

The January 20, 2009 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 members 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
Matthew J. Chauvin, Deputy Town Attorney

The Town Board Workshop was held in the Board Room at 6:15 pm; no action was taken. The Supervisor led the Pledge of Allegiance.

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Councilman Polak reported that the Historical building now has electrical power, the gas is connected and, heat and lights are connected. He stated the crew is working on finishing items and they are progressing.

Supervisor Wormuth thanked Councilman Polak for working diligently and moving this project forward and appreciates all his effort.

Councilman Hotaling reported that NIMO has come out with a Home Emergency Assistance Program (HEAP) and, it will be posted on the Town website and on the bulletin boards. He stated he wants to thank the highway crew for all their work keeping everything cleaned up and safe after the storms.

Supervisor Wormuth stated the Saratoga County Office of the Aging and Department of Social Services also has information available on HEAP programs available through the State for customers that may not be able to access it through our website. She stated it is also available through NYSEG as well as other alternative heating sources for people who have propane.

Councilwoman Parker reported on an update for the New Town Park, which is still running under budget; the roof is almost complete and the doors and windows are being installed. She stated the Maintenance Building walls are up and things are coming along; the outside facilities for restrooms are in and, will be stored inside and everything is moving along.

Councilman Hayner reported they are interviewing for the Ethics Committee next Tuesday at 7 pm, if anyone is interested in serving on that committee they can call the Supervisors office to set up an appointment.

He reported they held the first Open Space Committee meeting for 2009 with about 10-12 people here and, it was a good start to getting organized for this year. He stated the next meeting will be Thursday, February 12th and the public is invited to attend. He stated they have vacancies they are looking to fill and have started getting some interest and, if anyone is interested they could let him know through the Supervisor's office.

The Councilman reported that Halfmoon Baseball had sign-up this past Saturday and will have two more, Saturday January 24th & January 31st from 10 am to 1 pm at the Town Hall.

Supervisor Wormuth stated the regular second Town Board meeting in February will be rescheduled from Tuesday, February 17 to Thursday, February 19, 7 pm at the Town Hall.

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

DEPARTMENT REPORTS - month of December

1. Building

Total Permits – 16

Filed.

Total fees remitted to the Supervisor - \$4,022.00

2. Fire Code

Total Permits – 20

Filed.

Total fees remitted to the Supervisor - \$801.00

3. Town Clerk

Total fees remitted to the Supervisor
Filed.

- \$6, 299.86

4. Senior Express
Total # of Riders – 239
Filed.

Total # of Meals – 412

CORRESPONDENCE

1. Received letter of resignation from Code Enforcement Officer, Paul Heslin, effective January 23, 2009.

2. The Clerk read the following letter, dated January 13, 2009, from “The White House”, *Laura Bush, Honorary Chair, Preserve America:*

Dear Citizens of Halfmoon,

Congratulations to Halfmoon on your designation as a Preserve America community! The preservation and enjoyment of your historical and cultural resources celebrate an important part of our nation’s heritage. You honor our nation’s past and inspire and educate for the future.

President Bush and I applaud your achievement. As your community shares its story with residents and visitors, you set a great example for others.

The Advisory Council on Historic Preservation will soon send a package of relevant information and materials. Thank you for your enthusiastic participation in the Preserve America initiative.

NEW BUSINESS
RESOLUTION NO. 19

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

RESOLVED, that the Town Board approves and orders paid all vouchers for all funds listed on Abstract dated January 20, 2009, totaling: \$2,033,850.09.

RESOLUTION NO. 20

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

RESOLVED, that the Town Board authorizes the Supervisor to make the following Transfer between Appropriations:

From Account	To Account	Amount	Reason
10-5-1990.4 Contingency	10-5-1950.4 Assessment on Property	\$3,000	Transfer of appropriations needed to cover increase in property taxes for 2009

RESOLUTION NO. 21

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

RESOLVED, that the Town Board authorizes Town employees to attend the Association of Towns 2009 Training School and Annual Meeting in New York City on February 15th –18, 2009 and authorize payment of \$100.00 registration fee for each employee attending.

RESOLUTION NO. 22

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

RESOLVED, that the Town Board approves Water Report for January 2009 billing, as submitted by the Director of Water.

Supervisor Wormuth stated, relative to the next item, this is a grant that was awarded and typically the next step is to request an RFP or RFQ for qualifications. She stated the grant reads that they now refer to this as an REI. She stated it is just a different letter grouping or acronym and is not an additional step but just a renamed step.

RESOLUTION NO. 23

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

RESOLVED, that the Town Board is authorized to Request Expressions of Interest (REI), for the Crescent Trail Extension Feasibility Study, to be opened at 2:00 p.m. on February 19, 2009.

RESOLUTION NO. 24

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

RESOLVED, that the Town Board is authorized to Request Expressions of Interest (REI), for the design of the Hudson River Waterfront Park for waterfront access and passive recreation, to be opened at 2:00 p.m. on February 19, 2009.

