

The May 16, 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: Jeff Williams, Senior Planner; Frank Tironi, Director of Water; Steve Watts, Building & Development Administrator; Laurie Sullivan, Deputy Town Clerk; John Pingelski, Highway Working Supervisor; Rodney Smallwood, Executive Assistant to Supervisor; Greg Stevens, Temporary Director of Code Enforcement; 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 led the Pledge of Allegiance and requested that Nathan Bruschi, recently honored as an Eagle Scout also led the Pledge of Allegiance. The Supervisor invited Councilman Polak to join him in congratulating Nathan and, stated a Proclamation was presented earlier and, he is honored and proud to have him in attendance. Councilman Polak spoke to his parents and said they know how proud they are as Councilman Bold is the father of an Eagle Scout and he also is.

Nathan expressed thanks and appreciation to the Town Board.

Supervisor DeCerce stated the first item is a public hearing on the Old Champlain Canal property purchase. He stated there is a piece of property in the Town of Halfmoon that is owned by the City of Mechanicville. He stated the Board, especially Councilman Bold and he, have been working for three years trying to purchase this property. He stated we have been in an eminent domain procedure on the property and both attorneys have worked very hard. He stated they thought and felt they were well on the way to purchase this property. He stated there was suppose to be action with Mechanicville counsel that didn't occur, therefore, on the advise of counsels, we will not hold the public hearing as scheduled.

Attorney Murphy stated the Supervisor is accurate due to the inactions of the Mechanicville Board it would be inappropriate for this Board to proceed at this time. She stated when, and, if, it does become appropriate a new public hearing notice will be issued.

Supervisor DeCerce stated they had great desires for using this for public benefit for all the neighboring Towns if we can jointly come to agreement.

At 7:05 pm the Clerk opened the two bids received for the mini van for Senior Citizen Transportation as follows:

<i>BIDDER</i>		<i>TOTAL BID AMOUNT</i>
1) Northstar Chevrolet, Inc. Clifton Park	2006 Uplander Van (miles-15to20,000)	\$36,895.00
2) Spectrum Wholesale, Mechanicville	2005 Ford Freestar SES	\$28,995.00

The Supervisor referred the bids to Counsel, Councilman Polak and the committee for further review for the next meeting

The bid for the Truck Dump Body for the Highway Department was opened at 7:20 pm.

<i>BIDDER</i>	<i>TOTAL BID AMOUNT</i>
1) T & T Sales, Latham	\$57,986.00

Supervisor DeCerce referred the bid to Counsel, Councilman Polak and the highway committee for review and recommendation back to the Board.

The Supervisor opened the Public Information Session for the MS-4. He stated that Jeff Williams the Town Senior Planner has been working with the MS-4 program with Saratoga County.

