

The November 7, 2012 regular meeting of the Town Board of the Town of Halfmoon was called to order by Supervisor Wormuth at 7:00 pm 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
John P. Wasielewski, Councilman
Lyn A. Murphy, Town Attorney
Lynda A. Bryan, Town Clerk

Craig A. Hayner, Councilman- Excused
Matthew J. Chauvin, Deputy Attorney- Excused

The Town Board Workshop was held in the Board Room at 6:30 pm; no action was taken. Supervisor Wormuth led the Pledge of Allegiance.

PUBLIC HEARING: 2013 Town of Halfmoon Preliminary Budget

Nelson Ronsvalle, Director of Finance: I will just make my remarks brief. They fall into three headings; Process, Overview or big picture of the budget, and Technical corrections to the budget.

In terms of process;

September 28 Tentative Budget, the budget that is prepared by the Budget Officer and the case of the Town, it is the Supervisor. Mindy worked with the Department heads to develop that Tentative Budget and it was given to the Town Board. They have an opportunity to review it and make it their Preliminary Budget.

October 18; adopted the Preliminary Budget

October 24; held a Budget Workshop which the Town Board reviewed and went over the budget with questions and items that they wanted to discuss.

November 7; that brings us up to today with the Public Hearing. The whole process will culminate with the Special Meeting which the Board will have the opportunity to make any last minute changes or to adopt the budget at that time, either with or without changes.

November 19; Special Meeting

Second item; a few of the big numbers about the budget, and I will focus on the General Fund, Highway Fund, and Water Fund

General Fund: \$6,221,000 Budget. That is actually down over 14% from the prior year which was \$7,272,000. So that is a little more than a million dollar decrease. That is significant. Budget drivers or things that drive the development of the budget, or have the driving forces in the development of the budget, and the driving force that allowed us to make that slightly more than a million dollar reduction in the budget, was the creation of the Ambulance District here in the Town of Halfmoon.

Highway Fund: The Highway fund is also down 2.2% from the prior year. It stands at this point \$2,973,000 and that is down from \$3,040,000 in 2012. The driver in this instance is a lowering of expenses relating to equipment replacement that is the most significant means of how we retained that reduction in the Highway fund.

Water Fund: Out of the three major funds, this the only one to have increased from last year to this year. We are looking at a \$4,897,000 budget in 2013, whereas last year it was a \$4,713,000 budget. That is reflecting a 3.9% increase. The drivers in this instance are two issues. One of them, as you may be aware; the Town is now purchasing its water from the City of Troy, due to the dredging of the Hudson River. The rates that Troy is charging us for the water that they are supplying us, is increasing in 2013.

The second thing is that we are still in litigation with General Electric, the polluter of the Hudson with PCB's. We are trying to retain damages for the lack of use of our water treatment facility. So the legal expenses that we are going to be incurring in 2013, is the second driver.

Those are the big picture items, the big numbers, the bottom line if you will, and the drivers and where the budget stands now.

The last item that I mentioned I wanted to talk about, were a few technical corrections. We noted these at our Budget Workshop on Oct. 24th. There were three minor changes:

Page 3 Code 1230.1 – Increasing Budget line item by \$1,840.00

Page 4 Code 1355.1 - Increasing Budget line item by \$16,000

Page 16 Code 5010.12 - Increasing Budget line item by \$200

Page 33 Code 5030 - Increasing Budget line item by \$23,750

Those are the technical corrections that needed to be made to the budget. Those were the things that I wanted to talk about how we got here today and give a bit of an overview of the budget and how it was developed in terms of the driving forces behind the budget and its impact on the bottom line and lastly, those technical corrections.

Supervisor Wormuth: One of the things that I would like to point out that one of the things we face as a government entity, just as everybody else does at home, is the increased costs for fuel, the increased costs that we are paying for unfunded mandates from the State, retirement costs have increased, health insurance costs are expected to go up. So, all of those things along with doing reductions in the budget, it still drives those numbers up, so while we look to spend less in any area that we can and save money, there are certain things that the Town does not have direct control over. Retirement contributions go up and we are stuck with dealing with those just as everybody else is with their own budget. There are certainly forces that are factored into these numbers.

