

The September 5, 2006 regular meeting of the Town Board of the Town of Halfmoon was called to order by Supervisor DeCerce at 7:00 pm at the Town Hall on Harris Road with the following members present:

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

Also present: Frank Tironi, Director of Water; John Pingelski, Working Supervisor; Lisa Perry, Secretary to Supervisor

The Town Board Workshop was held in the Board Room at 6:15 pm; no action was taken. The Supervisor introduced Nathan Shakerly. He stated that Nathan was asked to go to Ground Zero at the time of 9-11 and, he received a call from Ed Trembley at Saratoga County asking him to represent the County at the ceremony to be held at Ground Zero on Sunday. He stated we are very proud he will be our representative and he is here tonight to feel the pride. He stated they are very proud of him and appreciate all he does as a volunteer.

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Councilman Bold reported on some of the new landscaping projects around the Town. He stated one is at the sign at Exit 8; one on Route 9 at Stewart’s; one near the Cracker Barrel restaurant and the one out front at Town Hall.

Councilwoman Parker reported that the 9-11 Remembrance Ceremony will be Sunday evening at 6 pm at the Town Hall property.

Councilman Polak reported that the Hazardous Waste Day is scheduled for September 30th and applications need to be filed no later than September 15th; he stated Fall Cleanup will be held the last week in September and, the first week in October.

Supervisor DeCerce reported on the negotiation with the County to put a set of lights near the Mechanicville School and, the electric work has just been finalized and the lights are on and flashing.

The Supervisor stated there are a lot of grants that the Town applies for annually and the Town has approximately \$3 million in grant money that we are working at implementing. He stated he will encourage this activity to help in this community and he will encourage staff to help acquire the dollars. He stated we ranked number one on one project, which doesn’t mean we’ll get the money and, we ranked 5 or 6 on another project. He stated that Eric Hamilton and the Coalition has submitted numerous requests for funds and has been successful for a \$25,000 implementation grant for a management plan. He stated there was a grant we did not get, with the Town of Clifton Park, to acquire a truck to clean out catch basins and sewer lines.

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

DEPARTMENT REPORTS – month of July

1. Building
Total Permits - 94 Total fees remitted to the Supervisor - \$16,980.00
Filed.

2. Fire Code
Total Permits - 12 Total fees remitted to the Supervisor - \$ 360.00
Filed.

- month of August

1. Town Justice Wormuth
Total Cases - 250 Total fees remitted to the Supervisor - \$28,412.00
Filed.

CORRESPONDENCE

1. Received from State of New York Department of Transportation notification of receipt of speed limit request for Dater Woods and Cary Road stating they have initiated a study and will advise of the results upon completion.
2. Received notification of intent to renew their liquor license from Trick Shot Billiards, Inc., 1602 Route 9, Halfmoon.
3. Received request from residents of Colonial Green subdivision to consider their concerns

Supervisor DeCerce stated the Board has received information on the devastation in Colonial Green that happens over and over. He stated it is one of the older developments in Town and they have a meeting set up for Wednesday evening at 6 pm and they are planning on looking at what they can do further.

Larry Gray, 7 Colonial Drive read his letter regarding the flooding that has occurred over the years and the damage incurred. He stated the floods produce about 24,000 cubic feet of water on a very small street and, a lot of it ends up in his basement and the lawns, garages and driveways of his friends and neighbors. He stated the highway department told him they check the catch basins but he hasn't seen anyone. He stated he can't use his basement and he's tried of bringing stuff to the transfer station and, he's tired of it after forty years and he would hope they could alleviate their problems.

Peter Rajotte, 6 Colonial Drive, provided pictures of the flooded street and stated they are frustrated and they have had it. He stated they are always digging out and, they have no help and they are fed up.

Joe Santagato, 8 Colonial Drive, stated the problem is getting worse and, they have had five floods in the last four years. He stated the sewer drains are all sunk in.

Supervisor DeCerce stated the Board has plans to meet regarding this next week and start a process to consider what the possibilities are. He stated the Board will make sure they get the information.

Councilwoman Wormuth suggested they report at the next meeting if they come up with a plan even if everything is not worked out at that point.

Attorney Murphy stated she advised the Board not to have detailed discussion with the residents regarding a plan until after one is formulated so no one is misled. She stated they will be contacted and suggested they have a representative so they can contact one person.

NEW BUSINESS

Councilman Bold reported on the next item stating this bridge is on the Old Champlain Canal and currently there is a concrete and steel bridge there and, when they go through with the pipeline that bridge will be removed and some of the stonework will be disturbed and replaced with a different structure. He stated this is a bridge designed and approved by the people at Peebles Island for the historic perspective and resembles a design from the early 1800's. He stated they asked the pipeline contractor but he declined so they will go out to bid. He stated it was part of the approval.

RESOLUTION NO. 209

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

RESOLVED, that the Town Board approves proposal from Clough Harbour and Associates for Phase II Water Source Improvement Project for engineering services for planning and design of a bridge superstructure and abutment retrofit along the Old Champlain Canal in the amount of \$21,600, and authorize letting bids for project, to be opened September 15th, 2006 at 1:00 pm.

RESOLUTION NO. 210

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

RESOLVED, that the Town Board approves and orders paid all vouchers for all funds listed on Abstract dated September 5th, 2006, totaling: \$62,105.14

RESOLUTION NO. 211

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

RESOLVED, that the Town Board of the Town of Halfmoon chooses to accept its 2006 Sales Tax Revenues in cash, and further

RESOLVED, that the Town Clerk complete the 2007 County Sales Tax Levy – Sales Tax Application to be sent to the Saratoga County Real Property Tax Service, and further

RESOLVED, that Supervisor DeCerce be and he is hereby authorized to sign said application on behalf of the Town of Halfmoon.

