

The March 3, 2010 regular meeting of the Town Board of the Town of Halfmoon was called to order by Supervisor Wormuth at 7:00 pm in the A. James Bold Meeting Room at the New Town Hall, 2 Halfmoon Town Plaza, with the following member present:

Melinda A. Wormuth, Supervisor
Walter F. Polak, Councilman
Regina C. Parker, Councilwoman
Paul L. Hotaling, Councilman
Craig A. Hayner, Councilman
Mary J. Pearson, Town Clerk
Lyn A. Murphy, Town Attorney

The Supervisor led the Pledge of Allegiance. At 7:00 pm she opened the public hearing for the Natural Resource & Open Space Conservation Plan. She stated members of the Open Space committee are present as well as the Town engineering firm, Clough Harbour, with a power point presentation.

Mike Bianchino, Clough Harbour & Associates stated Jean Lowenstein from Clough is present and has worked with the Town's Comprehensive Plan and also the Open Space Plan with the Open Space committee. He stated the Open Space Conservation Plan was identified as an "immediate action" item in the 2003 Town Comprehensive Plan. He stated the Plan identifies unique natural and cultural areas and "opportunity areas" and the plan identified strategies to conserve and protect these areas. He stated this is not zoning and is a document like the Comprehensive Plan and is the next step of the Comprehensive Planning process. He stated it is a planning tool and is not a rezoning and is not intended as a land use to establish new restrictions and is not a zoning action.

He stated the Open Space Committee was established by the Town Board in 2005 and there were working sessions held and public workshops in 2007. He stated a Draft plan has been prepared and final draft, dated January 2010, has been made available to the public and the next step is this public hearing. He stated the goals of the plan are basically to conserve existing agricultural operations and conserve and enhance ecological health and important view sheds and provide public outdoor recreational space both passive and active and also to identify opportunities for linkages between trails systems and neighborhoods, conserve rural and agricultural heritage and encourage traditional development patterns.

Mr. Bianchino stated the process they went through with the Open Space Plan was to identify natural resources; inventory existing open space; review land use patterns and development pressure; identify potential lands for conservation; review natural resources and open space conservation tools and recommend additional open space protection techniques. He stated they identified natural resources and looked at streams, rivers, wetlands, aquifers and wellhead protection areas, steep slopes, prime farmland and important soils, forested lands and where endangered species may exist. He stated in doing the inventory they looked at parklands, existing golf courses, cemeteries, schools, farmlands, other public lands and trail resources within the Town. He stated they reviewed land use patterns and development pressures that were underway before the Town and Planning Boards. He stated they also identified potential lands for conservation, active or inactive farmlands, key waterfront locations, wetlands, floodplains, streams, woodlots, steep slopes, potential open space/public recreation and greenways throughout the Town.

He stated during the public meetings they divided the Town into 4 quadrants and created quadrant mapping to show these features and analyzed each quadrant separately to make them easier to review. He stated they tried to identify what they consider important areas in each quadrant for opportunities in the future. He stated the four quadrant maps are on the walls for people to look at and described the details of each quadrant. He stated they used each map as a review tool combined with the knowledge of the Town itself and development projects before the Town and looked at creating an open space opportunities map. He stated they wanted to provide focus on the features that if addressed comprehensively would help the Town retain some of the Town's rural landscape.

He asked why adopt the plan and explained that the plan provides opportunities for them to protect important spaces in a comprehensive way and upon adopting the document will be available as a resource. He stated important spaces could be located both in or out of the "opportunity areas" and allows the Town to work with landowners, developers, farmers and other conservancy groups to protect these spaces or resources as appropriate. He stated the plan very strongly states that it is a voluntary plan and is not a zoning document.

He stated this puts the Town in a stronger position to obtain grants and other funding. He stated the Town has had success with the adoption of the Towns Trails Master Plan and has led to the award of grants for trail construction. He stated as the Town prepares Grant applications to submit to the State, DOT or Federal highway or Parks & Recreation, having a plan shows it is looking at comprehensive planning, opportunities for trails and set a planning document in place that gets significant review from these agencies and gets added points in the scoring of these applications and it is extremely important to have a document like this available. He stated the Comprehensive Plan ultimately led to funding from the State for a Waterfront Visioning Plan, which led to some funding for the Waterfront Park on the Hudson. He stated the document also looks at some tools that can be used such as Zoning and, the Planning Board and Town Board does an excellent job with their review of planned development districts, protecting open space, critical environmental areas obtaining additional open space and public benefit. He stated a lot of

the projects include deed restrictions, which also allow them to maintain open space areas; the zoning ordinance has wellhead protection zones to protect old well water supplies the Town has. He stated there are also protections around the Champlain Canal; Flood Conservation Overlay districts; mineral resource protection Law and Soil Disturbance Law and they all help protect the environment.