Mr. Williams stated for the last three years the Town has been developing the Stormwater Management program through the State mandated Phase II Stormwater Regulations. He stated it is a five year period to develop the program and the annual report for the third year covers March 10, 2005 through March 10, 2006 and consists of the Town reporting its progress to the State in implementing the Town's MS-4 program. He stated the Town's Stormwater Management needs to be fully implemented by January 2008. He stated the Town created a Stormwater Advisory Team and includes Lee Buck, Highway Superintendent, Lyn Murphy, Town Attorney, himself, Lindsey Zepko, Planning department and Mike Miller resident and consultant from Clough Harbour. He stated one of the key factors of the program is that the Town of Halfmoon has for the second year entered into an agreement with Saratoga County and the other fifteen MS-5 communities to combine efforts of meeting the requirements. He stated through the combined effort the County received a \$250,000 grant from NYS DEC and the County has hired a Stormwater Coordinator. He stated the Town's program must specify the best management practices for control measures the goal being to prevent pollution in the waters of the United States. He stated there are six minimum control measures and are, 1. public education and outreach, 2. public participation and involvement, 3. illicit discharge and detection, elimination, 4. construction site runoff control, 5. post construction runoff control, 6. pollution prevention and good housekeeping. He stated the annual report is quite lengthy but some of the highlights is we continue to work together with Saratoga County MS-4 communities to develop public education outreach program, the Town has a web site which is linked with the County web site and has a lot of stormwater information on it, the Town newsletter has stormwater information in it and they have an information desk in the building department. He stated continues the sponsorship and participation in the environmental cleanup programs such as the Hazardous Waste Days, electronic collection days and the highway Adopt-a-Road program. He stated the Town has reviewed final model ordinances provided by the State for the detection and elimination of illicit discharges and stormwater management and erosion settlement control. He stated throughout the year three employees attended a County sponsored GPS training and employees have attended numerous workshops sponsored by the State and County. He stated the Town continues to review all commercial development and residential subdivision projects for compliance with the stormwater regulations and provides opportunities for public comments throughout the process. He stated the annual report also states what they will be looking for in the next year and will include the Town developing educational programs and outreach programs through the County grant application. He stated the Town will adopt local laws and control runoff and will be done in conjunction with the revision of the Zoning ordinance and subdivision regulations. He stated the Annual Report needs to be signed by the Supervisor and submitted to the State by June 1st and will be available in the Town Clerk's office.

Supervisor DeCerce stated Jeffrey came back from the meeting excited that the Town has a great chance to get money from the government and Saratoga County wrote a proposal and receive the funding.

Councilman Polak asked if any of the grant money will actually come back to Halfmoon.

Mr. Williams stated it will be utilized to cover generic items through the plan that all communities will have to meet will be used to coordinate that effort among everyone and we will gain because its less work they have to do.

Councilman Polak stated when they are working on our fees they may to incorporate something for the MS-4.

Councilman Bold commented on the number of man hours put into the documents but then they have the whole implementation phase and has to result in a lot more man hours.

Councilman Polak stated they may have to look at the addition of another person.

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Councilman Bold reported on the Colonial Green subdivision and stated for a number of years they have received sewer service through a private transportation corporation which continues today. He stated a petition was received from the owner of the corporation for a rate increase and, to consider it the Town needs to conduct a public hearing. He stated he has spoken to Attorney Murphy and she will draft the hearing notice for a hearing to be scheduled for June 20th at 7:00 pm. He stated once the hearing notice is available the owner of the corporation will be asked to send out a mailing to each homeowner.

RESOLUTION NO. 121

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

RESOLVED, that the Town Board sets a public hearing for the Colonial Green Sewer Transportation Corporation for June 20th at 7:00 pm.

Councilwoman Wormuth reported that the Waterfront Visioning Committee for the Town is having a drop in meeting on June 1 at the Senior Center between 5:00 and 8:30 pm to discuss the two riverfronts in the Town and the visioning for them. She stated they are hoping to have photos and will be a “stop-in” to look at them, questionnaires will be available to fill out and members of the committee will be there to talk to. She stated they want to get more public input.

She reported that this Saturday, May 20th from noon to five, the Halfmoon Celebration Association is doing their first hometown Home Show and vendors and businesses will be showcased and they invite everyone to join them.

The Supervisor reported that this morning he and Mr. Lee did a short presentation on material for the Capital District Regional Groups.

Councilman Polak reported that Thursday at 7:00 pm they are having a Zoning Meeting at the Senior Center. He stated they are trying to move as expeditiously as possible so they will meet twice a month now so they can finish by the end of the year.

Supervisor DeCerce reported that the County took action today authorizing a loan of up to \$15 million for the Saratoga Water Authority to implement the water treatment plant and delivery system for all of Saratoga County with the source coming from Moreau in the Hudson River. He stated there is a \$10 million grant from Congressman Sweeney and another \$10 million from Senator Bruno and this is a \$15 million loan from Saratoga County to the Water Authority. He stated if the Board of Supervisors decides to go ahead with the construction of a county wide water system the Chair of the Board is authorized to sign any and all documents necessary for a loan up to \$15 million upon 4 conditions that were agreed upon. He stated he voted for this because it is an extraordinary economic development process and we should continue to progress even though we have our own treatment plant.

