

The August 21, 2013 Regular meeting was called to order at 7:00 pm by Supervisor Wormuth in the A. James Bold Meeting Room at the New Town Hall with the following members present:

Melinda A. Wormuth, Supervisor
Walter F. Polak, Councilman
Paul L. Hotaling, Councilman
Craig A. Hayner, Councilman
John P. Wasielewski, Councilman
Lyn A. Murphy, Town Attorney
Matthew J. Chauvin, Deputy Attorney
Lynda A. Bryan, Town Clerk

The Supervisor opened the meeting at 7:00 pm by leading the Pledge of Allegiance

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Councilman Polak: I have a couple of items. The first one is on our agenda which is the Fall Cleanup. It is hard to believe that it is here already. Lynda will announce the dates & times. The other one is the Hazardous Waste Day on September 7th. You have to file by September 4th in order to be a participant. The third item is the Zoning Review Meeting is tomorrow night at 7:00 pm here in this room.

Councilman. Hotaling: First off, I would like to thank everybody for coming last Thursday night to the Town Park. It was a great night! We had fireworks, great food, laughs and a lot of people. I want to thank everybody for their support. Halfmoon Celebrations that did a phenomenal job. A lot of people in this room were there to sell food and help out for Character Counts. It was a great community event.

I want to thank everyone in this room for their prayers for Allan Ayotte. He is a true soldier and a great man of Halfmoon. Everybody is stepping up to the plate to give back to him as he has never asked for anything. Thank you.

Councilman Wasielewski: Echoing the sentiments of Councilman Hotaling, I would like to share the community's appreciation and thanks and prayers for Allan Ayotte. It is just a stark reminder of the sacrifices that our volunteers give to the residences and businesses of this town every day and asking for nothing in return and actually risking their lives every time the alarm goes off. In that sense, the West crescent Fire Department is having a Pancake Breakfast with all proceeds going to Allan Ayotte's family and his recovery on Sunday September 8th from 9-12 at the West Crescent Fire House. \$7.00, all you can eat Breakfast, community support would be greatly appreciated. That is all I have right now, thank you.

Supervisor Wormuth: I have one item. Last board meeting there were some questions that came up about the audit report and there was a request to have our Director of Finance available to answer some specific questions about that. She was on vacation and when she returned this week, already had an appointment for this evening. We didn't feel it prudent to hold it off until the next Board Meeting, so we scheduled a meeting for Monday August 26th at 5:00pm. It is an informational meeting where people can come in and have the questions that were asked at the last meeting, answered for them, and if there are new questions that people have that weren't here and didn't have the opportunity. It will be in this room at 5:00 and we expect it to go hopefully about an hour or an hour and 15 minutes. We do have a Planning Board Meeting that evening and if we need additional time after that, we can look into setting up alternative times, but we wanted to get those questions answered as soon as possible. We will post it on the website and also do a press release on the meeting tomorrow.

PUBLIC PRIVILEGE (for discussion of agenda topics) No one came forward

CORRESPONDENCE

1. **Received** from the Town Planning Board Resolutions approving the following: Sign Application for Rock's Precision Automotive, located at 190 Route 146, for Carrol's LLC (D/B/A Burger King) for Burger King located at 1699 Route 9, for a Change of Tenant and Sign Applications for Precision Periodontics/ Dr. Neda Azadivatan-Le, DDS, located at 1426 Vischer Ferry Road and for Rexford Group Associates for Halal Meat Market, located in St. John's Plaza, 1683 Route 9, for approvals of a Minor Subdivision Application for the lands of Evers at 32 Smith Road, for Lot A, former lands of Abele, Lower Newtown Road and for the lands of Searles, Werner Road, and for the Final Approval of a Major Subdivision for the Meadows of Halfmoon on Farm to Market Road.

