

The June 6th, 2006 regular meeting of the Town Board of the Town of Halfmoon was called to order at 7:00 pm by Deputy Supervisor Wormuth at the Town Hall on Harris Road with the following members present:

Melinda A. Wormuth, Deputy Supervisor
Walter F. Polak, Councilman
A. James Bold, Councilman
Regina C. Parker, Councilwoman
Robert J. Chauvin, Deputy Town Attorney
Mary J. Pearson, Town Clerk

Kenneth J. DeCerce, Supervisor - Excused
Lyn A. Murphy, Town Attorney - Excused

Also present: Frank Tironi, Director of Water; Richard Lee, Executive Assistant to the Supervisor; Steve Watts, Building & Development Administrator

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

The Deputy Supervisor stated there will be a presentation for the Howland Park Planned Development District on Johnson and McBride Roads for 92 residential lots.

Mr. Ivan Zdrahal, Ivan Zdrahal Associates Engineering & Planning, stated the parcel being proposed is 149 acres and is located southwest of the Johnson and McBride Roads intersection. He stated the zoning is AR and is within the limits of the Northern Halfmoon GEIS and within the County Sewer District and, the site contains a total of 44 acres of wetlands. He stated the majority of the site is a field but there are wooded areas along the rear. He stated there is existing sanitary sewer, and a 12" water main along Johnson Road. He stated the proposal is for 92 residential lots and will be designed for empty-nester homes and traditional homes. He stated the proposed lot sizes are adequate for the type of residential units that will be built and the proposed buildings will be two-story. He stated the total area of proposed quality open space consists of 89 acres. He stated the open space provides a public benefit by preserving a significant amount of existing wooded areas on the site along Johnson Road. He stated open space areas will remain undeveloped along both Johnson and McBride Roads to help preserve the existing rural character. He stated there is a proposed Homeowners Association that will own the designated common open space and will be an asset to the community by providing a passive green space for active recreation. He stated it will be a full service HOA and will maintain the open space. He stated they are proposing to construct trails, picnic areas and other areas within the common open space. He stated Town roads are proposed to provide access to each lot. He stated a drainage system will be established to comply with road standards and will consist of open drainage swales, piping and stormwater detention basins. He provided a description of the parcel indicating the area on the map and the roads bordering the site.

Deputy Supervisor Wormuth stated this is the first time this application has been before the Board.

Councilman Bold stated the GEIS shows a 15" gravity sewer line proposed to run through the drainage corridor.

Mr. Zdrahal stated there is an easement.

Councilman Polak asked if the entrance off Johnson Road lines up with the road across the way.

Mr. Zdrahal pointed out the details on the map.

Councilman Bold commented that the plan is using two terms, one is the land preservation area and the other is common open space area.

Mr. Zdrahal stated the project would have a Homeowner Association and the common open land area will be the Howland Homeowner Association area.

Councilwoman Parker stated, relative to the Creighton Manning traffic evaluation, it states there will be no additional impact to the roads but there will be with 184 more vehicles on the roads.

Mr. Zdrahal stated this project is in the GEIS study and the traffic improvements will be addressed and, they will be paying traffic mitigation fees.

Councilman Bold stated when they did the GEIS they had a list of traffic improvements which was very extensive and they wound up with a capital project which was so extensive they would have had GEIS fees that would literally double what they wound up being and they realized that was not going to work. He stated they eliminated many of the traffic improvements that are needed and identified so the fact they are paying a GEIS covers some traffic improvements in the area but does not necessarily mean all identified traffic improvements are covered. He stated further on in the study it talks about the site distance when pulling out of the new roadway and just barely meets the minimum standard. He stated he also knows Johnson Road was identified for widening but, we just ran out of money in that project and, there are a number of traffic issues.

Councilwoman Parker stated we have received letters from the people in that area of Town who leave their driveways with risk because of trucks and cars going to the Northway Exit 10. She stated they are the next new project and they have to take safety into consideration.

