

The February 21, 2006 meeting of the Town Board of the Town of Halfmoon was called to order at 7:00 pm by Deputy Supervisor Melinda 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  
Lyn A. Murphy , Town Attorney  
Laurie S. Sullivan, Deputy Town Clerk

Excused:        Kenneth J. DeCerce, Supervisor  
                     Regina C. Parker, Councilwoman  
                     Mary J. Pearson, Town Clerk

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.

At 7:00 pm the Deputy Town Clerk opened one Fuel bid received, as follows:

<u>BIDDER</u>	<u>BID MARKUP FROM LOW POSTING</u>
G A. Bove & Sons, Inc., 76 Railroad Street, Mechanicville	.169 cents

The Deputy Supervisor requested the bid be forwarded to Councilman Polak and the highway committee for review and recommendation to the Town Board.

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

Councilman Bold reported that the public hearing for the Trails Master Plan will be held at the next Town Board meeting, March 7<sup>th</sup> at 7 pm.

Councilman Polak reported that at the next meeting he will provide information on the zoning amendments.

Deputy Supervisor Wormuth reported that applications for the Town recreation department are now available in the Town Hall for summer jobs and, the deadline is February 28<sup>th</sup>.

Public privilege for discussion of agenda topics was opened by the Deputy Supervisor. No one had questions or comments.

#### **CORRESPONDENCE**

1. Received from State of New York Department of State notification of receipt and filing of Local Law No. 1-2006, Dog Ordinance.
2. Received, February 14<sup>th</sup>, from Kevin M. Dailey revised project narrative and revised site plan for the proposed Boni Enterprises PDD, Route 146.

#### **NEW BUSINESS**

##### **RESOLUTION NO. 51**

Offered by Councilman Polak, seconded by Councilman Bold: adopted by vote of Board: Ayes: Wormuth, Polak, Bold

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

##### **RESOLUTION NO. 52**

Offered by Councilman Bold, Seconded by Councilman Polak: adopted by vote of the Board: Ayes: Wormuth, Polak, Bold

RESOLVED, that the Town Board approves and orders paid all vouchers for all funds listed on Abstract dated February 21, 2006, totaling: \$1,359,496.58

RESOLUTION NO. 53

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

**WHEREAS**, Elliott and Bonnie Hughes are conducting multiple business on their property without appropriate Town approvals and have constructed a building on said property after being denied a permit to construct said building by the Halfmoon Zoning Board of Appeals; and

**WHEREAS**, the Town Code Enforcement Officers have cited the owners multiple times based upon their failure to comply with the statutory requirements of the State of New York and the Local Laws of the Town of Halfmoon, and

**WHEREAS**, the Town Board of the Town of Halfmoon is concerned about the risk to the health, safety, and well being of the residents of the Town of Halfmoon based upon their knowledge that the building has not been granted a certificate of occupancy and that the building is not in compliance with the State regulations regarding building and fire codes and the multiple uses are not approved or reviewed,

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Town Attorney’s Office is hereby authorized to file a Supreme Court action against Elliott Hughes and Bonnie Hughes to obtain an injunction prohibiting any occupation of the building located at 117 Dunsbach Road in the Town of Halfmoon and ordering and directing Defendants, Elliott and Bonnie Hughes to cease and desist operating the unapproved businesses and directing removal from the property of the building improperly constructed; and it is further

**RESOLVED**, that the Town Attorney’s Office may expend two hundred and ten dollars (\$210.00) to obtain an index number in Supreme Court and ninety-five (\$95.00) to file a request for judicial intervention.

RESOLUTION NO. 54

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

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

From Account	To Account	Amount	Reason
AO1355.42 Assessor Contractual Star Program	AO1355.22 Assessor Equipment Star Program	\$100	Transfer of appropriations within own budget to cover purchase of an all in one printer for the Assessor’s office
FO1990.4 Contingency	FO1620.2 Buildings Equipment	\$3,000	Transfer of appropriations within own budget to cover purchase of additional security system camera and recorder

RESOLUTION NO. 55

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

**RESOLVED**, that the Town Board authorizes the Supervisor to execute agreement with SCA Software Consulting Associates, Inc. for building department software for the Code Enforcement office in the amount of \$14,500, and further

**RESOLVED**, that said agreement be per the review and approval of the Town Attorney.

RESOLUTION NO. 56

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

**RESOLVED** that the Town Board authorizes entering into a maintenance agreement with Central Business Equipment LLC to provide maintenance, including parts, labor, travel and supplies for copy machine in the building department, and further

**RESOLVED**, that said agreement be per the review and approval of the Town Attorney.

RESOLUTION NO. 57

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

RESOLVED that the Town Board appoint Edward Ceremuga, Jr. as highway department laborer to be paid \$12.26 per hour, and further

RESOLVED, that said appointment be conditioned upon successful completion of any necessary pre-employment testing.

RESOLUTION NO. 58

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

RESOLVED, that the Town Board approves purchase of software for the Court Office from Service Education, Inc. in the amount of \$2,992.18 and further

RESOLVED, that the Town Board authorizes waiving the Town Purchasing Policy requiring that quotes be obtained.

Deputy 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 7:06 pm.

In my absence, minutes of the Town Board meeting were provided by Deputy Town Clerk, Laurie S. Sullivan.

Mary J. Pearson, Town Clerk

