

The August 21, 2007 regular meeting of the Town Board of the Town of Halfmoon was called to order by Supervisor Wormuth at 7:00 pm at the Town Hall on Harris Road with the following members present:

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

Also present: Frank Tironi, Director of Water; Lisa Perry, Secretary to Supervisor; Rodney Smallwood, Highway; Nelson Ronsvalle, Grants; Dick Lee, Executive Assistant to Supervisor; John Pingelski, Working Supervisor.

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.

The Supervisor opened the public hearing for the Waterfront Visioning Plan and asked the grants coordinator, Nelson Ronsvalle to provide a presentation.

Mr. Ronsvalle stated the Waterfront Visioning Plan was prepared through a grant from the State Department of Coastal Resources through funds provided by the Environmental Protection Fund. He stated a steering committee was formed and it was recommended they hire engineers. He stated the meetings were open to the public and couple of community forums were held. He stated it was determined that historic preservation was important; protecting the waterfronts as a community resource and making sure the public has access to the waterfronts were important issues along with improving the water quality of the rivers. He stated once they identified the issues they wanted to focus on they decided to establish some boundaries. He stated they developed recommendations and objectives. He indicated on the study area location map the Hudson River waterfront area and the Mohawk River boundaries. He stated the goals they established took into consideration the goals expressed in the Towns Comprehensive Plan and included – to enhance boat access to the waterfront; create opportunities for mixed use development where appropriate; to maintain the residential character of established communities located along the waterfront; to preserve the historical significance of the Erie Canal and historic structures; to capitalize on the value of the locks on the Hudson River; to improve the visual and physical access of the waterfront and to continue to coordinate with other Towns to develop and expand use of the waterfronts and also to connect the Crescent Trail with the proposed Champlain Trail. He stated they recommended that the northern end section be developed as a gateway into to our community with visual and physical access to the river. He stated some of the recommendations are already being developed. He stated they would like to see a hamlet style of development along Church Hill Road at the Mohawk River and create a visitors center. He stated the Crescent trail could be extended along the Mohawk to connect to the old Erie Canal and improve access to the State owned dock. He stated the Town has secured a grant to provide fishing access on the river with handicap accessibility. He stated they suggested constructing a trailhead and public restrooms; continue to provide winter dock storage for residents. He stated the Town is well along with their plan to develop the trail and add Kiosks along the Crescent trail and extend into Clifton Park. He stated there is a recommendation to close a portion of Canal Road on the western end to help increase recreational activities; a desire to protect the shoreline from erosion and develop a maintenance program to make sure the area is well maintained along the Mohawk River. He stated other recommendations include developing a park with car top boat launching and more signage.

Henrietta O'Grady, Church Hill Road, stated she strongly supports this plan and feels this plan compliments the Town Comprehensive Master Plan and provides what the public has requested which is more access to the rivers. She stated it is very sensitive to the historic character of some of the neighborhoods and sites and, she urges its adoption.

There being no further comments the Supervisor closed the public hearing at 7:15 pm.

Councilman Bold stated, regarding the slide relative to the Hudson River there was a bullet item that talked about alternate sewer disposable and asked if they are referring to local septic systems.

Supervisor Wormuth stated some of the concerns that were brought up is the clay in the area and that sewer is not available and discussion about possible contamination. She stated this is a local issue.

Councilman Bold commented on the statement about connecting the Erie Canal trail with the Champlain trail and asked if the report shows a suggested geographic route for it.

Mr. Ronsvalle stated this was a general recommendation and recognizing it is quite difficult to have a trail follow the Mohawk River very closely because of the topography and the fact that the Old Erie Canal crossed the river on the Colonie side

Councilwoman Parker stated this is an awesome project and can only add to the Town's natural beauty.

Nelson stated he has spoken to some of the grant making organizations in the State and they were very complimentary of the Town haven taken this step and making a blueprint for the future.

Councilman Polak commented that years ago the river was an open sewer but was the only place to swim but now it has been cleaned up and several Board members, past and present, along with Dick Lee and the Trails committee have been instrumental in obtaining grants and putting us back on the map.

Supervisor Wormuth thanked Dick Lee and the steering committee who worked hard on this and several residents and Town employees stating their hard work is appreciated.