At this time I will open the Public Hearing at 7:12 pm

Deanna Stephenson, 7 Cindy Lane: I am sorry, but I do have about a dozen questions, so if you could just help me out with this, I would appreciate it. I will do it by page Nelson, it might help. First of all, when we talk about positions, and I looked it up on the budget highlights too, will you be looking at eliminating any positions in this budget at all?

Supervisor Wormuth: At this point there are no layoffs planned. There may be some that through attrition aren't replaced if people choose to leave. One of the items that was adjusted that Nelson talked about in the Assessors line is to add a part time Data Clerk

Deanna Stephenson: Page 26, State requirement, is the budget amount based upon projections from the NYS Comptroller's Office for 2013 rates, because I know that the 2014 rates are already out?

Nelson Ronsvale: These are the 2013 amounts

Deanna Stephenson: Page 29 on the revenues. Is the town being overly conservative by budgeting 3 million Sales Tax revenue for 2013, when 2011 realized 3.5 million? The County Sales Tax receipts are we already going through October 2012 realized, and is the 2012 budget of 3 million realistic or conservative based on the receipts year to date?

Supervisor Wormuth: It's conservative based on the receipts year to date looking at the projections for 2012 which can be adjusted because they go back quarterly and they do adjustments from the State. We are finally starting to realize numbers that we realized in 2007 which are 5 million dollars, but we found that over the past 5 years in not being as conservative as we could with our revenues, that we weren't really doing justice to the budget. So they are conservative numbers. No one has an idea what the economy is going to do based on the different things that are going on and we have looked at projections from lots of different sources to come up with that.

Deanna Stephenson: OK, the ambulance fees, I think that the number that is thrown around is \$342,000 coming back to the town. Now will that be for 2013? Do you plan on building upon that and creating more revenue or will that stay static?

Supervisor Wormuth: That depends on the billing from the ambulance district that is third party revenues from insurance that they receive and then return to the town. So that figure can fluctuate from year to year based on the calls, based on the number of people who actually have insurance available and who actually turn it into their insurance company. The ambulance does not do hard billing and send people into collections at this time and that is their policy, so those figures fluctuate on an annual basis. We used an average.

Deanna Stephenson: OK, so that money coming back saying you want to increase that, would that be an extra burden on the taxpayer then? Will that tax go up as years go on, is there a possibility?

Supervisor Wormuth: The way the ambulance district is proposed is the Town Board will have oversight over that budget. So, no the hope is that those numbers come back to the town at greater money, it would decrease the amount of money needed in order to offset the taxing district.

Deanna Stephenson: and the revenue coming back, where are you placing the revenue at this point, what line item? Are you going general fund or are you going

Nelson Ronswalle: It goes to the general fund

Deanna Stephenson: OK, are you going to try to offset the 401 negative? Would that be a plan?

Nelson Ronswalle: It would just be part of the general fund, so anything that comes into the general fund goes against the fund balance, if we are left with a balance at the end of the year. So if it helps to increase the fund balance at the end of the year, yes then it would help to offset the 401,000 that you mentioned.

Supervisor Wormuth: The reason why we don't direct it into highway specifically or somewhere else is because once money is put into highway, it can only be utilized for highway. So that is why as we develop the budget annually we move the amount that is needed out of general fund sales tax

Deanna Stephenson: The year to date receipts support the significant (on page 32) expected 30% increase expected in 2012 for the mortgage taxes?

Nelson Ronsvalle: Yes, those are headed in the right direction

Deanna Stephenson: OK, from page 33, from which fund would the 550,000 transfer come from to balance the general fund budget? I think we were just talking about that so I think that you answered my question on that. Highway, now I noticed in your highlights, 67,000 taken. Now, I know John does a lot of work, I know that we have a lot of roads that need work on. Do we look at all, or would you at all consider with the developers, and I know that we have talked about this, there was talk about this at the Planning Board too, Steve, I do not think that you were there that night, but opening up for the developers to put in like a highway fund piece that they would donate or put into before that shovel hits the ground, they put money into whatever road issues or infrastructure issues are there. I am looking at page 34, I see contracts, what are the contracts with and for what purpose?