Councilman Polak asked if they will buy water from us.

Supervisor DeCerce stated there is a possibility they may need to on a short term basis.

Councilman Bold stated we do not have any plans to do that

Councilwoman Wormuth stated we will have capability when Phase II is completed.

Supervisor DeCerce reported that the Saratoga County Clerk, Kathy Marchione, a former Town Supervisor announced the first State Department of Motor Vehicles services whereby residents can call up the Department of Motor Vehicles and make appointments for DMV activity. He stated the Board of Supervisors’ is very proud of this.

The Supervisor opened public privilege for discussion of agenda topics.

John Pingelski, Johnson Road, asked with the purchase of the canal property on hold will the water line still proceed.

Supervisor DeCerce stated with the eminent domain procedure taking place the Courts gave us the right to use the tow path for the water line which is 9,000 feet.

Councilman Bold stated the Court proceedings are concluded, the contract has been let and the preconstruction meeting has been held and they are working with the contractor to develop the schedule which will be a matter of days.

Henrietta O'Grady, Church Hill Road, asked if the Saratoga County Water Authority does not obtain the necessary amount of users are they considering doing something else. She stated she is concerned with our own public water system that we wouldn't be held to paying for another water system.

Supervisor DeCerce assured her we wouldn't and stated that he carries the highest weighted vote at the County and he made sure there would not be an ad valorem here. He stated we cannot pay two times for something they are not ever going to get.

Councilman Bold stated it was important to state that this is not an expense for Halfmoon.

DEPARTMENT REPORTS – month of April

1. Town Clerk

Total fees remitted to the Supervisor - \$4,502.80
Filed.

2. Building

Total Permits - 83 Total fees remitted to the Supervisor - \$13,940.00
Filed.

3. Fire Code

Total Permits - 27 Total fees remitted to the Supervisor - \$ 820.00
Filed.

CORRESPONDENCE

1. Received, April 26th, from Leyland Development, LLC, Narrative and Concept Plan for Howland Park Planned Development District, Johnson & McBride Roads for 92 residential lots.

Councilwoman Wormuth reported that the developer has requested coming to the next meeting, June 6 and do a presentation and answer comments and questions.

2. Received the Town of Halfmoon Annual Financial Report for fiscal year ending December 31, 2005.

Supervisor DeCerce stated each Board member has received a copy in addition to copies being available in the Clerk's office. He stated he is very proud of this document and the staff that prepares it works at it and does the job right on the money. He stated they need to be proud of the capability that they and the staff continue to take in accumulating these resources so we can be sound and soluble

3. Received from Cary Road residents petition requesting a water extension.

OLD BUSINESS

RESOLUTION NO. 122

Offered by Councilwoman Wormuth, Seconded by Councilman Polak: Adopted by roll call vote:
Ayes: DeCerce, Polak, Bold, Parker, Wormuth

WHEREAS, bids were opened on May 2nd, 2006 for Water Meters and, bids were reviewed and recommendation made by the Water Committee, it is therefore

RESOLVED, that the Town Board awards the Water Meters to low bidders, as per the submitted bid: Blair Supply – Assorted Mueller Brass Fittings; Vellano Brothers – Assorted American Made Brass Fittings; Ti Sales – all Water Meters

Councilman Polak reported, relative to the next item, that they went through the comments from the public hearing and reviewed each one and, he worked with a great group on this.

Councilman Bold stated he read the report and every single comment that was raised at the public hearing had a response.