He stated Planning documents the Town has adopted include the Northern Halfmoon GEIS; Trails Master Plan; Waterfront Visioning Plan. He stated additional conservation tools and techniques include partnering with conservation organizations such as Saratoga Plan and the Town has had success with them regarding the Reilly farm in the north end of Town. He stated easements and acquisitions included conservation easements, purchase of development rights, transfer of development rights and donations and purchase of property within the Town. He stated other incentives are included in the plan such as tax incentives, density bonuses and other design flexibility and funding sources such as dedicated open space funds and bonding.

He stated the next step in the process after the Open Space Committee presented the plan to the Town Board; they prepared a Full Environmental Assessment form looking at the impacts of the plan. He stated ultimately the plan and recommendations from the committee would be for the Town Board to adopt the plan by resolution. He stated future steps include seeking and securing grants and funding, additional public outreach, working with landowners on a voluntary basis, looking at other open space opportunities, identifying some appropriate incentive based regulatory tools that the Planning department can utilize in working with developers and proving any updates to the Plan.

Councilman Hayner, chair of this committee, thanked Mike for making a great presentation. He stated it is important for everyone to know that this committee, when it came together, there were a lot of different views on the definition of open space. He stated although there was spirited debate there was a great amount of respect for one another's opinions and they worked through many emotional pieces of this document. He stated he would like to thank the Open Space committee members who are here tonight and for those who joined. He stated he looks forward to the public's comments.

Mike Stiles, Route 9, asked if this is going to limit anybody who owns land in or out of the circles to be able to do anything they want with their property as far as elevation change, taking trees down changing the rural concept and making it more pleasing to the eye.

Supervisor Wormuth stated the current zoning and any of the existing laws as far as land clearing or tree cutting, changes in elevation would still require the same types of permitting that are done now if it is above an acre.

Mr. Stiles stated someone coming from the city and buys an acre and thinks they own the land on the other side of the property line and they have to make sure these people know that. He stated if you change your property and farming up to that line all you had is a fence or trees and you choose to leave them a farmer can do that. He stated it is not up to the people on the other side of the fence to keep their property wooded for their best interests. He stated the people who are lifers have more rights than the people coming in and they have to know that. He stated they have to say that to the people and if they don't like the noise don't move there. He stated he notices they didn't quote anything for future gravel banks, sand banks or minerals that could be unearthed or is in the process and people don't know they operate because they move in the winter, buy land under snow and don't realize there could be a gravel mine.

Supervisor Wormuth stated they would try to continue to make all the information available to people new to the area as they come in as they are looking at subdivision development coming up.

Councilman Hayner stated they took some action steps to protect the farm off Plant Road to have a buffer so they were protected as well.

Henrietta O'Grady, Churchill Road, stated she whole-heartily supports this Open Space Plan and she knows the amount of work that went into it. She stated she was a member of the committees that worked on the Comprehensive Plan, Towns Trails Master Plan and the Waterfront studies and it became very clear that there were special areas in the Town that perhaps when the opportunity presented itself there would be a way maybe that the Town could use it for the benefit of its residents. She stated this plan does that and she is happy to see that and also gives the Town the opportunity to apply for grants on the County level and is a wonderful opportunity and rounds out the whole planning process the Town has been though and thanks everyone who served on it.

The Supervisor closed the public hearing at 7:27 pm. She stated she would like to request the Board hold the public hearing comment period open until their next Board Meeting, March 17th, which would allow them to accept comments in writing from any of the residents who could not be here this evening. She stated at that time the Board could contemplate any changes necessary based on comments heard this evening or in writing.

Councilman Hotaling stated he thanks everybody on the Open Space Committee. He stated he attended a lot of the meetings and there was a lot of discussion and everybody left the room talking to each other and a lot of people put their heart into it and its good so see who stepped up to help out.

The Supervisor stated the Plan is available on-line and the maps are available in the Clerk's office as well as written copies and anyone can address comments to the Supervisor's office or the Town Board through the Clerk's office.

RESOLUTION NO. 50

Offered by Councilman Polak, seconded by Councilman Hayner: Approved by vote of the Board: Ayes: Wormuth, Polak, Parker, Hotaling, Hayner

RESOLVED, that the Town Board authorizes leaving the Open Space public comment period, from the March 3, 2010 public hearing to the March 17th meeting of the Town Board to allow for further comments to be received and reviewed.