Councilman Wasielewski: Is that under machinery?

Nelson Ronsvalle: Contractual, as you know, items have to go out to bid. Those are for contractors that are working on the roadways. It is for the roadwork that our town crews do not do themselves, so the contractual expenses is dealing with the contractors who lay the pavement and do other aspects of the road repairs.

Deanna Stephenson: So that can be from the State DOT, other contractors other than

Nelson Ronsvalle: Other contractors, John could even tell you who we dealt with this year, I do not recall off the top of my head

Supervisor Wormuth: We do take people off the state contracts if we don't go to bid. To answer your question about developers, if they are developing an area or road, they are responsible for the initial road for bonding, for dedication, for maintenance, and different things. We do have a northern GEIS study that contributes to certain areas that are identified, and if you develop in that area, the money goes into that pot to then be utilized for infrastructure improvements that were identified. Some of them are roads, culverts, water, future red lights, so we don't have the last person paying for one large improvement, so that everyone all along adds to the contribution. That is subject to only the northern end of the town and that was an extensive, expensive study that was done. As we look at the rezoning and that is something that the board is considering looking at town wide.

Deanna Stephenson: So if we have developers now that we have bonds with, I am just making this up, is it possible that we could do that now? Could we cash in on any of that?

Supervisor Wormuth: The bonds are written based on securing the integrity of the roads, so if it is normal wear and tear that has happened over an extensive period of time, those bonds have expired. If it is a failure in work that they have done or work that they haven't completed, there is a legal process that we can utilize and have in the past pulled bonds and then our highway department has done the work and utilized the monies from the bonds in order to do that.

Deanna Stephenson: OK, page 38, who determines how sales tax revenue and I am still on highway, is split between the general fund and the highway fund? Is that the board or

Supervisor Wormuth: Ultimately the board determines that as the budget is developed, because the budget explains how much money they can spend into the highway department

Deanna Stephenson: and I think that, and Nelson we have already talked about this, the increase in contractual expense related to legal fees, related to the GE matter, and this may be additional cost to the public as time goes on, is that possible?

Supervisor Wormuth: There certainly is a possibility of that. The hope is to continue to work with EPA. Right now they are through 2012 covering the additional costs for us to purchase the water from Troy over what we could produce it for. We are in negotiations with them as we move forward, and the law suit is subject not only on the loss of revenue, but the return of legal fees with GE. So, there may be a period of time where we have to expend money on that and wait for the lawsuit to be realized in order to recoup it, but that is part of the lawsuit.

Deanna Stephenson: OK, 51 principal and interest on debt service. There was 2.6 million, 211 thousand, and in 2013 there is 2.2. Have new debt issues extended the terms of the original debt, normally it would decrease, you would see a decrease in the principal. The principal should be increased and showing that the town is paying down. So what is happening there?

Nelson Ronswalle: That actually was part of the refinancing of the 2002 water bond this last August, through 2012. We were able to take advantage of the lower interest rates. Trying to keep our payments more or less the same, we were able to pay down the interest faster by increasing that and pay less principal, so that is why you see that because of the refinancing.

Supervisor Wormuth: That was a little over \$350

Nelson Ronswalle: If I remember and I am going by memory, it is in that ballpark over the life of the bond, it is about \$33,000 to \$35,000 annually that we are saving on the refinancing.

Deanna Stephenson: OK, I just want to understand the process also. When you did your budget highlights, this is going back, because I remember picking up, Lynda came out to the audience and she was handing the budget highlights out and I was sitting next to somebody and she said "This is fresh off the press, Mindy is going to do this tonight". Do you do your budget highlights without, does the board see that before you do it or is that the first time that they heard about it that night? I am just wondering about process?

