County and provides proof of filing to Legal.	Legal	

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- Legal Dept. Assistant: Kim Martin, Legal Assistant; kmartin@townofhalfmoon.org
- Highway Department: John Pingelski, Highway Superintendent; jpingski@townofhalfmoon.org
- Water Department: Frank Tironi, Director of Water; ftironi@townofhalfmoon.org
- Building Department: Steffen Buck, Director of Building/Code Enforcement; sbuck@townofhalfmoon.org
- Town Engineer(CHA): Joe Romano jromano@chacompanies.com

STEP #5: Infrastructure Security Release Checklist

The following checklist includes items necessary for the release of Top Course & Maintenance securities related to the completion of required infrastructure. In general, requests for release will not occur until approximately 75% of homes are constructed, or otherwise determined by the Town. (This checklist is for your use only and should not be submitted to the Town.)

TOP COURSE:

Step	Primary Contact	Completed
1. REQUEST WALK-THRU: Applicant contacts Planning to indicate intent to install Top Course and request walk-thru.	Planning	
2. WALK-THRU/PUNCH LIST*:		
a. Walk-Thru conducted w/Applicant, Engineer & Town Staff	Engineer	
b. Engineer distributes Punch List.	Engineer	
c. Applicant completes Punch List with Engineer/CHA observation.	Engineer	
d. Applicant contacts Planning to schedule follow-up Walk-Thru with Engineer & Town Staff to verify items completed.	Planning	
3. TOP COURSE INSTALLATION: Applicant installs Top Course.		
4. WALK-THRU/PUNCH LIST*: Applicant contacts Planning to indicate Top Course installed. Town may conduct follow-up walk-thru and/or request verification by Engineer/CHA and Highway that installation is acceptable. New punch list may be generated by Engineer (follow Step #2, above).	Engineer/Planning	
5. OUTSTANDING TOWN FEES: Applicant pays outstanding fees, escrows, municipal taxes, etc.	Planning	
6. TOP COURSE RELEASE: After Steps #1-5 are completed, Planning prepares memo for release of Top Course security. If a letter of credit or bond, Planning releases it directly. If a cash security, Planning prepares memo for Town Supervisor and approval of the Town Board is required prior to release of cash by Finance.	Planning	

MAINTENANCE:

Step	Primary Contact	Completed
1. REQUEST WALK-THRU: After a minimum of one (1) year AFTER installation of the Top Course, Applicant may contact Planning to request release of Maintenance security and request walk-thru.	Planning	
2. WALK-THRU/PUNCH LIST*:		
a. Walk-Thru conducted w/Applicant, Engineer & Town Staff	Engineer	
b. Engineer distributes Punch List.	Engineer	
c. Applicant completes Punch List with Engineer/CHA observation.	Engineer	
d. Applicant contacts Planning to schedule follow-up Walk-Thru with Engineer & Town Staff to verify items completed.	Planning	
3. OUTSTANDING TOWN FEES: Applicant pays outstanding fees, escrows, etc.	Planning	
4. MAINTENANCE RELEASE: After Steps #1-3 are completed, Planning prepares memo for release of Maintenance security. If a letter of credit or bond, Planning releases it directly. If a cash security, Planning prepares memo for Town Supervisor and approval of the Town Board is required prior to release of cash by Finance.	Planning	

*** The Walk-Thru/Punch List process may be repeated, as necessary, until all items completed by Applicant.**

Town Staff Contact Information:

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- Legal/Town Attorney: Cathy Drobny, Deputy Town Attorney; cldrobny@yahoo.com
- Legal Dept. Assistant: Kim Martin, Legal Assistant; kmartin@townofhalfmoon.org
- Highway Department: John Pingelski, Highway Superintendent; jpingski@townofhalfmoon.org
- Water Department: Frank Tironi, Director of Water; ftironi@townofhalfmoon.org
- Building Department: Steffen Buck, Director of Building/Code Enforcement; sbuck@townofhalfmoon.org
- Town Engineer(CHA): Joe Romano jromano@chacompanies.com

HOLD HARMLESS AND INDEMNITY AGREEMENT

To the fullest extent provided by law, the Contractor/Company and all of its employees, agents and assigns agree to indemnify and hold harmless the Town of Halfmoon, a New York State municipal corporation, from and against any and all liability, loss, or damage, from any claims, demands, payments, suits, actions, recoveries and judgments of every nature and description brought or recovered against it, including reasonable attorneys' fees by reason of any act or conduct, including negligence, omission, tortious act, willful conduct or otherwise of _____, its agents or representatives, arising out of the agreement with the Town of Halfmoon to provide service and/or the performance thereof.