Councilwoman Parker commented, relative to the next resolution that she still doesn't believe since last year that they corrected some of the issues with encouraging Halfmoon addresses.

Councilwoman Wormuth stated when this was approved last year they talked about having some updates from them to let us know what they are doing to promote using Halfmoon as a business address. She stated we have not received anything formally from them that shows what they are doing. She stated the Planning Department does a great job promoting.

Supervisor DeCerce stated he took it upon himself to write letters for the Town of Halfmoon to every business.

RESOLUTION NO. 212

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

RESOLVED, that the Town Board authorizes membership in the Southern Saratoga County Chamber of Commerce for the annual membership dues of \$480.00 for renewal period 7/1/2006 through 6/30/2007

Councilman Bold stated, relative to the next item, that Roger Murman from Fraser & Associates is present and, he asked him to give a recommendation on this action.

Mr. Murman stated, in October 2005 the Town Board requested to be lead agency which subsequently happened and, we are now in the position to pass a resolution adopting a Declaration of Significance relative to the Town Park project. He stated the draft that he provided indicates the scope of the project which includes the development of a park along with all the mitigating measures they plan to do in connection with that. He stated it would be appropriate they consider a negative declaration and, file it and then the SEQRA process will be complete for this project.

RESOLUTION NO. 213

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

WHEREAS, the Town Board has proposed to construct a new Town Park, 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 Park project.

RESOLUTION NO. 214

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

RESOLVED, that the Town Board enters into a municipal cooperation agreement with the Town of Clifton Park for the purpose of participating in a Household Hazardous Waste Disposal Day, September 30th, for fee of \$16.00 per registered participant with a slot for approximately 50 residents

RESOLUTION NO. 215

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

RESOLVED, that Kenneth J. DeCerce, as Supervisor of the Town of Halfmoon, is hereby authorized to file an application for funds to the New York State Department of State Coastal Resources Program in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$25,000,000, and upon approval of said request to enter into and, execute a project agreement with the State upon consultation with its Legal Advisor for such financial assistance to the Town of Halfmoon for the preparation of a Feasibility Study for extension of the Crescent Trail along the Mohawk River.

RESOLUTION NO. 216

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

RESOLVED, that the Town Board appoints Aniello Pepe as member of the Board of Assessment Review for term effective September 30th, 2006 through September 30th, 2011.

Councilwoman Wormuth stated, relative to the next item, that she would ask that the resolution not be limited to the recreation department and be used for all staff training.

Attorney Murphy stated she put a caveat in the contract that it be limited to employees so we wouldn't be training outside personnel and take on that liability.

RESOLUTION NO. 217

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

RESOLVED, that the Town Board authorizes the Supervisor to execute an Authorized Provider Agreement between the American Red Cross and the Town of Halfmoon staff to provide safety education programs, at fees set by the Red Cross for staff certifications, per review of the Town Attorney

RESOLUTION NO. 218

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

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

From Account	To Account	Amount	Reason
AO8810.10 Cemeteries Personal Services	AO7110.40 Parks Contractual	\$3,000	Transfer of appropriations needed to cover additional expenses in the Parks Department
AO1330.40 Receiver of Taxes Contractual	AO1330.20 Receiver of Taxes Equipment	\$1,500	Transfer of appropriations within own budget to cover purchase of fire proof filing cabinet
AO3510.40 Control of Animals Contractual	AO3510.20 Control of Animals Equipment	\$185	Transfer of appropriations within own budget to cover purchase of a Thermocouple Thermometer

RESOLUTION NO. 219

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

RESOLVED, that the Town Board sets a public hearing amending the sliding scale income limits for determining the aged exemption for Real Property taxes and sets the hearing for September 19th , 2006 at 7:00 pm.

Councilman Bold reported on the next item, stating this is to provide two parts of the construction phase of the Town Hall regarding inspections.

RESOLUTION NO. 220

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

RESOLVED, that the Town Board approves proposal from Clough Harbour & Associates for the Town Hall Project for the Construction Phase Services for On-Site Inspections and Special Inspections, in the not to exceed amount of \$221,000, and further

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

RESOLUTION NO. 221

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

RESOLVED, that the Town Board approves Change Order No. 1 for Contract 5, 1000 Oaks, Inc. for Phase II Water Source Improvement Project, to add additional item to contract for seeding of unimproved areas along the roadway, in the additional amount of \$17,000, subject to the review and approval of the Town Attorney

RESOLUTION NO. 222

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

TABLED, for further review Resolution to let bids for sale of Parks Department 1999 Ex-Mark Lazer Z – Zero Turn Riding Mower proposed to be opened September 19, 2006 at 7:05 pm.

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

Ed Faulkner, Hayner Road, asked for an update on his request relative to truck traffic on Hayner Road.

Attorney Murphy stated she has researched the law and they can make a request for the trucks to use another route but signs cannot be permanently erected.

Henrietta O'Grady, Church Hill Road, stated for information the Mohawk Towpath Byway is planning the 4th Annual Duathlon on Sunday, October 15th and she will make the applications available in the Town Clerk's office.

There being no further business to discuss or resolve the meeting was adjourned at 8:05 pm.

Respectfully submitted,

Mary J. Pearson
Town Clerk

9/5/2006