Supervisor Wormuth: We talk about different things throughout the year as items come up. But no, when they actually get the Tentative Budget, it is something that I have worked out; having met with every department manager, having sat with Nelson and gone through the numbers and it is officially presented to them for the first time. They have a general idea what's going in it, it is just based on conversations that we have individually or as I meet with them throughout the year to go over things, where we are looking at heading, what the goal is. John has been working with Emergency Services on looking with them what works so that is where the idea came from for the ambulance tax. There are different people that liaison to different departments, so they are aware of portions of the budget. We do hold the workshops so that they can make adjustments to any portion of it that they would like

Deanna Stephenson: OK, and just one more thing. Is the budget freeze, I am going back to that now, I understand, I remember last year your employees did not get raises either, this year they are not getting raises. So, I lieu of that

Supervisor Wormuth: Last year we did a 2% increase

Deanna Stephenson: Oh, you did

Supervisor Wormuth: The year before there were no raises, last year we did 2% and this year the proposal right now in the budget is to hold it steady and one of the things that we will realize by the end of this week, is our health insurance. If we can't give a raise, then we try to affect people's contributions to their health insurance. Although we do not have those numbers in yet because we are just getting them from the brokers, and that is just based on when our insurance renews. We are working on that. Anything can change between now and when the budget is adopted.

Deanna Stephenson: Now, would you ever consider, I do not know, you give people perks; you give them a floating holiday. Would it be possible to just, I just look at budget freezes, I know how people struggle. We live in a great community, but still it's hard.

Supervisor Wormuth: It was a very, very difficult decision for the board to make and again we are trying to balance out everybody's in the town welfare, not just the employees. We have a program that provides our employees; it's a salary grid that provides them with step increases, so although some of them are not getting a cost of living increase, there are many of them that will be getting, we haven't eliminated the step. It doesn't affect everybody every year because they are staggered. We try to look at

Deanna Stephenson: What step, do you know the percentage off you head which would get the step increase?

Nelson Ronsvalle: I think a third, I think 38 people move on step this year out of close to 90-100 total employees.

Deanna Stephenson: What do you do when they hit the top of their grade, what happens at that point?

Supervisor Wormuth: Cost of living increases, once they max out through and a lot of times people move up into a new position

Deanna Stephenson: OK, thank you

Supervisor Wormuth: No more comments were made and Supervisor closed the Public Hearing at 7:28

PRESENTATION: Environmental Design Partnership, LLC on the Expansion of the Springbrook Mobile Home Park

Gavin Vuillaume: Good evening everyone, thank you for having me. This is a very small project so I will not spend a lot of time with the presentation of the additional three lots in the existing facility. It is handled strictly with the Planning Board, but because of the Mobile Home Zoning this occurs in an R-2 Mobile Home Park, the actual approval of this goes through the Town Clerk who issues a license every year for a certain amount of units. So that is why we are in front of the Town Board with such a small project.

Again, this is Springbrook Mobile Home Park. It currently exists on Dunsbach Road and is approximately 31 acres in size. The Facility currently has approximately 186 mobile homes and we are just proposing three new additional mobile home sites at the existing facility. This is in the northeast quadrant of the mobile home park itself. The units would have access off existing Nathan Drive. These are all private drives that are privately owned and maintained by the facility owner. The mobile homes themselves would be developed on an area within the sit that really is

already clear. There is an existing pump station centrally located within the area where these would be developed. There would be no existing vegetation or any kind of vegetated buffer that would need to be removed for the installation of the mobile homes. I believe that the nearest property line adjacent to these is approximately 150 feet from the new area where we would be developing. The mobile home would only be the single wide variety. They are the smaller lots, approx. 50 feet by 100 feet, around 5000 or 6000 feet are the lots that they would sit on. There is existing infrastructure both sanitary sewer available for these mobile home sites. As far as storm water management or storm water drainage, there is an existing brook that runs along the back of the site. We would not be impacting that with any type of grading. The existing Nathan Drive does have storm water sewers that would accept the run off from the new mobile homes. That is pretty much it and I will answer any questions.