RESOLUTION NO. 233

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

WHEREAS, the Town Board of the Town of Halfmoon recognizes the importance of preserving the historic qualities, water quality and natural beauty of the waterfronts located in the Town of Halfmoon; and

WHEREAS, the Town Board acknowledges the unique confluence of the Mohawk and Hudson Rivers along the borders of the Town; and

WHEREAS, much time and effort have been spent creating a Waterfront Visioning Plan with the assistance of engineers, town employees, and the Halfmoon community; and

WHEREAS, the Waterfront Visioning Plan was reduced to writing after public input and technical review; and

WHEREAS, a Public Hearing was conducted at the Town Hall on August 21, 2007 during which the final findings of the Waterfront Visioning Plan were presented to the Town Board and the community for review and comment;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Town Board of the Town of Halfmoon hereby accepts the Waterfront Visioning Plan as completed and accepts the recommendations for future development of the waterfront for consideration during the planning process.

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

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Councilman Polak reported that the Hazardous Waste Collection Day is September 29th at the Clifton Park location. He stated the Town Transfer Station fall clean up dates have been scheduled for September 18, 21, 22, 25, 28 & 29. He stated applications and notices are in the Town Clerks office.

Councilman Hotaling reported that Celebrations will have a movie on the Town property this Friday at 8 pm.

Councilwoman Parker reported that the Senior Citizen clambake will be held next Thursday at Krause's at noon.

DEPARTMENT REPORTS – month of July

1. Town Justice Tollisen

Total cases - 302 Total fees remitted to the Supervisor \$26,275

CORRESPONDENCE

1. Received from ABD Engineers & Surveyors Narrative and Site Plan for PDD amendment for 1 Enterprise Ave., Saratoga Economic Development Corporation Industrial Planned Development District for Grace Fellowship Church.

NEW BUSINESS

RESOLUTION NO.234

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

RESOLVED, that the Town Board approves the Supervisor's Report for month of July 2007.

RESOLUTION NO. 235

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

RESOLVED, that the Town Board approves and orders paid all vouchers for all funds listed on Abstract dated August 21, 2007, totaling: \$1,836,110.28

RESOLUTION NO. 236

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

RESOLVED, that the Town Board approves minutes of Town Board meetings of May 15, June 5th & 19th and July 3, 2007 as presented.

Supervisor Wormuth reported, relative to the next item that this will be to apply for the grant and the Judges have come up with some updates to the court room to improve safety and security and would be conditioned upon receiving the grant.

RESOLUTION NO. 237

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

WHEREAS, the Town of Halfmoon Office of the Town Justice wishes to pursue grant funds through the Justice Court Assistance Program, now therefore be it

RESOLVED, that the Town Board authorizes the Town Justices to apply for grant funds through the Justice Court Assistance Program in the not to exceed amount of \$25,000.

RESOLUTION NO.238

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

RESOLVED, that the Town Board set a public hearing for September 4th at 7:00 pm for amendment to the Hayner Planned Development District

RESOLUTION NO.239

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

RESOLVED, that the Town Board authorizes the Town to enter into a municipal cooperation agreement with the Town of Clifton Park for the purpose of participating in a Household Hazardous Waste Disposal Day to be held September 29th from 8 am to 4 pm at Vischer Ferry Road in Clifton Park for fee of \$15.00 per registered participant.

Councilman Bold commented, relative to the next resolution that, in the short time Nelson has been on staff he finds that his work is a real asset to town. He stated it is a position that has been needed for a number of years and it is working out very well.

Supervisor Wormuth stated he certainly has been an asset to the Town not only in grant writing but other things he has interacted in with other communities.

Councilman Polak stated it's nice to get the free money but the paperwork is mind-boggling and the forms continually go back and forth to administer the grant.

Councilman Hotaling commented that he is doing a great job.

RESOLUTION NO. 240

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

WHEREAS, the County of Saratoga has advised that Nelson Ronsvalle has acquired civil service status, it is therefore

RESOLVED, that Nelson Ronsvalle is appointed as permanent full time Coordinator of Grant Writing, effective immediately to be paid current annual salary.

Councilman Bold commented on the next item stating when they opened the water plant in 2003 at that time they did not place a sign in front of the building. He stated they felt it was time to add the sign to the building they are so proud of. He stated very shortly the Supervisor will be scheduling a formal ribbon cutting ceremony.

RESOLUTION NO.241

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

RESOLVED, Resolution to approve Change Order No. 21, BCI Construction, Water Source Improvement Project, in the increase amount of \$14,500 to provide labor, material and equipment needed to excavate and construct a two-sided sign at the facility on Brookwood Road.