The Contractor/Company agrees to name the Town of Halfmoon as an additional insured on its liability insurance policies by way of policy endorsement and to provide the Town of Halfmoon with Certificates of Insurance or other evidence of insurance as may be required by the Town.

Contractor/Company Name: _____

By: _____
(Signature)

Print Name and Title: _____

STATE OF NEW YORK)
COUNTY OF SARATOGA) ss:

On the _____ day of _____, 2016, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

NOTARY PUBLIC-STATE OF NEW YORK



Town of Halfmoon
 2 Halfmoon Town Plaza
 Halfmoon, NY 12065
 371-7410 ext. 2266
 Fax: 371-0304
 Building and Planning
 Departments

Stormwater Application

*Soil Disturbance Permits &
 Requests for NOI/SWPPP Acceptance &
 Notices of Termination*

Application Date: _____

FEE SCHEDULE:

Soil Disturbance

Residential: Minor Subdivision = \$400 flat fee
 Major Subdivision = \$800 flat fee or \$50 per lot, whichever is greater

Commercial: \$100 per acre disturbed

Notice of Intent/SWPPP Acceptance Form: \$250

Notice of Termination: \$150

Fee: _____

Permit #: _____

Type of Request: Soil Disturbance (Residential - major/ minor OR Commercial)
 Notice of Intent/SWPPP Acceptance Notice of Termination

Business/Project Name: _____

Address/Location: _____

Property Owner: _____

Address: _____ Date of Birth/Employer ID#: _____

Phone: _____ Email: _____ Fax: _____

Business Representative: _____

Address: _____

Phone: _____ Email: _____ Fax: _____

Contractor/Builder: _____

Address: _____

Phone: _____ Email: _____ Fax: _____

Site:

a. Number of Lots: _____ Parcel identification # (SBL) of lots: _____

b. Town Zoning Code: _____

c. Size of total project: _____ acres Area to be disturbed: _____ acres

d. Type of work proposed: _____

e. Has a SPDES General Permit for Stormwater Discharges from a Construction Activity been applied for?

Yes No If yes, please provide a copy of the NOI (Notice of Intent) Acknowledgement Letter from NYSDEC
 ** Please maintain a copy of your Stormwater Pollution Prevention Plan on site at all times. **

Applicant Signature: _____ **Date:** _____

(For Department Use Only)

Action: Approved Disapproved Reason for Disapproval: _____

Building Dept. (Signature): _____ Date: _____

Planning Dept./Stormwater Management Officer (Signature): _____ Date: _____

SAMPLE

TOWN OF HALFMOON LETTER OF CREDIT

The following is a SAMPLE of suggested language that may be used for establishing a Letter of Credit with the Town of Halfmoon. It includes the minimum information required by the Town and may be supplemented with language or other information required by the bank or institution supplying the letter. Individual projects may require additional details or information not listed below and the Town of Halfmoon will make the final determination on the adequacy of the Letter of Credit on a case-by-case basis.

***** PLEASE NOTE: Items below in bold, italics and underlined needs to be inserted by the bank or institution supplying the letter. *****

(Insert Date of Letter)

Beneficiary: Town of Halfmoon
2 Halfmoon Town Plaza
Halfmoon, New York 12065

Applicant: **(Insert company name & address)**

Project Name & Address: **(Insert approved project name & address)**

Letter of Credit Number: **(Insert LOC No.)**

Type of Letter of Credit: **(Insert "Maintenance" or "Top Course")**

Ultimate Date of Expiration (if any) : **(Insert "N/A, automatically renewed annually" OR a date that is a minimum five (5) year date from date of the letter or other ultimate expiration date approved by the Town of Halfmoon.)**

We hereby establish Irrevocable Letter of Credit No. **(insert number)**, in the favor of the Town of Halfmoon for an amount up to **(insert dollar amount provided by Town)** for the account of **(insert Applicant name)** which may be drawn upon by the Town of Halfmoon due to the default of **(insert Applicant name)** to satisfactorily complete the **(insert either "construction of roads, infrastructure, structures or other elements of the approved plan, for maintenance and/or repairs that the Town requires to ensure that the subdivision is in compliance with the approved plan, " for the Maintenance Letter of Credit or "top course pavement" for the Top Course Letter of Credit, whichever applies)** and for payment of any taxes incurred on the property prior to receiving tax exempt status when transferred to the Town for the project known as **(insert project name and address)**. This Letter of Credit shall be considered a **(Insert either "Maintenance" or "Top Course", whichever is applicable)** Letter of Credit by the Town of Halfmoon.