The Clerk opened the following bid received for Truck Diesel Fuel from G. A. Bove Fuels, 76 Railroad St. Mechanicville, NY:

BID PRICE: Truck Diesel Fuel - \$2.369 Plus Differential \$.184

The Supervisor referred the bid to the Highway Superintendent and Councilman Polak for review and recommendation back to the Board.

The Clerk opened the following bids for Uniform Rental for the Highway department and Transfer Station:

#1 -BIDDER: Ameripride Services, 1466 Route 9, PO Box 4640, Clifton Park

TWENTY-ONE (21) HIGHWAY DEPARTMENT EMPLOYEES:

ITEMS: #1 - ELEVEN (11) - Long/Short Sleeve SHIRTS (split)- 231@ .15 = \$34.65 wk.
#2 - ELEVEN (11) – Pair PANTS or JEANS 231@ .19 = \$43.89 wk.

THREE (3) TRANSFER STATION EMPLOYEES:

ITEMS: #3 – SEVEN (7) – Long/Short Sleeve SHIRTS (split) 21@ .15 = \$ 3.15 wk.
#4 – SEVEN (7) – Pair PANTS or JEANS 21@ .19 = \$ 3.99 wk.

ADD ALTERNATES:

1) TWO (2) each employee Hip Jackets 48@ .37 = \$17.76 wk.
2) TWO (2) – 3 x 5 Rugs 2@ \$1.80 = \$ 3.60 wk.
3) TWO (2) – 3x10 Rugs 2@ \$3.60 = \$ 7.20 wk.
4) TWO (2) - Scraper Mats 2@ \$1.80 = \$ 3.60 wk.

#2 -BIDDER: TriState Industrial Laundries, 109 Wolf Rd., Albany 12205

TWENTY-ONE (21) HIGHWAY DEPARTMENT EMPLOYEES:

ITEMS: #1 - ELEVEN (11) - Long/Short Sleeve SHIRTS (split)- 231@ .191 = \$44.12 wk.
#2 - ELEVEN (11) – Pair PANTS or JEANS 231@ .286 = \$66.14 wk.

THREE (3) TRANSFER STATION EMPLOYEES:

ITEMS: #3 – SEVEN (7) – Long/Short Sleeve SHIRTS (split) 21@ .191 = \$4.01 wk.
#4 – SEVEN (7) – Pair PANTS or JEANS 21@ .286 = \$6.01 wk.

ADD ALTERNATES:

1) TWO (2) each employee Hip Jackets 48@ .30 = \$14.40 wk.
2) TWO (2) – 3 x 5 Rugs 2@ 2.25 = \$ 4.50 wk.
3) TWO (2) – 3x10 Rugs 2@ 4.50 = \$ 9.00 wk.
4) TWO (2) - Scraper Mats 2@ 2.00 = \$ 4.00 wk.

The Supervisor referred the bids to the Highway Superintendent and the Finance office for review and recommendation back to the Town Board.

The Supervisor stated there would be a presentation for the Halfmoon Village & Yacht Club with their Draft Environmental Impact Statement. She stated this project is a PDD that has been before the Board for several years and they have been working on looking at the environmental impacts of this project. She stated the applicants engineers are here to do a brief presentation and our engineers have reviewed and commented on the DEIS. She stated the applicant is looking to have the DEIS deemed complete and referred to the Planning department for technical review. She stated this is not an approval of the project but to deem the DEIS complete and refer for technical review.

John Montagne, The Chazen Companies, stated they are here for the Draft Environmental Impact Statement and where they stand on it with the Krause project, Halfmoon Village & Yacht Club. He stated the rendering displayed is very similar to the rendering that was presented to this Board over a year ago. He stated at that time they indicated that they would like to do an Environmental Impact Statement because they felt there was enough studies and other issues that needed to be addressed that warranted it. He stated they worked with the Town's engineering consultant, Clough Harbour and with the Planning commission and came up with an outline scope for the DEIS. He stated they have been completing all of the technical studies and reports in the outline. He stated in August 2009 they submitted that document to the town and it was referred to Clough Harbour and they worked with Clough to address comments and to make sure it was complete and ready for the review. He stated they believe they are now at that stage where the DEIS is complete and ready for people to take a hard look at and start the public review process and they are asking that the Board consider accepting the document as complete, referring to the Planning Board for their technical review and to open it up to public comment.

Supervisor Wormuth stated the Board has had copies of the DEIS for their review for almost a month and asked if Board members had comments and, if ready to move to the Planning Board for Technical review. She stated the Town has lead agency on this and at a future date would hold both a public information meeting and then a public hearing jointly with the Town Board and the Planning Board to gain input from the public on the project because of the size of the project.