RESOLUTION NO. 123

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

WHEREAS, the public hearing was held on April 18th, 2006, and

WHEREAS, a presentation was made wherein the amendments to the Local Laws relating to Zoning were set forth and both the Town Board and the public were provided an opportunity to make comments and inquire with regards to the changes for the 146 Overlay Zone, it is therefore

RESOLVED, that the Town Board approves the amendment to the Local Laws relating to Zoning for the Town of Halfmoon for the area as described below referred to as the “146 Overlay Zone” , and further

RESOLVED, that this Local Law shall be effective immediately upon filing with the Secretary of State.

Section 514 Route 146 Performance Overlay District

The purpose of this section is to provide performance standards that will preserve roadway capacity, improve public safety and welfare, enhance operation, reduce the need for costly remedial measures, manage access to land, minimize visual impacts of development and maintain aesthetic qualities, character, and property values along the Route 146 corridor in the Town of Halfmoon.

A. Applicability

This overlay district shall apply to all new development projects or site modifications on parcels identified on the Route 146 Corridor Plan, with the exception of those parcels with less than 400 feet of frontage or with less than 300 feet of depth. All pre-existing, non-conforming lots are grandfathered under the requirements of the underlying zoning.

The Route 146 Corridor Plan identifies potential or possible future land uses contemplated along the corridor and is not intended to imply a change of zoning. The underlying zoning remains in effect in the corridor. The plan also identifies potential locations for road connections and traffic signals to be considered during the review of development projects.

The standards of this section shall apply to any new development or site modification project within the Route 146 Performance Overlay District, in addition to the requirements of any underlying district. If there is a conflict between this overlay and the underlying zoning district the more restrictive standards shall apply.

B. Dimensional Requirements

These dimensional requirements shall apply to all new development projects or site modifications on parcels identified on the Route 146 Corridor Plan, with the exception of those parcels with less than 400 feet of frontage or with less than 300 feet of depth.

1. Minimum road frontage along Route 146 for newly created parcels:
 - 200' residential
 - 400' all non-residential uses
2. Height - As provided in underlying zoning.
3. Maximum Lot Coverage - As provided in underlying zoning.
4. Setbacks from Route 146 Right-of-Way - Other than signs as permitted herein, no new structure or new parking lot shall be allowed within 100' of the Route 146 right-of-way.

C. Landscaping

1. Setback Area:

Landscaping requirements for the setback area parallel to the Route 146 right-of way are as follows:

Except for approved curb cuts, a continuous fifty (50) foot wide strip running parallel with the Route 146 right-of-way shall be landscaped according to the following standards:

- a. For each fifty (50) linear feet of frontage along the Route 146 right-of-way
 - An average of two (2) shade trees: Each shade tree must have a minimum caliper of three (3) to three and one-half (3 ½) inches and a height of at least 14 feet.
 - An average of fifteen (15) understory trees and/or shrubs (shrubs to be 24 to 36 inches in size)
 - An average of one (1) conifer tree (6 to 8 feet in height)
 - Only native species will be permitted.
- b. The use of existing plant material (trees and shrubs) is strongly encouraged and will be counted toward the landscaping requirement.
- c. Additional plant material may be required if existing topographic conditions and required plantings do not adequately screen the site.

Landscaping and buffers between uses:

The following regulations set forth the landscaping and buffering requirements between adjacent land uses.

Where any commercial/industrial use is proposed adjacent to a residential use, a minimum landscape buffer fifty (50) feet wide shall be provided on the commercial/industrial lot.

The landscape buffer shall include:

- a. A mix of shade and conifer trees planted on an average of one (1) tree for every twenty (20) feet of yard length. Each tree must have a minimum caliper of three (3) to three and one-half (3 ½) inches and a height of at least 14 feet.
- b. Areas not planted with trees shall be maintained with shrubs or ground cover.
- c. Additional plant material and/or a berm may be required if existing topographic conditions and required plantings do not adequately screen the site.
- d. Only native species will be permitted.

