

The August 15<sup>th</sup>, 2006 meeting of the Town Board of the Town of Halfmoon was called to order at 7:00 pm by Supervisor DeCerce 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  
Robert J. Chauvin, Deputy Town Attorney  
Mary J. Pearson, Town Clerk

Also present: John Pingelski, Highway Working Supervisor; Laurie Sullivan, Deputy Town Clerk; Rodney Smallwood, Highway.

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

### **REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY**

Supervisor DeCerce stated he received a letter from the City of Saratoga Springs and they would like to do a Hazardous Waste Day similar to what we do with the Town of Clifton Park. He stated they would like to do it jointly at the County.

Councilwoman Parker reported that the County is providing free rabies shot clinics for dogs and cats at the County building.

Councilman Bold reported that he is requesting that Resolution No. 4, under New Business, be removed from the agenda with no action. He stated the proposal has not been finished as of yet and could be on the next agenda. He stated the number will be slightly differently.

Councilman Bold reported that he received a note from a resident on Route 236. He stated the Board recently made it possible for the residents to connect to the water and the resident sent a note thanking him for all his hard work so they can have water and they stated “they can’t believe they can use all the water they want to”. He stated she sent along homemade cookies, bread and preserves and it was a very sincere thing to do.

Supervisor DeCerce reported he has had people ask if we were going to have any more concerts in the park and, it was appreciated by the community.

He stated he has sent the Board information regarding considering another software package and the last time this was done was 3 ½ or 4 years ago. He stated it is not inexpensive, however, they have had at least four vendors come in to peruse and have talked with other municipalities. He stated he asked Pat Temple, Bonnie Hatter, Kim Martin and Cindy Jensen to go to Middletown, Pennsylvania over the weekend. He stated they used the Code Enforcement vehicle and examined the software. He stated the Director at Middletown did extensive research prior to purchasing this material. He stated the software is an extensive program for financials, payroll, cash collection and water billing. He suggests they think about this for our future.

The Supervisor reported that Saratoga County enacted \$25,000, to be used toward establishing work with the L.A. Group to help organize material to be used to encourage the EPA to encourage the General Electric Company and other agencies to put some money into each of the Towns along the Hudson River to mitigate the PCB dredging process. He stated they are working together to come up with what is needed for an agreement and to go forth with proposals to fund this.

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

### **CORRESPONDENCE**

1. Received notification of intent to renew their on-premise beer and wine license from Sushi- Na-ra, 1683 Route 9, Halfmoon.

2. Received notification of intent to renew their liquor license from Grecian Gardens, 1612 Route 9, Halfmoon.

## **OLD BUSINESS**

1. On August 1<sup>st</sup> Agenda, Received Narrative and Site Plan for Oak Brook Commons PDD, Route 9 to construct 1 (4) four unit apartment building and 1 (4) unit garage building.

Councilwoman Wormuth stated the applicant is present to make a presentation to the Board.

John Gay, Northeast Consultants, stated he has worked with Chuck Hoffman and his father for a number of years. He stated they are always looking to find areas that have not appropriately used the land. He stated they are asking for modifications to the legislation that would allow them to build Building 15-A and a four-unit Garage. He indicated on the map the area of the building and garage and, stated the entire project is in Halfmoon. He stated the building is their newer model building and is a very nice looking building with landscaping.

Supervisor DeCerce asked where the last building they put up is located.

Mr. Gay answered it is not indicated on the site plan he is displaying but it is near the main office building in the complex and is Building 8-A.

Councilman Bold questioned the location of their postal boxes which is under a canopy.

Mr. Gay stated they would like to relocate them and, found that because it is on one of the busier corners within the complex traffic ends up parking in front of it and, sometimes there is five or six cars parking around the intersection and blocks up traffic coming in from Route 9. He stated they would like to move it to an overflow parking lot that never gets used.

Chuck Hoffman stated what they want to do is just take the existing structure and move it and put in a concrete pad for it.