RESOLUTION NO.242

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

RESOLVED, that the Town Board authorizes the Supervisor to make the following Creation of Appropriations:

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

Debit:	Estimated Revenues	25-510	\$12,535.42
Subsidiary:	25-4-2189 Home &Community Services		\$12,535.42
Credit:	Appropriations	25-960	\$12,535.42
	Subsidiary: 25-5-1440.40 Engineering		
	Contractors Inspections		\$12,535.42

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

NAME	AMOUNT
County Waste	\$529.00
Ellsworth Landing-Insp	8,809.92
Rolling Hills PDD	120.00
Cardin Acres	582.00
Dahoda Subd	909.00
Boni-Route 146	732.00
Princeton Heights	601.50
Windsor Woods	252.00
TOTAL	\$12,535.42

A resolution is needed to appropriate contributions from Lyn Murphy; Republican Club of Halfmoon and American Legion made to the Character Counts Program for the summer recreation program for youths to attend the summer camp as follows:

DEBIT: 10-510 Estimated Revenues \$1,430
Subsidiary: Community Gift Contributions
10-4-2705 - \$1,430
CREDIT: 10-960 Appropriations \$1,430
Subsidiary: Character Counts – Contractual
10-5-7989.4 - \$1,430

A resolution is necessary to setup the capital project for the Erie Canal Greenway Grant Program. This project was created in June, 2007 but for accounting purposes appropriations within the General Fund 2007 Adopted Budget for the approved amount of \$112,500 are as follows:

DEBIT: 10-599 Appropriated Fund Balance \$112,500
CREDIT: 10-960 Appropriations \$112,500
Subsidiary: 10-5-9950.90 - \$112,500
Transfer to Capital Projects Fund

The Town Attorney stated, relative to the next item, that the public hearing was held and it was left open for comments during the thirty-day period and no comments were made and now the Town can go forward with the process.

RESOLUTION NO. 243

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

ORDER AND RESOLUTION

WHEREAS, the Town Board of the Town of Halfmoon has continued the implementation of its long-range planning for extended improvements and utilities to service Town residents, which services, it has been determined, should be wherever possible under Town control; and

WHEREAS, the Town entered into various contracts to extend water services to properties not currently contained in the Consolidated Water District; and

WHEREAS, The Town Board authorized Clough, Harbour & Associates, Licensed Engineers, to prepare a certain Map, Plan and Report concerning the extension of the Consolidated Water District to encompass the various areas currently be serviced; and

WHEREAS, the new Rules and Regulations of the NYS Department of Health and the New York State Department of Environmental Conservation require the Town to extend the Water District Service area to encompass the areas currently being serviced; and

WHEREAS, the Town Board has reviewed the Plan submitted to it by Clough, Harbour & Associates concerning the proposed extension of the Consolidated Water District and has caused a true and complete original of said Map, Plan and Report to be filed by the Clerk of the Town of Halfmoon at the Town Offices for more than ten (10) business days prior to the date of this Resolution; and

WHEREAS, all of the properties proposed to be serviced have previously indicated their intent to be incorporated in the Consolidated Water District; and

WHEREAS, the Town Board has conducted a Public Hearing for open discussion and consideration of the Petition for the extension of the Consolidated Water District on July 17, 2007; and

WHEREAS, the Town Clerk has duly posted, and there has been published in the official newspaper of the Town, official notice of the Public Hearing to be held at the Halfmoon Town Hall on the date of July 17, 2007 commencing at 7:00 pm. Or as soon thereafter as possible, and which posting and publication were completed more than ten (10) days prior thereto and less than twenty (20) days prior thereof, a copy of which Notice is annexed as “Appendix A”; and

WHEREAS, a Public Hearing on the Petition for the extension of the Consolidated Water District has been held commencing at 7:00 p.m. on July 17, 2007, at which time all persons interested in the proposal have been heard, and due deliberation has been had on the evidence and statements given upon such Hearing;

NOW THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD OF THE TOWN OF HALFMOON FINDS AS FOLLOWS:

1. That the proposed Map, Plan and Report of Clough, Harbour & Associates for the extension of the Consolidated Water District dated June 2007 complies with the requirements known to this Board for sufficiency as to content and form; and

2. That the new contract and agreement of the owners providing for the extension to the properties is in the possession of the Town Clerk; and

3. That the said Map, Plan and Report is formally accepted and ratified by this Board, all property owners within the proposed Consolidated Water District being benefited thereby and all property and property owners benefited are included within the limits of the District and being included within the geographical limits of the Town and the proposed District; and

4. That all properties benefited by the proposed Consolidated Water District Extension are included within its boundaries; and

5. That it is in the public's best interest to grant approval of the Consolidated Water District Extension, it being this Board's determination that the proposed Consolidated Water District Extension is necessary and desirable; and