3. Definitions:

- a. Shade Tree: Usually a deciduous tree - rarely an evergreen - planted primarily for its high crown of foliage or overhead canopy.
- b. Conifer Tree: An evergreen tree, usually of the pine, spruce or juniper genus, bearing cones and generally used for its screening qualities.
- c. Shrub: A deciduous or evergreen woody plant, smaller than an ornamental tree and larger than ground cover, consisting of multiple stems from the ground or small branches near the ground, which attains a height of 24 inches or more.
- d. Identification sign: Signs identifying the business or service establishment operated on the premises shall be allowed as provided herein.

D. Lighting

1. All lights shall be shielded in such a way as to direct all light toward the ground
2. Light fixtures or lamps shall be shielded/shaded in such a manner as to direct incident rays away from all adjacent property.
3. Lights on poles shall not be taller than the building whose area they illuminate nor taller than fifteen (15) feet whichever is shorter.
4. A study may be required to verify that ambient light will not migrate past the property line.

E. Access Management and Connectivity

1. Vehicular Access

All parcels of land proposed to be developed or modified as of May 16, 2006 within the Performance Overlay District shall be entitled to one (1) driveway or road access point from Route 146. Parcels subdivided per the Town of Halfmoon Subdivision Regulations shall provide access by internal subdivision roads, driveways, or service drives. No additional access points to Route 146 shall be allowed unless deemed appropriate by the Planning Board due to constraints of the parcel.

2. Access points

1. Opposite access points: Access points for new development parcels shall be aligned with those across the roadway to the extent possible. If alignment is not possible, access points shall be offset a minimum of 250 feet from the opposite side of Route 146. If the Planning Board, for good cause shown, does not believe that 250 feet is appropriate, this Board may vary the standard.
2. Adjacent access points: The desired separation of adjacent new access points shall be 350 feet.
3. Shared access: Adjacent property owners are encouraged to consolidate their access points by using a joint driveway system or frontage road for new development projects. All frontage roads are to be placed on private property a minimum of 50' from the Route 146 Right-of-way line.

3. Connectivity

The street system of a proposed subdivision or development shall be designed to coordinate with existing, proposed, and planned streets outside of the reasonable development area as noted in the Route 146 Corridor Plan, as much as possible.

Wherever a proposed development abuts undeveloped land or a future development phase, stub streets may be required to allow for future potential connections. The Town may also require the construction of the connection or easement for that improvement. Town Planning Board is also authorized to require cross-easements between abutting parcels for future internal roadway connections

Pedestrian connections throughout the development should be made in addition to all roadway connections.

F. Signs

All signs permitted within the Route 146 Performance Overlay District shall conform to Article X of the Town of Halfmoon Zoning regulations as well as the standards described herein.

1. Sign Landscaping

For all permitted directory and freestanding signs, an area equal to 3 times the size of the sign shall be landscaped using ornamental trees and shrubs, and ground covers, rock beds or other decorative ground treatments.

At a minimum, landscaped area surrounding the sign shall include:

- One ornamental tree per 150 square feet of required landscaped area.
- Two shrubs per 20 square feet of required landscaped area.

G. Parking

All standards and requirements set forth within Article VIII Parking shall apply with the following additions:

Parking Land Bank

Should the number of parking spaces required by the underlying zoning be deemed excessive by the applicant and the Town then the excess spaces shall not be constructed and must be land banked. The land must be developable as a parking lot but is to remain undeveloped and located adjacent to the developed parking area or otherwise properly located for driveway and building access. None of the parking land bank may be counted as part of required greenspace nor may it be located with setbacks.

Parking Area Landscaping

One shade tree is required for each 20 spaces. In parking lots with 50 or more spaces or with two or more aisles, at least one-half of the required trees must be in interior planting islands with at least 25 square feet of permeable area for each tree.

NEW BUSINESS
RESOLUTION NO. 124

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

RESOLVED, that the Town Board approves the Supervisor’s Report for month of April 2006, as presented.