Councilman Bold recommended when they get to the Planning Board stage they include that information. He stated the questions he has are more Planning related than Town Board related. He stated the little parking area indicated is on a main street and they would have people backing out into the main street and, he would think there would be concerns about that. He stated the new garage is not a main street but when someone is backing out they may not see someone that is making the turn.

Councilman Bold commented that additions have been done since the original and, they are getting into a continuously increasing density and, if there were a new project instead of an existing project and they were bringing in three buildings of four units this Board would probably be looking for a public benefit.

Councilwoman Wormuth stated she has spoken to Mr. Hoffman about this when the application was received and informed him that was a consideration that had been discussed with the Board. She stated he is willing to work with them on some suggestions and, since she talked to him last they have tried to gather some information and, will be able to come back by the time it comes back from the Planning Board if that is the Town Board's pleasure.

Supervisor DeCerce stated they appreciate that and they try to do the same things with every project that comes in. He asked if they have any other space they are going to consider in the near or distant future.

Mr. Hoffman stated they are building a building in Clifton Park this year that was approved as part of the original PDD and, feels this would be the last construction. He stated this plan will help the intersection and, give the project a finished look.

Supervisor DeCerce stated people who live there are very proud of the apartment complex.

Councilwoman Parker asked if there are walking trails or passive recreation in the area.

Mr. Gay stated there are no trails but a lot of people walk within the complex on the road system and, after peak hours traffic is pretty quiet. He stated with the slopes it is too steep to put trails in.

Councilwoman Wormuth stated the Planning Board looked at this and, with the newly adopted Trails Master Plan, tried to see if anything fit as a public benefit but it didn't the way the project is developed and the slopes. She stated when this was discussed with Mr. Hoffman they talked about some open space or recreational space donation for another area of Town we are developing.

Councilman Polak stated if this project was coming before the Board now they would have made provisions for a public benefit.

Mr. Hoffman commented that he first came in 1988 and, began construction in 1993 and they dug the wells in 1988 or 1989 and shortly after the Town took over the wells.

Mr. Gay stated not only are the wells a public benefit but the 10" waterline that runs all the way through the project and services other projects.

Councilwoman Wormuth stated they considered that and, feels there is something they can work out that would be reasonable to everybody. She stated the original public benefit was part of the original approval.

#### RESOLUTION NO. 197

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

RESOLVED, that the Town Board refers the Oak Brook Commons Planned Development District amendment to the Town Planning Board for their review and recommendation back to the Town Board.

2. Received, August 10<sup>th</sup>, from L. Sipperly & Associates notification that they desire to withdraw their application for the Pruyn Hill Residential Development PDD (renamed Schuyler Hollow Residential Development) and apply for a conventional residential subdivision of Schuyler Hollow.

#### NEW BUSINESS

#### RESOLUTION NO. 198

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

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

#### RESOLUTION NO. 199

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 August 15<sup>th</sup>, 2006, totaling: \$1,311,689.52.

#### RESOLUTION NO. 200

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

RESOLVED, that the Town Board approves minutes of Town Board meetings of July 5, 18 and 26<sup>th</sup>, 2006 as presented.

REMOVED from AGENDA - Resolution to approve proposal from Clough Harbour and Associates to perform bridge design, to run pipeline along the Old Champlain Canal in the amount of \$17,000 was removed

#### RESOLUTION NO. 201

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 and 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 | CM510  | \$28,448.77 |
|         | Subsidiary:        | CM2189 Home & Community Services             | \$28,448.77 |
| Credit: | Appropriations     | CM960  | \$28,448.77 |
|         | Subsidiary:        | CM1440.4 Engineering Contractors Inspections | \$28,448.77 |