Received, Filed, Print and make available in the Clerk's Office for review

2. **Received** from the Town Planning Board Resolutions denying the following: a Special Use Permit Application for a two family home (Duplex) for Lot A, former lands of Abele, Lower Newtown Road.

Received & Filed

3. **Received** from Gerald Leonard, his letter of resignation as alternate on the Planning Board effective immediately.

Received, Filed, Copy to Councilman Polak

4. **Received** from the US Army Corps of Engineers, their findings of a request from Vincent Pacinella. They state that Lot 46 Oregon Trail, Stage Run South, consists of uplands and therefore does not contain any potentially jurisdictional waters of the United States.

Received, Filed, & Copy Planning

5. **Received** from Richard Fugaro, a letter requesting assistance for a cat issue he has in his neighborhood.

Received, Filed, Copy Town Board. A return letter was sent to the resident & was also copied to our Animal Control Officer for response.

6. **Received** from NY State Department of Health advises no one eat the fish from the Hudson River & some other waters because of chemical contamination, from Hudson Falls to Troy, and reinforces the NYSDEC catch & release regulations.

We do have copies of that literature available in the Clerk's Office & have an address that we can request more if anyone would like that

7. **Received** from NYS Department of Environmental Conservation, a Notice of Complete Application for Cascades Tissue Group New York, Inc., 510 South Main Street, Mechanicville, stating that the department has prepared a draft permit and made a tentative determination to issue a renewal of the Air State Facility for emissions from one boiler and one 2-burner Yankee dryer.

Received, Filed, & Copy Planning

8. **Received** from NYS Department of Environmental Conservation, Division of Environmental Permits, the permit for the Champlain Canal Trail Restoration of the Existing Stone Arch Culvert

Received, Filed, & Copy Grants

9. **Received** from Bollam, Sheedy & Torani, & Co. Inc., Town Auditors, financial report for year ending December 31, 2012.

Received & Filed & distributed to Board Members today so I know that no one has had an opportunity to look at that yet.

10. **Received** from John Pingelski, Highway Superintendent, the schedule for the Town of Halfmoon's Fall Cleanup as follows: Sept. 17, 20, 21, 24, 27,& 28. Tuesday's they are open from 8am – Noon, Friday Noon – 5pm and Saturday 8am – 3pm. Transfer Station Permit is required & can be obtained at the Town Clerk's Office.
Received & Filed & Post on doors for all of our public buildings and make sure it gets on our website.

NEW BUSINESS

RESOLUTION NO. 197

Offered by Councilman Polak, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board approves and orders paid Vouchers numbered 1791 through 2009 as detailed.

===== FUND TOTALS =====

10 GENERAL FUND	\$32,158.15
20 HIGHWAY FUND	\$24,803.69
25 SPECIAL REVENUE	\$43,161.00
30 CONSOLIDATED WATER	\$488,579.64
35 MISC. CAPITAL FUNDS	\$10,718.50
65 LIGHTING DISTRICT	\$414.73

ABSTRACT TOTAL:	<u>\$599,835.71</u>
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RESOLUTION NO. 198

Offered by Councilman Polak, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Polak, Hotaling, Wasielewski & Hayner

Supervisor Wormuth Abstained

RESOLVED, that the Town Board approves the minutes of Town Board meeting of, August 7, 2013 as presented.

RESOLUTION NO. 199

Offered by Councilman Hotaling, seconded by Councilman Polak: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board authorizes the Supervisor to sign the agreement with Clough Harbour & Associates to host & maintain the web-based GIS Application for an annual fee of \$4,000, for a period of three years.

RESOLUTION NO. 200

Offered by Councilman Hayner, seconded by Councilman Polak: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board authorize the Town Supervisor to execute a hold harmless agreement with Edwards Moving and Rigging.