RESOLUTION NO. 125

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 May 16, 2006, totaling: \$1,627,822.69

RESOLUTION NO. 126

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

RESOLVED, that the Town Board authorize Highway department laborers Ray Anuszewski and Ed Ceremuga to work as Highway department MEO’s, only when needed, to be paid \$14.99 per hour effective immediately through 2006.

RESOLUTION NO. 127

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

RESOLVED, that the Town Board authorizes the Town’s membership in the Saratoga County Chamber of Commerce for 2006 for the annual membership investment of \$302.00.

RESOLUTION NO. 128

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

RESOLVED, that the Town Board appoints Paul Heslin and David Milkiewicz as full time Code Enforcement Officers, to each be paid \$16.47 per hour conditioned upon successful completion of any necessary pre-employment testing.

RESOLUTION NO. 129

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 Creation of Appropriations and Transfer between 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	CM510	\$12,889.15
	Subsidiary: CM2189 Home & Community Services		\$12,889.15
Credit:	Appropriations	CM960	\$12,889.15
	Subsidiary: CM1440.4 Engineering Contractors Inspections		\$12,889.15

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

NAME	AMOUNT
Clemente PDD	\$318.00
Westbrook Subd	\$394.35
Fairway Meadows	\$3,237.80
Stewarts Shop	\$670.00
Vosburgh PDD	\$342.00
Vosburgh PDD	\$57.00
Avya Subd	\$234.00
Summit Hills Ded	\$228.00
Stone Quarry Estates	\$954.00
Adams Pointe PDD	\$1,500.00
Ellsworth Landing	\$534.00
Rosewood	\$354.00
Beeche Light Ind	\$472.50
Corporate Drive Lot #3	\$715.50
Hudson Ridge PDD	\$611.50
Precision Valve & Automation	\$342.00
Quiznos Subs	\$238.50
Route 146 Office Building	\$228.00
Shops of Halfmoon	\$1,458.00
Total	\$12,889.15

A resolution is needed to appropriate the contribution from Saratoga Sweets for the sale of Halfmoon Harry Chocolate Easter Bunnies for use in Character Counts Program expenses 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	

Transfers Between Appropriations:

From Account	To Account	Amount	Reason
FO8340.40 Transmission & Distribution Capital Outlay Contractual	FO8340.20 Transmission & Distribution Capital Outlay Meter Purchases	\$20,000	Transfer of appropriations within budget to purchase additional meters

RESOLUTION NO. 130

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

WHEREAS, the Fixed Assets Coordinator recommends that the following items be deleted from the 2006 Fixed Assets Inventory, it is hereby

RESOLVED, that the Town Board of the Town of Halfmoon hereby authorizes the deletion and disposal of obsolete, broken or sold Town equipment from the 2006 Fixed Asset Inventory List as follows:

As per NYSDOAC recommendation we are in the process of updating our fixed asset inventory. Below, is a list of deletions from the fixed asset inventory and I will need a resolution officially deleting them. These deletions are either obsolete, broken or have been sold.

TAG #	ITEM	ORIGINAL
OE-96-0005	Copier w/bin sorter, auto duplex module, stand/sheet document feeder	\$6,477.00

RESOLUTION NO. 131

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

RECOMMENDING THAT NAVIGATIONAL DREDGING OF THE HUDSON RIVER/CHAMPLAIN CANAL CHANNEL BE CONDUCTED CONCURRENTLY WITH PCB REMEDIATION DREDGING

WHEREAS, the USEPA issued a Record of Decision (ROD) in February of 2002 which requires the General Electric Company to dredge PCB-contaminated sediments from a 40 mile stretch of the Hudson River, and

WHEREAS, there is an identified need to dredge several areas of the Hudson River/Champlain Canal channel to a depth of 12 feet for navigational purposes within the aforementioned Hudson River remediation area which is beyond the scope of the PCB remediation action, and

WHEREAS, the removal of these materials in the navigation channel has, heretofore, been unable to be conducted due to PCB contamination overlying these sediments and its completion is imperative to the restoration of safe boating on the Hudson River/Champlain Canal, and