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      |
|----------------------------|-------------|
| Ayva                       | \$120.00    |
| Prospect Meadows Ded       | 135.00      |
| Prospect Meadows Ded       | 355.35      |
| Farmview Subd-Ph II        | 3,969.40    |
| Rolling Hills-Ph I         | 11,686.17   |
| Westbrook Subd             | 4,255.00    |
| Clemente PDD               | 313.00      |
| Adams Pointe               | 342.00      |
| Stone Crest Preserve       | 120.00      |
| Hedley Professional Office | 483.00      |
| Fellows PDD                | 1,214.00    |
| Boni-Route 146 PDD         | 1,623.00    |
| Corp Drive Lot #3          | 705.00      |
| Gaetano/Tanski             | 329.00      |
| Hudson Ridge PDD           | 576.00      |
| Pino Comm                  | 711.00      |
| Provident Dev              | 306.00      |
| Stenner Pump               | 829.50      |
| Tire Warehouse             | 376.35      |
|                            |             |
| Total                      | \$28,448.77 |

Transfers Between Appropriations:

| From Account            | To Account                               | Amount | Reason   |
|-------------------------|--|--------|--|
| FO1990.4<br>Contingency | FO8310.20<br>Administration<br>Equipment | \$500  | Transfer of appropriations within own budget to cover purchase of digital cameras for water department |

RESOLUTION NO. 202

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

**WHEREAS**, the Town of Halfmoon has entered upon the Capital Project for the New Town Family Park and the New Town Hall and Site Improvements; and

**WHEREAS**, the Town of Halfmoon’s Engineers, Planners and Architects have designed the plans for the New Town Hall and have let the bids for the New Town Hall and Site Improvements; and

**WHEREAS**, the bids have come in higher than were expected from the October 2004 estimates; and

**WHEREAS**, due to increases and other expenses, it is anticipated that there could possibly be increases in the Town Family Park construction costs as well; and

**WHEREAS**, the Bonding for the two (2) projects has been approved; and

**WHEREAS**, the Town of Halfmoon has adequate funds in the General Fund Unappropriated Fund Balance for the increased costs; and

**WHEREAS**, the Town feels it is appropriate to conduct a Public Hearing to receive any comments from the Public on the proposed increase in the maximum amount to be expended; and

**WHEREAS**, the Town Engineers and Architects have reviewed the proposed increase and have recommended the Town increase the maximum amount to be expended to cover contingencies and additional costs; and

**WHEREAS**, the New Town Hall Project has been an ongoing project for a number of years; and

**WHEREAS**, it is anticipated that the costs will not decrease and the need for the New Town Hall has been established;

**NOW THEREFORE, BE IT ORDERED AS FOLLOWS:**

That a Public Hearing shall be held on the 29<sup>th</sup> day of August, 2006 at 7:00 p.m. at the Town of Halfmoon Senior Center, or as soon thereafter as the matter may be heard, at which time the Halfmoon Town Board shall meet and consider the proposed increase in the maximum amount to be expended; and it is further

**ORDERED;** that the Town Clerk shall cause a notice of the Public Hearing to be published, such publication to be completed not less than ten (10) days before the date for the Public Hearing; and it is further

**ORDERED,** that the additional funds to be expended shall be expended from the General Fund Unappropriated Fund Balance and no new debt will be created.

#### RESOLUTION NO. 203

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

RESOLVED, that the Town Board appoint John Vagianelis, Siegel, Goldman, Mazzotta & Siegel, P.C. as Bond Counsel for the Town of Halfmoon.

#### RESOLUTION NO. 204

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

RESOLVED, that the Town Board approves the amended July 2006 report for water billing for Water Usage as submitted by the Director of Water.

#### RESOLUTION NO. 205

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

RESOLVED, that the Town Board authorizes payment to Mechanicville School District for use of the school for the Town Summer Recreation program in the amount of \$10,452.00 and further

RESOLVED, that the Town Board authorizes payment of \$379.90 for the school's custodial services.

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 resolve the meeting was adjourned at 7:30 pm.

Respectfully submitted,

Mary J. Pearson  
Town Clerk