Councilman Polak stated the traffic engineers don't look at this and the first sign from the development and this Board, the Planning Board and the Zoning recommendation committee will look at this to protect the residents. He stated they will make recommendations that they look a little broader and beyond those points.

Mr. Zdrahal stated as a public benefit they will provide an additional \$400 per lot to the Town traffic improvement fees for this project area.

Dean Taylor stated they certainly want to be sure they are putting in a safe project and they went through pretty extensive work to get the roads to line up and they are looking to do the best they can.

The Deputy Supervisor asked, other than the \$400 mentioned and the increased open space, that will be owned by the Homeowner Association and the people who benefit are the people who live in this community, what are the other public benefits.

Mr. Zdrahal stated the additional \$400 per lot is a benefit and the fees.

Councilman Bold stated he likes the project and the layout and it is a beautiful parcel of land with gorgeous terrain with the stream corridor and the wooded hillside and they have used very creative ways to best utilize it. He stated they are focusing on traffic because more and more they are getting very discouraged with the traffic report that comes in and every report says "no problem" but that is not the case there are problems.

Mr. Taylor stated as he understands it the reason he thinks the traffic studies are so vague is because they only have levels *a*, *b*, *c*, *d*, & *e* and maybe *f* so what they are saying is the level of this doesn't degrade it from a *c* to a *d* and that's why they say there is no adverse impact.

Councilman Polak stated they are looking at the overall impact and the Boards will recommend changes.

Mr. Taylor asked at what level will this be addressed, Planning Board or Town Board.

Councilman Polak stated probably at both.

Councilwoman Parker compared this to two new projects in Town, the Abele/Tanski at the corner of Route 236 and 146 and Vosburgh Road where they had to put the additional lane in, put in a walking trail in and, two commercial properties. She stated the corner now is 1000% better than it was safety wise and its been cleaned up and asked if there is a walking trail in the area.

Mr. Zdrahal stated they intend to put in a walking trail.

Mr. Taylor asked if they are looking at doing something on this project or is there another area of Town that this project would contribute toward.

Councilman Bold stated he looked at the Trail Master Plan and it doesn't specifically show a trail through there but would suggest the Trails Committee look at it to see if it is appropriate.

Discussion ensued regarding the potential for a trail.

The Deputy Supervisor stated, at this point there are still some unanswered issues.

Councilman Polak suggested taking a look at everything discussed tonight and have it ready for referral at the next meeting.

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Councilman Bold reported that two weeks ago two cement trucks rolled into the water treatment plant project and before the day was over there were 65 trucks and at any time there 13 or more

people down in the hole. He stated while this was going on they had two water main breaks reported, one on Route 236 and one on Clippership and were in the 8” lines installed in the 1980’s and they had subcontractors on the job, and our own people . He stated this past Saturday there was another water main break on Church Hill Road with the same vintage pipe, and water was running down Church Hill Road.

Councilwoman Parker reported that tomorrow night is the first concert from the Halfmoon Celebration and starts at 7 pm in the Gazebo or the pavilion.

Councilman Polak reported that the next Zoning committee meeting is June 14th at 7 pm at the Senior Center. He also reported that shortly the registration will take place for the Hazardous Waste Day and he and the Clerk have been working with Mr. O’Brien from Clifton Park.

Councilman Polak reported on the programs and activities the seniors have going on. He stated there was a senior member who passed away and they started a memory fund and have accumulated contributions that changes daily, but as of today the seniors have received \$992 in his honor. He stated they want to do something in his memory for all the things he did for the senior program. He stated the seniors will make the decision but they may want to purchase something, maybe apparatus, for the new van to make it easier for the seniors. He stated it is overwhelming that much money was collected in his honor.

Councilman Bold reported that he wants everyone to be aware that we are now into the critical period with water capacity. He stated the water plant expansion completion is a year away and we are into the high water usage months, so far because of the rain we are doing okay. He stated he wants to be sure everyone is aware that at any time during the next three months we could get in trouble with water capacity and need to put a restriction on outside water usage.