Councilman Polak: I would just like to make a couple of comments if I may. Of course the connection to the County sewer system made the property available for the new units. That was quite an expense by the owners of the park plus the monies that we received in grants. That mobile home park was under consent order and had to be connected to the sewer or they would have to close down and we would have 186 residents looking for a new home. The other thing is, they did have a public hearing, informational hearing at the Planning level. There were no negative comments. People were just questioning how close is it going to be. Was this going to be extended, there were no negative comments to the project? I would like to make a resolution to approve it.

RESOLUTION NO. 222

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 approves the three (3) additional lots in the Springbrook Mobile Home Park

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Councilman Hotaling: Nov 17th at approximately 12:00, here at the Town Hall, we are going to do our Annual Food Drive. It is going to be a little bit different this year. We usually start out around 10:00 in the morning. If anybody would like to come and help deliver food please stop by. Last year we delivered food to 127 families, and to knock on their doors and to hand them a turkey, was amazing. The looks on their faces, tears, hugs, we appreciate anybody's help, just give Amanda Smith in the Rec department a call. I would especially like to thank Amanda and Craig for working along with myself to get this all taken care of and the support of the rest of the board. Thank you.

Councilman Wasielewski: Emergency services first. While we were very lucky with Hurricane Sandy, our neighbors to the south in the state were not as fortunate. We have had members from the West Crescent, Waterford-Halfmoon, and Clifton Park Fire Departments all send crews down there to relieve local fire departments on Long Island, while they are able to take care of their own houses and families. We have had a crew from Waterford- Halfmoon spend five days down there, a crew from Clifton Park and Vischer Ferry are down there right now. They are due to return tomorrow and they have been very busy, truly heroic efforts helping our neighbors who have really been devastated by this storm. I think that all of the town residents are appreciative.

On another note, we have had the need for a Data Collector in the Tax Assessor's Office. We have conducted a number of interviews with some very qualified people. I

would like to make a motion tonight that the Board hires Amy Phelps as a part time Data Collector in the Tax Assessor's Office.

RESOLUTION NO. 223

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

RESOLVED, that the Town Board approves hiring Amy Phelps as a Provisional Part time, Grade 2 Step Base, Town Property Tax Data Collector in the Tax Assessor's Office effective immediately.

Supervisor Wormuth: This is a position that existed last year and when the position became vacant, our Assessor has done a phenomenal job at keeping up with and looking for the best ways to incorporate this position. It used to be a full time position and we certainly appreciate the extra work that she has taken on and her willingness to take on someone on a part time basis in order to deal with the economic times that are going on here. Again as John said, we interviewed some very talented people.

Councilman Wasielewski: I would like to introduce Ms. Amy Phelps

Supervisor Wormuth: Amy, welcome

Councilman Wasielewski: On behalf of Mr. Hayner, who is not able to be here tonight, he is out of state, he would like for me to mention that the next Ethics Committee Meeting will be on next Thursday, November 15th at 7:00pm. Thank you.

Clerk Bryan: Vivian Bornt celebrated her 100th Birthday Sunday at an Open House at the West Crescent Fire Company with many family and friends attending.

Also, there will be another celebration in her honor on Wednesday November 7th at the Senior Center at 2:00 pm

The Seniors Holiday Bazaar that was held on Saturday was a huge success, and largely due to Vivian's Knit & Crochet Table that had their best year ever!

I would also like to have everyone to look at the new displays on 4 of our Town Departments, and next week we will have a display of Vivian's Birthday and her life in Halfmoon.

Supervisor Wormuth: I would like to thank all of the staff members who helped be prepared for the storm. As Councilman Wasielewski said, we were very lucky in being spared here at home and the storm did not hit as much as we thought it was going to. We had our Code Enforcement Officer's, people posting things on the website, we did reverse 911, all of the Highway Crew was on call and ready to go should the storm hit here. I am so proud to have such a great support team. All of the staff members were checking in to see if there was anything that they could do or if we had to open up a shelter. Everybody remembers the ice storm of 2008 and everybody was so willing to give of themselves during that time so that our community was protected. I am so happy and blessed to have such a great dedicated staff. I appreciate all of you.