Councilman Polak stated he started to go through the documents and they are comprehensive to say the least and it would take hours to go through both books. He stated it looks like things are being addressed and he believes they should send it to the Planning Board so they can do their process and move it on.

Councilman Hotaling stated he also reviewed the documents and things are very in depth, researched and completed the project to what they were looking for.

Councilman Hayner stated the documents were very impressive with the mount of information and with the recommendation to bring it back to the Town Board it looks complete to him.

The Supervisor stated the documents are available in the Supervisor's office, Planning department and the Town Clerks office if anyone as interest in reviewing.

Councilman Polak stated certainly this project with put our community on the maps through out the United States and what better gateway to the Town of Halfmoon when you come across the Northway bridge to see this project when it is completed.

RESOLUTION NO. 51

Offered by Councilman Polak, seconded by Councilman Hotaling: Approved by vote of the Board: Ayes: Wormuth, Polak, Parker, Hotaling, Hayner

RESOLVED, that the Draft Environmental Impact Statement for the Halfmoon Village & Yacht Club is deemed complete and referred to the Town of Halfmoon Planning Board for technical review.

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Councilman Polak reported on the Transfer Station Spring Clean Up dates, April 13,16,17, 20, 23 and 24 at the regular hours and stated it is for household waste. He stated in the Fall we would have the Hazardous Waste Day.

Councilman Hotaling reported that on April 16th the Halfmoon Historical Society will be having an open house on their new building at 4:00 pm to 6:30 pm and light refreshments will be served; on March 26th the Halfmoon Senior Center in conjunction with Halfmoon Celebrations will be having Elvis at 6:30 pm.

Councilwoman Parker reported on March 13th the Halfmoon Senior Citizens would hold their Craft day and lunch would be served in the cafeteria.

Councilman Hayner reported that the fourth annual Crescent Clean Sweep will be April 17 from 10 am to 11:30. He stated it is a great time to get out and clean up the river and the Crescent Trail and is a great way to be involved in the community.

The Supervisor opened public privilege for discussion of agenda topics; no one had questions or comments.

DEPARTMENT REPORTS – month of February

1. Town Justice Wormuth

Total cases: 429

Total fees remitted to the Supervisor - \$53,350

Filed.

2. Town Justice Tollisen
Total cases: 413
Filed. Total fees remitted to the Supervisor - \$46,026
3. Building
Total permits: 30
Filed. Total fees remitted to the Supervisor - \$7,552
4. Fire Code
Total permits: 14
Filed. Total fees remitted to the Supervisor - \$ 594.

CORRESPONDENCE

1. Received from Town Planning Board, resolution approving AAA Commercial Site Plan and Sign Application at 1647 Route 9, Halfmoon.
Received and Filed.
2. Received from Town Planning Board, resolution denying addition to commercial site plan at the J & S Watkins Plaza, 1675 Route 9, Halfmoon.
Received and Filed.

NEW BUSINESS

RESOLUTION NO. 52

Offered by Councilman Polak, seconded by Councilman Hotaling: Approved by vote of the Board: Ayes: Wormuth, Polak, Parker, Hotaling, Hayner

RESOLVED, that the Town Board approve and order paid all vouchers for all funds listed on Abstract dated March 3, 2010 totaling: \$877,294.44.

RESOLUTION NO. 53

Offered by Councilwoman Parker, seconded by Councilman Hayner: Approved by vote of the Board: Ayes: Wormuth, Polak, Parker, Hotaling, Hayner

RESOLVED, that the Town Board approves minutes of Town Board meeting of January 20, 2010 as presented by the Town Clerk.

Supervisor Wormuth stated, relative to the next resolution regarding the Town insurance, that this is with our same agent but a new company and, looking at the insurance market, even with the addition of new properties we are able to save approximately \$20,000 on the insurance. She stated they are very pleased with that.

RESOLUTION NO. 54

Offered by Councilman Polak, seconded by Councilman Hayner: Approved by vote of the Board: Ayes: Wormuth, Polak, Parker, Hotaling, Hayner

RESOLVED, that the Town Board accepts proposal from Adirondack Trust Insurance for Town insurance coverage from carrier U.S. Specialty for all coverage (Property, General Liability, Auto, Public Officials, etc.) in the amount of \$82,814 renewal period March 1, 2010 through March 1, 2011 subject to review and approval of the Town Attorney.