Deputy Supervisor Wormuth opened public privilege for discussion of agenda topics. No one had questions or comments.

DEPARTMENT REPORTS – month of May

1. Town Justice Tollisen
Total Cases - 391 Total fees remitted to the Supervisor - \$37,225.00
Filed.
2. Town Justice Wormuth
Total Cases - 658 Total fees remitted to the Supervisor - \$27,491.00
Filed.
3. Town Clerk
Total fees remitted to the Supervisor - \$ 8,463.38
Filed.

CORRESPONDENCE

1. Received from State of New York Department of State notification of receipt and filing of Local Law No. 2, 2006, Arlington Heights PDD.
2. Received, May 22, 2006 revised plans from Diamond Capital Development, LLC, for Inglewood PDD, Cemetery Road.

OLD BUSINESS

RESOLUTION NO. 135

Offered by Councilwoman Parker, seconded by Councilman Polak, Adopted by vote of Board:
Ayes, Polak, Bold, Parker Recuse: Wormuth Carried.

WHEREAS, bids were opened on May 16th for a Mini-Van for senior citizen transportation and a recommendation made by the review committee, now therefore be it

RESOLVED, that the Town Board awards Spec. No. 4-2006 to Spectrum Wholesale, Mechanicville, NY at their low bid amount of \$28,995 for 2005 Ford Freestar SES Mini-Van.

RESOLUTION NO. 136

Offered by Councilman Polak, Seconded by Councilwoman Parker: Adopted by vote of Board:
Ayes: Polak, Bold, Parker, Wormuth

WHEREAS, bids were opened on May 16th for a dump body and plow for the highway department and a recommendation made by the review committee, now therefore be it

RESOLVED, that the Town Board awards the bid to T & T Sales Inc., Latham, NY at their low bid amount of \$57,986.

NEW BUSINESS

RESOLUTION NO. 137

Offered by Councilwoman Parker, Seconded by Councilman Bold: Adopted by vote of Board:
Ayes: Polak, Bold, Parker, Wormuth

RESOLVED, that the Town Board approves minutes of Town Board meetings of April 4th and 18th and May 2nd 2006, as presented by the Town Clerk.

Councilman Polak stated, relative to the next resolution, stated this is the Plant Road 3-way intersection that will be brought into a “T” and engineering is required to get the proper cross round connections and drainage areas.

RESOLUTION NO. 138

Offered by Councilman Bold, Seconded by Councilwoman Parker: Adopted by vote of Board:
Ayes, Bold, Parker, Wormuth Abstain: Polak Carried

RESOLVED, that the Town Board approves proposal from Clough Harbour & Associates to provide field survey and design services related to the re-design of the Plant Road intersection in the not to exceed amount of \$8,000, subject to approval of the Town Attorney

RESOLUTION NO. 139

Offered by Councilwoman Parker, Seconded by Councilman Bold: Adopted by vote of Board:
Ayes: Polak, Bold, Parker, Wormuth

RESOLVED, that the Town Board authorizes the Highway Department Working Supervisor, with the longest seniority, to certify highway department payroll in the absence of the Superintendent of Highways.

Mike Bianchino, Clough Harbour & Associates, Town engineer, stated the construction of the Town Hall involves construction of a 20,000 square foot complex and will include improvements related expansion of the existing parking capacity and modification of pedestrian and vehicular circulation patterns throughout the municipal center. He stated the State requires this and they have sent out notifications so the Board would take lead agency status. He stated they prepared and did a review with the involved agencies and SHIPO who sent back a sign off stating that the project would not have an impact on any historical features. He stated it has been determined there will not be a significant impact on the environment therefore they prepared a draft negative declaration for the Board.