WHEREAS, the NYS Canal Corporation does not have environmental dredging equipment and/or disposal sites available which will accommodate the removal of PCB-contaminated sediments from certain portions of the Hudson River/Champlain Canal's navigational channel, and

WHEREAS, the Saratoga County Board of Supervisors believes that it is appropriate and cost-effective to the citizen's of New York State to address Hudson River/Champlain Canal navigational dredging needs which are identified in certain areas within the proposed federal PCB remediation action concurrently with said remediation action to assure the timely restoration of safe boat navigation on the upper Hudson River area, now, therefore, be it

RESOLVED that the Saratoga County Board of Supervisors recommends that a technical and economic evaluation be completed to identify the portions of the Hudson River/Champlain Canal's navigational channel which needs to be dredged to restore safe boating, and be it further

RESOLVED that the State of New York enter into an agreement with the General Electric Company for its contractors to conduct the necessary navigational maintenance dredging of those areas of the Hudson River/Champlain Canal located within the Hudson River PCB remediation project area concurrently with said project, and be it further

RESOLVED that the costs for conducting navigational maintenance dredging of the aforementioned areas of the Hudson River/Champlain Canal be paid by the State of New York , and be it further

RESOLVED that copies of this resolution be transmitted to all of Saratoga County's state elected representatives, its municipalities bordering the Hudson River, Governor George Pataki, the NYS Canal Corporation, the USEPA and the General Electric Company.

Councilman Polak stated, relative to the next resolution, that he has never seen this on the agenda before.

Attorney Murphy stated our auditors are requesting that the Board authorize the expenditure of the payroll funds every time the Board has a meeting as part of the fiscal controls they recommend. She stated, if the Board wishes, she could research the issue from a legal standpoint.

RESOLUTION NO. 132

Offered by Councilwoman Parker, Seconded by Councilman Bold: Vote of Board: Nays:
DeCerce, Polak, Bold, Parker, Wormuth – *not passed*

NOT PASSED – *Resolution* authorizing the Supervisor to certify Town Employee Payroll for period ending 4/28/06 in the total amount of \$110,870.88.

RESOLUTION NO. 133

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

RESOLVED, that the Town Board authorize the Highway Department Working Supervisor with the most seniority to sign highway department vouchers in the absence of the Superintendent of Highways.

Supervisor DeCerce stated they went through the process of getting quotes as required and this will provide the necessary service at the gazebo.

Councilman Bold stated it is a new service and will serve the purpose of providing adequate service.

RESOLUTION NO. 134

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

WHEREAS, quotes have been obtained for electrical work to be performed for the Town park entrance, it is therefore

RESOLVED, that the Town Board awards new electrical service work to Cummings Electric, Mechanicville, NY in the low quote amount of \$2,150, per review of the Town Attorney.

Councilwoman Wormuth reported that the Halfmoon Celebration Association is going to do Concerts in the Park the first Wednesday of the months of June, July and August and is an additional need for the electric service.

John Pingelski provided names of the people who are working very hard on the new celebrations. He stated Jo-Ann Smith, Scott Brennan, Harold Robbins, Tony McMinn, Earl McMann, Liz Meier, Archie Chouiniwere, Ed Jordan. He stated the first concert is a Polka Band, the second is Leg lands with a fireworks show and there a Country band. He stated they are working on sponsors for the bands and non profit groups to provide the snack bar.

Supervisor DeCerce stated information is available regarding the Vietnam Veterans Moving Wall is coming to Saratoga County from June 8th through June 12th at Shenantaha Creek Park in Malta. He stated they re looking for people to actually read names of individuals for an hour. He stated the wall will be there for 24 hours each day.

Councilwoman Parker stated Memorial Day is May 29th and there will be a ceremony at the American Legion Post #1450

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 resolved the meeting was adjourned at 8:05 pm

Respectfully submitted,

Mary J. Pearson
Town Clerk

5/16/2006