It is a condition of this Letter of Credit that it shall be deemed automatically extended without amendment for one (1) year from the present or any future expiration date hereof, unless at least thirty (30) days prior to such expiration date we shall notify you in writing at the above address by registered mail, return receipt requested or courier services that this Letter of Credit will not be extended for any such additional time period. **(The above may include an ultimate expiration of a minimum five (5) years from the date of the letter or other ultimate expiration date approved by the Town of Halfmoon.)** Upon receipt by the Town of such notice of termination, the Town may draw the full amount of the credit hereunder, without any further documentation.

(Insert signature of responsible bank official)

TAX ESCROW LETTER**PLEASE PLACE ON LETTERHEAD**

DATE

Town of Halfmoon
2 Halfmoon Town Plaza
Halfmoon, New York 12065

RE: TAX LIABILITY

Offer of Cession - Dedication of _____

Dear Sir/Madam:

This letter will confirm the offer of _____ to dedicate
_____ Street(s)/Road(s) to the Town of Halfmoon by
Offer of Cession dated _____, remaining liable for any and all taxes due or to become
due on the said streets/roads until such time as the property is listed on the assessment roll in the name of
the Town of Halfmoon, regardless of when the Deed conveying the property to the Town of Halfmoon is
filed.

Thank you.

Sincerely,

DESIGN AND CONSTRUCTION STANDARDS

*74 Attachment 3***Town of Halfmoon****Roadway and Infrastructure Dedication Procedures****[Amended 7-3-2013 by L.L. No. 3-2013; 5-20-2015 by L.L. No. 7-2015]**

1. The roadway and infrastructure dedication process begins at the time that the Town Planning Board takes final action on a subdivision application (granting of final subdivision approval) that involves construction of a new Town road and/or infrastructure.
2. The applicant and/or developer, contractor, consultants (hereinafter referred to as "applicant") shall submit the following materials to the Town's Engineer:
 - A. Evidence of approval by all required agencies having review/approval authority on the subdivision application and/or road construction. This may include but not be limited to the following agencies:
 - Saratoga County Planning Board
 - Saratoga County Sewer District
 - Saratoga County Department of Public Works
 - NYS DOT
 - NYS DEC
 - NYS DOH
 - Army Corps of Engineers
 - B. Copies of these approvals shall also be sent to the Town of Halfmoon Planning Department.
3. The applicant shall pay any outstanding engineering review escrow costs.
4. The Town Engineer provides a final sign-off letter to the Town of Halfmoon Planning Board Chairman regarding the adequacy of the plans for stamping. It is anticipated that this letter will be issued approximately five to 10 days from satisfactory receipt of the above.
5. The Town Planning Board Chairman stamps and signs the approved subdivision plans.
6. Prior to initiation of roadway construction or any site disturbance, the following shall occur:
 - A. Two complete sets of the stamped plans shall be submitted to the Town Engineer.
 - B. Shop drawings, if any, approved by the design engineer are submitted to the Town Engineer for review.
 - C. Inspection funds are deposited in escrow with the Town Clerk.

HALFMOON CODE

- D. Evidence of required permits are submitted to the Town Engineer.
 - E. A construction schedule estimate is provided to the Town Engineer.
 - F. Evidence of filing of the approved subdivision plans with the county shall be provided to the Planning Department.
7. Following receipt of the items in No. 6, above, a preconstruction meeting shall be held including representation from the following:
- Town of Halfmoon
 - Town Engineer
 - Design engineer
 - Contractor(s)
 - Applicant
8. Infrastructure construction begins.
9. 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 and safety and any other requirements, and a letter, signed by the future homeowners and the applicant, is submitted with the application for a building permit stating that 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) Code Enforcement 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 #21, below. If the project was approved by the Planning Board in phases, construction of the improvements, acceptance and dedication to the Town of Halfmoon, 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.
 - B. 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 all required documents. The Town Attorney and Town staff shall have a minimum of 14 business days and a maximum of 21 business days to review the following documents and respond to the applicant regarding their completeness:

DESIGN AND CONSTRUCTION STANDARDS

- (1) Saratoga County Sewer District No. 1 certification.
 - (2) Roadway and easement descriptions for all roads and easements to be dedicated or conveyed to the Town of Halfmoon. 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.
 - (3) Title insurance.
 - (4) Warranty deed(s).
 - (5) Offer(s) of cession.
 - (6) Mortgage release.
 - (7) Resolution (if owned by an LLC or Inc.).
 - (8) Tax payment escrow letter.
 - (9) Transfer tax form (TP-584).
 - (10) Equalization and assessment form (RP-5217).
 - (11) Draft maintenance and top course bonds or letters of credit, as described in No. 13, below.
- C. For purposes of the roadway and infrastructure dedication process, each individual building foundation shall constitute one permit.
10. Joint construction review is provided by the Town Engineer and representatives from the Town of Halfmoon Highway, Water and Planning Departments.
 11. Following substantial completion of construction of those improvements which will be dedicated and a minimum of one month prior to when dedication will be requested of the Town Board, except as provided in No. 19, 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 Town of Halfmoon Highway, Water and Planning Departments.
 12. Prior to further action, the following shall occur:
 - A. The Town Engineer determines construction is substantially complete and there are no outstanding health-, safety- and welfare-related items. The Town Engineer determines the appropriate performance bond amount to cover all incomplete work, and additional \$10,000 to cover legal expenses associated with the dedication process.

HALFMOON CODE

- B. Performance bond is established by the applicant. All performance bonds shall be made with a continuous renewal and no expiration date, unless otherwise determined by the Town.
 - C. Punch list items are addressed (except any minor items agreed to by the Town that will be covered by the bond/cash escrow).
13. An estimate for the maintenance bond/cash escrow (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/cash escrow (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, restriping, etc.) are sent to the Town Engineer for review. 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/cash escrow 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. Effective June 20, 2013, the minimum amounts to be used for the calculation of the maintenance bond/letter of credit/cash escrow 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/letter of credit/cash escrow shall be \$70 per linear foot. All bonds/letters of credit and renewals of existing bonds/letters of credit shall be made with a continuous renewal and no expiration date, unless otherwise determined by the Town.
14. The Town Engineer notifies the applicant, Planning Department and Town Attorney regarding the acceptability of the proposed bond(s), letters of credit, or cash escrow amounts.
15. The bonds, letters of credit or cash escrows are submitted to the Town of Halfmoon Planning Department.
16. All outstanding engineering review escrow amounts (accounts receivable or estimates) are paid by the applicant.
17. Ready-for-dedication letters are provided by the Town Highway, Water and Planning Departments and are sent to the Town Engineer.
18. A final roadway dedication package is submitted to the Town Attorney, including the following:
- A. Letter from the Town Engineer that all punch list items have been addressed and the roads are ready for dedication.
 - B. Evidence of filing of all sewer casements in County Clerk's office.
 - C. Engineer's certification (either by design engineer, inspecting engineer or Town Engineer).

DESIGN AND CONSTRUCTION STANDARDS

- D. Original performance (if any), maintenance and top course bonds, letters of credit or cash.
 - E. Revised and/or final versions of the documents listed in No. 9B, above.
19. 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.
 20. Evidence of filing is submitted by the Town Attorney to the Town of Halfmoon Planning Department, the Town Clerk, the Saratoga County Clerk and the Town Engineer.
 21. 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. 9A, above, and upon the approval of the Code Enforcement Official, may be revised by the Code Enforcement Official to allow residency and overnight accommodations.
 22. After the Town Engineer determines that the top course may be applied based on the duration and extent of construction completed, the applicant installs the top course pavement.
 23. After the evidence of filing with the county of the dedicated roadway and infrastructure is submitted and upon the applicant's request, a follow-up inspection is performed by the Town of Halfmoon Highway Department and the Town Engineer. If remaining work is required, the applicant is notified and the work is completed by the applicant. If the applicant is not available to do the work, the maintenance bond can be used to cover the cost of the work.
 24. The maintenance bond and the top course bond are released.