RESOLUTION NO. 140

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

WHEREAS, the Town Board has proposed to construct a Town Hall, and

WHEREAS, the project would not have a significant impact on the environment, now therefore be it

RESOLVED, that the Town Board hereby declares itself lead Agency, and be it further

RESOLVED, that the Town Board adopts a Negative Declaration and authorizes it to be filed in accordance with the requirements of the State Environmental Quality Review Act for the Town Hall project.

Councilman Bold stated, relative to the next resolution that a new elevation view of the front (south) of the building has been posted in the hall along with an updated floor plan. He stated it is a similar plan to the past with two significant things removed from the plan. He stated the basement and stairwells and elevator have been eliminated and are no longer part of the project. He stated the boulevard entrance has also been eliminated and some of the parking that goes into the playground area. He stated the reason is the cost of construction at this time and they have worked very hard at trying to control the project cost. He stated the budget was put together two years ago now and it was impossible to anticipate the climate.

Councilman Polak stated he follows other projects and if they are overbid and it is hard to realize the impacts on the average homeowners. He stated the prices of asphalt and concrete and items that have to be hauled are jumping from week to week and contractors can't hold their prices. He stated this has been an on going hard-working project and people don't realize the hundreds of hours that are put in to getting this project ready to go to bid.

Councilman Bold stated that they have lengthened the period of time that the bids are on the street and instead of the usual four weeks they have gone to five weeks and they have shortened the time for the contractors to hold the price. He stated this will give them an opportunity to come in with a nice bid. He stated he appreciates Councilman Polak's comments and stated everyone is working hard on this.

RESOLUTION NO. 141

Offered by Councilwoman Parker, Seconded by Councilman Bold: Adopted by vote of Board:
Ayes: Polak, Bold, Parker, Wormuth

RESOLVED, that the Town Board authorizes Butler Rowland & Mays, Architects for new Town Hall to the let bids for the construction, and further

RESOLVED, that Butler Roland & Mays be allowed to designate the date and time of bid opening, in accordance with the General Municipal Law.

Councilman Bold commented on the next resolution stating this is just to authorize J. Kenneth Frasier & Associates to prepare the grant.

RESOLUTION NO. 142

Offered by Councilwoman Parker, Seconded by Councilman Bold: Adopted by vote of Board:
Ayes: Polak, Bold, Parker, Wormuth

RESOLVED, that the Town Board approves the J. Kenneth Frasier & Associates agreement to prepare and submit grant application for the Environmental Protection Fund to the NYS Office of Parks, Recreation and Historic Preservation, and further

RESOLVED, that said agreement, in the not to exceed amount of \$1,850 is subject to the review of the Town Attorney.

Councilman Bold stated, relative to the next resolution that this is the type of grant application that we may have been able to do ourselves but felt it was better to have someone with experience do it. He read a portion of the grant providing information on what the requested funds would be spent on which would be amenities.

RESOLUTION NO. 143

Offered by Councilwoman Parker, Seconded by Councilman Bold: Adopted by vote of Board:
Ayes: Polak, Bold, Parker, Wormuth

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF PARKS RECREATION AND HISTORIC PRESERVATION REQUESTING 2006 ENVIRONMENTAL PROTECTION FUND GRANT FUNDING FOR THE DEVELOPMENT OF THE HALFMOON TOWN RECREATION AREA

WHEREAS, the New York State Office of Parks, Recreation, and Historic Preservation (NYSOPRHP) is granting 2006 Environmental Protection Fund (EPF) grant funding to eligible New York State communities; and

WHEREAS, 2006 EDF grants made by the NYSOPRHP will provide communities with up to \$350,000 to fund parks development, historic preservation, and heritage area programs; and

WHEREAS, the Town of Halfmoon is eligible to apply for 2006 EPF grant funds and will provide the required 50% match to requested funds from the NYSOPRHP in cash and/or in-kind services: and

WHEREAS, the Supervisor of the Town of Halfmoon is requesting authorization from the Town Board to file a 2006 EDF grant application with the NYSOPRHP for State funding not to exceed \$350,000.