Supervisor Wormuth: This will require some of our roads to be closed for a period of time, very temporarily, sections at a time as it moves from Terminal Drive up North. We have a copy of exactly the route and we will post that on the website. It is a very large cooler container that goes about 5 miles an hour and it needs escorts as it goes up the road because it so wide The hold harmless is too ensure that there is no damage to town roads. They do not have an exact ship date as to when it is going to arrive yet. As it gets closer, we will make sure that we put out some media on that and make people aware that you may be running into traffic if you are in that vicinity.

RESOLUTION NO. 201

Offered by Councilman Hayner, seconded by Councilman Polak: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board approves the extra work authorization for CHA Companies for the Champlain Canal Trail Project, in the amount not to exceed, \$14,000, per the review and approval of the Town Attorney.

RESOLUTION NO. 202

Offered by Councilman Hayner, seconded by Councilman Wasielewski: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board waive the fireworks fee for the Celebration Committee for town event in Town Park.

RESOLUTION NO. 203

Offered by Councilman Polak, seconded by Councilman Wasielewski: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board authorizes the Supervisor to make the attached 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	25-510	\$43,161
	Subsidiary: 25-4-2189 Home & Community Services	\$43,161	
Credit:	Appropriations	25-960	\$43,161
	Subsidiary: 25-5-1440.40 Engineering Contractors Inspections	\$43,161	

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
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Earl Mixed Use Comm	\$1,305.00
Halfmoon Assisted Living	1,160.00
Moorings of Halfmoon	26,447.39
Stewarts Plant Rd	290.00
Tire Warehouse	435.00
Rolling Hills Subd Ph II & III	2,690.53
Windsor Woods	688.58
Arlington Heights Ph II	10,144.50
Total	\$43,161.00

Transfers between Appropriations:

From Account	To Account	Amount	Reason
30-5-8330.42 Purification-Cont Chemicals	30-5-8310.41 Admin-Cont Engineering	\$50,000	To cover costs associated with GE litigation
20-5-5130.20 Machinery	20-5-9785.60 Installment Purchase Debt-Principal	\$25,800	To correct account for capital lease payments-(2) Dump Trucks
20-5-5130.20 Machinery	20-5-9785.70 Installment Purchase Debt-Interest	\$2,750	To correct account for capital lease payments-(2) Dump Trucks
30-5-8320.43 Source of SP&P- Cont-Maintenance	30-5-8320.42 Source of SP&P- Cont-Purchase of Water	\$25,000	Transfer of appropriations within own budget to cover purchase of water
30-5-8330.41 Purification-Cont- Water Testin	30-5-8320.42 Source of SP&P- Cont-Purchase of Water	\$20,325	Transfer of appropriations within own budget to cover purchase of water

A creation of appropriations is necessary to create the project budgetary accounts for the Champlain Canal Trail Segment. The Town of Halfmoon will construct an additional segment to the Champlain Canalway Trail. The total project is \$265,000 of which \$132,500 is a grant from the Canalway Grant Program administered by the NYS Canal Corporation and the balance will be matching funds from the Town of \$132,500.

Debit:	Estimated Revenues	35-510	\$265,000
	Subsidiary:	35-4-4889.00 - \$132,500	
		Cultural & Rec Grants	
		35-4-5031 - \$132,500	
		Interfund Transfers	
Credit:	Appropriations	35-960	\$265,000
	Subsidiary:	35-5-7150.28 - \$265,000	
		Culture & Recreational – Parks	
		Champlain Canal Trail Segment	

Create budgetary accounts from Town of Halfmoon Recreation Fund:

Debit	Unappropriated Fund Balance	25-599	\$132,500
Credit:	Appropriations	25-960	\$132,500
	Subsidiary:	25-9950-90 - \$132,500	
		Transfer to Capital Projects	

PUBLIC PRIVILEGE (for discussion of non-agenda items) No one came forward

There being no further business to discuss or resolve, on a motion by Councilman Hayner and seconded by Councilman Polak, the meeting was adjourned at 7:15 pm.

Respectfully Submitted,

Lynda A. Bryan, Town Clerk