Supervisor Wormuth stated, relative to the next item, that this was a project the Town received a grant for, they did the project and it was constructed and, after the construction it was noticed that the adjacent property would require some additional drainage in order to safely maintain the work done and enhance the work and is additional work.

RESOLUTION NO. 25

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

RESOLVED, that the Town Board approves change order increase in the amount not to exceed \$1,500 to R & J Kerr, Inc., Physically Challenged Fishing Access Project, to proceed with the drainage system improvements and modifications.

RESOLUTION NO. 26

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

RESOLVED, that the Town Board authorizes the Supervisor to file an application for financial assistance from the Local Government Records Management Improvement Fund of the New York State Archives to advance the Town of Halfmoon records management for the Tax Collector's Office in the amount not to exceed, \$10,000 and to act on behalf of the Town Board in all matters related to this financial assistance and to certify the information contained in the application and, further

RESOLVED, that said resolution be subject to the review and approval of the Town Attorney.

RESOLUTION NO. 27

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

RESOLVED, that the Town Board authorizes the Town Supervisor to execute an agreement with Repeat Business Systems, Albany, NY for Copier Machine Maintenance & Supply Contract for the Building and Planning department in the amount of \$609.96, effective January 12, 2009 through January 12, 2010, per review and approval of the Town Attorney.

Supervisor Wormuth stated, relative to the next item, that this policy change will be copied and distributed to all employees per our Town Policy and have them sign receiving this document with an effective date.

RESOLUTION NO. 28

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

RESOLVED, that the Town Board amends the Town Employee Policy to accept the changes regarding sick leave, removing Town documents from Town property and holidays/weekend hours as follows:

WHEREAS, the Town Board of the Town of Halfmoon has determined that the current policies for the employees of the Town of Halfmoon need to be clarified regarding the use of sick time, working outside of established business hours, and the removal of Town documents from Town property; and

WHEREAS, the Town Board of the Town of Halfmoon recognizes the importance of providing a comprehensive handbook for town employees detailing any changes to the policies regarding employees; and

WHEREAS, the Town Board of the Town of Halfmoon recognizes the necessity of ensuring that Town Employees are not misusing any accumulated sick time they may have earned due to the financial ramifications to the Town and the added work burden on other employees; and

WHEREAS, the Town Board of the Town of Halfmoon is ever cognizant of the necessity of prohibiting Town documents from being removed from Town property to reduce the risk of loss of Town documents, and

WHEREAS, the Town Board of the Town of Halfmoon is ever cognizant of the need to maintain the work day/work week normal hours of operation as established to best serve the needs of the community; now, therefore, be it

RESOLVED, that the Town Board of the Town of Halfmoon hereby modifies section VI. Benefits for Town Employee subsection G of the Town of Halfmoon Employee Handbook to mandate that anytime an employee is utilizing sick leave for three days or more, the employee must provide a written statement from a physician that such absence was necessary; further, be it

RESOLVED, that the Town Board of the Town of Halfmoon hereby modifies section VII. Operational Policies subsection A of the Town of Halfmoon Employee Handbook to mandate that any employee working outside the normal hours of operation as established periodically by the Town Board must receive prior authorization from the Town Supervisor to be compensated for the hours worked. This notification shall not apply to the Highway or Water Department due to the emergency situations these Department respond to outside of the normal hours of operation; further, be it

RESOLVED, that the Town Board of the Town of Halfmoon hereby modifies section VII. Operational Policies to include section I in the Town of Halfmoon Employee Handbook to mandate that no original documents, work product, documentation including but not limited to receipts/vouchers, or original maps shall be removed from Town premises without the prior written approval of the Town Supervisor.

Councilwoman Wormuth stated, relative to the next item, that this contract comes every three years and it was reviewed and approved in 2003, 2006 and this is for again in 2009 and is part of their process for having our intake in the river.

RESOLUTION NO. 29

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

RESOLVED, that the Town Board authorizes the Supervisor to execute the Canal Permit application to continue the operation of the Town of Halfmoon Water Treatment Plant including

the maintenance of raw water pipeline and intake in the Hudson River, per review and approval of the Town Attorney.

RESOLUTION NO. 30

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

RESOLVED, that the Town Board sets a public hearing for February 3, 2009 at 7:00 pm for the amendment to Town of Halfmoon Code, Chapter 165-14, C-1 Commercial District to allow educational uses, per review of the Town Attorney.

RESOLUTION NO. 31

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

RESOLVED, that the Town Board authorizes waiving the Town Purchasing Policy to allow for the Supervisor to enter into a License Agreement with Novell for software license and services in the amount of \$5,257.50 per approval of the Town Attorney.

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

There being no further business, on motion of Councilman Polak, seconded by Councilman Hotaling the meeting was adjourned at 7:15 pm.

Respectfully submitted,

Mary J. Pearson
Town Clerk