RESOLVED, that Supervisor Kenneth J. DeCerce is hereby authorized and directed by the Halfmoon Town Board to file an application for 2006 EDF funds from the NYSOPRHP for a grant amount request not to exceed \$350,000, and upon approval of said request to enter into and execute a project agreement with the NYSOPRHP.

RESOLUTION NO. 144

Offered by Councilman Bold, Seconded by Councilwoman Parker: Adopted by vote of Board:
Ayes: Polak, Bold, Parker, Wormuth

RESOLVED, that the Town Board appoints seasonal Parks Department Senior Crew Leader, Matt Hickok as Parks Laborer effective immediately through 2006 to be paid current rate of pay.

RESOLUTION NO. 145

Offered by Councilman Polak, Seconded by Councilwoman Parker: Adopted by vote of Board:
Ayes: Polak, Bold, Parker, Wormuth

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

A resolution is needed to appropriate the contribution from Sitterly Road Wash, LLC dba Halfmoon Laser Wash & Coin Laundry made to the Character Counts Program for summer recreation camp as follows:

Debit: Estimated Revenues A510 \$1,000
 Subsidiary: Community Gift Contributions
 A2705 - \$1,000
Credit: Appropriations A960 \$1,000
 Subsidiary: Character Counts – Contractual
 A7989.4 - \$1,000

A resolution is needed to appropriate additional contributions made to the Halfmoon Senior Van Express in memory of John Vallee. These contributions will be used at the discretion of the Town Supervisor.

Debit: Estimated Revenues A510 \$210
 Subsidiary: Community Gift Contributions
 A2705 - \$210
Credit: Appropriations A960 \$210
 Subsidiary: Programs for the Aging
 A6772 - \$210

Transfers Between Appropriations:

From Account	To Account	Amount	Reason
AO1990.4 Contingency	AO6772.20 Programs for the Aging Equipment	\$28,995	Transfer of appropriations is needed to cover the purchase of a senior van through state contract

RESOLUTION NO. 146

Offered by Councilwoman Parker, Seconded by Councilman Polak: Adopted by vote of Board:
Ayes: Polak, Bold, Parker, Wormuth

RESOLVED, that the Town Board approves and orders paid all vouchers for all funds listed on Abstract dated June 6, 2006, totaling: \$37,115.41

RESOLUTION NO. 147

Offered by Councilwoman Parker, Seconded by Councilman Polak: Adopted by vote of Board:
Ayes: Polak, Bold, Parker, Wormuth

RESOLVED, that the Town Board authorizes entering into a Third Party Custodian Agreement with HSBC as an authorized depository for Town funds and further

RESOLVED, that the Town Board authorizes the Supervisor to execute said agreement per the review and approval of the Town Attorney.

RESOLUTION NO. 148

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

RESOLVED, that the Town Board authorizes Code Enforcement officers to voucher for mileage at rate established by the IRS when using their personal vehicle for Town business (currently at 44.5 cents per mile.

Deputy Supervisor Wormuth opened public privilege for discussion of non-agenda items.

Jeff Wright, 24 Hayner Road and Ed Faulkner, 12 Hayner Road, stated they had a petition signed by residents of Hayner Road that reads that they are requesting the Town Board to adopt a local ordinance, order, rule, or regulation pursuant to Section #1660-28 of the New York State Vehicle and Traffic Law. He stated they have dump trucks, tri-axle trailers, dump trailers and he has taken pictures with dates and times of trucks going up and down his road. He stated they are asking for signs that maybe would say no-thru truck traffic or a slash through at truck and try to eliminate the heavy truck traffic on their road.

The Deputy Supervisor stated they will file this with the Town Clerk and also refer it to the Town Attorney.

There being no further business to discuss or resolve the meeting was adjourned at 7:50 pm.

Respectfully submitted,

Mary J. Pearson
Town Clerk