Attorney Murphy asked the Board to table the next resolution. She stated late in the afternoon some issues came up involving some contract issues as to whether or not this was a total figure or there was going to be an addition to this figure so she asks that the Board vote to table this discussion.

Supervisor Wormuth stated this will come before the Board at a future meeting.

RESOLUTION NO. 55

Offered by Councilwoman Parker, seconded by Councilman Hayner: Approved by vote of the Board: Ayes: Wormuth, Polak, Parker, Hotaling, Hayner

RESOLVED, that the Town Board table for a future meeting resolution to approve Amendment Number One for the Professional Service Agreement for J. Kenneth Fraser & Associates for the Halfmoon Town Park for services rendered through the date of substantial completion of each prime contractors in the total amount of \$30,837.

RESOLUTION NO. 56

Offered by Councilwoman Parker, seconded by Councilman Hayner: Approved by vote of the Board:
 Ayes: Wormuth, Polak, Parker, Hotaling, Hayner

RESOLVED, that the Town Board authorize the Supervisor to make the following Creation of Appropriations and Transfer between Appropriations:

A creation of appropriations is necessary to create the project budgetary accounts for the Eco-Docks grant from the state Environmental Protection Fund's Local Waterfront Revitalization Program. The Eco-Docks grant will be devoted exclusively to the construction of the proposed dock at Hudson River Park. The Town was awarded \$24,000 to construct this dock and the balance of \$8,000 will be from the Town of Halfmoon's Recreation Fund.

Debit: Estimated Revenues 35-510 \$32,000
 Subsidiary: 35-4-4889 - \$24,000
 Culture & Recreation Capital Grants Interfund Revenues -35-4-5031 - \$8,000
 Credit: Appropriations 35-960 \$32,000
 Subsidiary: 35-5-7150.24 Culture & Recreational Parks - \$32,000

Create budgetary accounts for Town of Halfmoon Recreation Fund:

Debit: Unappropriated Fund Balance 25-599 \$8,000
 Credit ; Appropriations 25-960 \$8,000
 Subsidiary: 25-5-9950.90 Transfer to Capital Projects

A creation of appropriations is necessary to create the project budgetary accounts for the Champlain Canal Trail Construction Project grant from the Office of Parks, Recreation and Historic Preservation. Construction will be approximately 2,500' to 3,000' of the Champlain Canal Trail, south from Brookwood Road. The new construction will end approximately 1,500' north of the Waterford Town line. The Town was awarded \$200,000 to construct this trail and the balance of \$50,000 will be from the Town of Halfmoon's General Fund.

Debit: Estimated Revenues 35-510 \$250,000
 Subsidiary: 35-4-4889 - \$200,000
 Culture & Recreation Capital Grants Interfund Revenues -35-4-5031 - \$50,000
 Credit: Appropriations 35-960 \$250,000
 Subsidiary: 35-5-7150.25 Culture & Recreational Parks - \$250,000

Create budgetary accounts for Town of Halfmoon General Fund:

Debit: Unappropriated Fund Balance 10-599 \$50,000
 Credit ; Appropriations 25-960 \$50,000
 Subsidiary: 10-5-9950.90 Transfer to Capital Projects

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

Debit: Estimated Revenues 25-510 \$518.00
 Subsidiary: 25-4-2189 Home & Community Services \$518.00
 Credit: Appropriations 25-960 \$518.00
 Subsidiary: 25-5-1440.40 Engineering Contractors Inspections \$518.00

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

NAME	AMOUNT
Glen Meadow PDD	\$518.00
TOTAL	518.00

Transfers between Appropriations:

From Account	To Account	Amount	Reason
30-5-1990.40 Contingency	30-5-8310.42 Administration Contractual Legal Fees	\$20,000	Transfer of appropriations needed to cover legal fees for water department

Transfers between Appropriations for Year 2009:

From Account	To Account	Amount	Reason
10-5-1990.40 Contingency	10-5-1355.41 Assessor Court Appraisals Contractual	\$3,000	Transfer of appropriations needed to cover court appraisals for assessor

INFORMATION: the Railroad will be closing Lower Newtown Road near Route 4 & 32 on Friday, March 5th from 9 am to 1 pm for emergency rail repairs.

The Supervisor stated we will make sure that is posted on the web site and passed along to all the emergency service agencies and the local school districts.

The Supervisor opened public privilege for discussion of non-agenda items; no one had questions or comments.

There being no further business to discuss or resolve on motion of Councilman Hayner, seconded by Councilwoman Parker the meeting was adjourned at 7:43 pm.

Respectfully submitted,

Mary J. Pearson
Town Clerk

3-3-2010