6. That due proof of posting and publication of the Notice of Public Hearing held on July 17, 2007 has been filed with this Board and made a part of its record;

BE IT FURTHER,

RESOLVED, that the petition for the Consolidated Water District Extension as proposed in the Map, Plan and Report of Clough, Harbour & Associates be approved, subject to all necessary approvals by reviewing agencies; and it is further

RESOLVED, that said Extension of the Consolidated Water District is to be bounded and described as set forth in "Appendix B" annexed; and it is further

RESOLVED AND DETERMINED, that no improvements of the Consolidated Water District Extension will need to be constructed and the services and lines therefore have previously been installed, all at the land owner expense or pursuant to prior approved public contracts; and it is further

RESOLVED, that costs of said Consolidated Water District Extension shall be assessed by the Town in proportion as nearly as may be practical to the benefit which each lot or parcel contained therein will derive therefrom, pursuant to the zone schedule of the Consolidated Water District and as designated on the said Map, Plan and Report made by Clough Harbour and Associates; and it is further

RESOLVED, that a Negative Declaration in the form and manner annexed was adopted, confirmed and ratified, and it is further

RESOLVED, that the Town Clerk of the Town of Halfmoon shall, within ten (10) days after adoption of this Resolution, file certified copies thereof in duplicate in the Office of the State Department of Audit and Control at Albany, New York and at the Saratoga County Clerk's Office, together with Affidavits of Posting and Notice of Publication and shall post a copy at the Town Hall; and it is further

RESOLVED, that this Resolution and its appendices shall be forthwith posted and published as provided by Statute.

Councilman Bold commented, relative to the next item, stating as part of the project the developer is required to place the sewer line and pumping station through and on the Town lands to be developed for the park. He stated at the time this was approved the developer working in good faith with the Town anticipated that by now we would have had all the necessary permits so the developer entering into the agreement when the Town approved the planned development district. He stated all this time has passed now and we still don't have the permit. He stated he does not want to consider this as a precedent or set a precedent promoting this type of action and it is only for this unique situation where the developer is dependent upon the Town for these permits. He stayed if the Board does approve this he will take a copy of it to the sewer plant and discuss it further with the County Director of Sewer.

RESOLUTION NO. 244

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

WHEREAS, the Planned Development District located on Fellows Road was approved by the Town Board of the Town of Halfmoon as Local Law No. 8 of 2005; and

WHEREAS, the Planned Development District, as approved, permits the Town Board to modify any of the provisions of this Local Law upon request of the applicant upon such terms as the Town Board shall determine to be reasonable; and

WHEREAS, the applicant for the Fellows Road Planned Development District has requested that the local law be amended to permit temporary on-site storage of domestic sanitary effluent for the apartment building labeled building 3 Heirloom Way on the plans entitled Halfmoon Heritage Apartments by Lansing Engineers dated May 14, 2007, for a period not to exceed sixty days from the issuance of the Army Corps permit for the placement of the sanitary sewer line through the planned municipal park pursuant to section 14 of the Fellows Road Planned Development District subject to the submission and approval of a pumping schedule to the Town Engineers; and

WHEREAS, the Town Board of the Town of Halfmoon is desirous of ensuring the health, safety and well being of the citizens of the Town of Halfmoon; and

WHEREAS, the Town Board understands that permitting a safe and reliable method for disposing of sewer promotes the health, safety, and well being of the citizens of the Town of Halfmoon; and

WHEREAS, the applicant is unable to hook into the Saratoga County Sewer District #1 until the appropriate permits are issued by the Army Corps of Engineers for the sewer line base upon the approvals that require that the sewer line run through municipal property currently designated for the municipal park; now be it hereby

RESOLVED, that the Town of Halfmoon hereby permits temporary on-site storage of domestic sanitary effluent for the apartment building labeled building 3 Heirloom Way on the plans entitled Halfmoon Heritage Apartments by Lansing Engineers dated May 14, 2007, for a period not to exceed sixty days from the issuance of the Army Corps permit for the placement of the sanitary sewer line through the planned municipal park pursuant to section 14 of the Fellows Road Planned Development District subject to the submission and approval of a pumping schedule to the Town Engineers; and it is further

RESOLVED, that all other provisions of the Fellows Road Planned Development District Local Law number 8 of 2005 shall remain in full force and effect; and it is further

RESOLVED, that the applicant must hook into the Saratoga County Sewer District #1 within sixty days of receipt of the Army Corps of Engineers permits for the municipal park.

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

There being no further business to discuss or resolve the meeting was adjourned at 7:35 pm.

Respectfully submitted,

Mary J. Pearson
Town Clerk