PUBLIC PRIVILEGE (for discussion of agenda topics)

DEPARTMENT REPORTS – month of October

1. Town Justice Wormuth

Total # Cases: 271

Total # Fees Submitted to Supervisor: \$29,140

2. Senior Express Dispatch

Total # Riders: 299

Total # Meals: 474

3. Town Clerk

Total Fees Submitted to the Supervisor: \$7,408.36

CORRESPONDENCE

1. **Received** from the Town Planning Board Resolutions approving the following: For Hiretech North America for a Change of Tenant at 164 Ushers Road, Change of Tenant for Richard Holland, Writer, at Crescent Commons Plaza, 1471 Route 9, for Superior Data, at Crescent Commons Plaza, 1471 Route 9, for a Change of Tenant and Sign Application for the Billie's Barber Shop to be located at 2 Hayner Heights, for Midland Auto Sales and Service located at 1534 Route 9, and for Sears Hometown Store for the Guideboard Road Plaza, located at 215 Guideboard Road, Regarding the Fitch Subdivision, 31 and 33 Smith Road and Regarding Final Approval of the Fairway Meadows Phase III Residential Subdivision and the Zim Smith Trail Extension.

Received & Filed

2. **Received** from the Town Planning Board Resolution denying a Commercial Site Plan for the Santoro Warehouse Facility located at 45 Route 146.

Received & Filed

3. **Received** from the Clifton Park – Halfmoon Fire District #1, their 2013 Budget Summary, available for review at the own Clerk's Office.

Received, Filed & Printed Copies are available in the Clerk's Office

4. **Received** from Town Justice's Wormuth & Tollisen, their 2013 January- June Court Schedule.

Received, Filed, Print & make available on the website please

5. **Received** from the Town of Malta, a letter thanking the Town of Halfmoon Planning Board and Mr. Tanski stating that they should be commended for working with Saratoga County to allow the Zim Smith Trail Extension through the Fairway Meadows Phase III Development.

Received, Filed, & Print

6. **Received** from the Saratoga County Board of Supervisors, a letter thanking the Town of Halfmoon Planning Board and Mr. Tanski for working with Saratoga County to allow the trail extension within the Fairway Meadows Phase III Development, and they look forward to working with them on this project in the future.

Received, Filed & Print

7. **Received** from the Saratoga County Attorney, Notice of a Public Hearing for the Saratoga County Sewer District No. 1 scheduled for November 7, 2012 at 9:00 a.m. at the Board of Supervisors Chambers in Ballston Spa, to consider the Sewer District's proposed rates for 2013.

Received & Filed That notice has been published through the County & was available on our Bulletin Board

8. **Received** from the Planning Department, notification that they are in receipt of a Special Use Permit request from Mr. Gary Connors, 294 Grooms Road, to create two lots and to be able to place two-family dwellings on each of the new proposed lots.

Received, Filed & Copy to Planning

9. Received from the West Crescent Fire District, their 2013 Budget Summary, available for review at the own Clerk's Office.

Received, Filed & Printed Copies are available in the Clerk's Office

10. Received from National Grid, a letter stating the special requirements for all non-company temporary attachments, for seasonal decorations, announcements and special-event notifications to their utility poles.

Received, Filed & Print.

Supervisor Wormuth: We will post that on our website. We are getting a lot of complaints from National Grid about signs being attached to their poles. They routinely send out the information for the seasonal decorations, but one of the things that they highlighted in the letter, was other types of signs that were being attached to their poles that they are not pleased with. They interfere with the ability to maintain the electrical service and they do become a danger to the guys when they have to climb the poles. We did have a pole catch on fire and they cannot relate it directly to the stuff that was added to the pole but they certainly were not happy about it. So we would ask everyone before you are attaching things to the poles, that you need permission from the utility companies, they own the poles.

11. Received from the Halfmoon - Waterford Fire District No. 1, their 2013 Budget Summary, available for review at the Town Clerk's Office.

Received, Filed & Printed Copies are available in the Clerk's Office

12. Received from John Pingelski, Town Highway Superintendent, the schedule of the Highway Department Winter hours will be Monday – Friday from 7am – 3:00pm, effective November 12th, 2012.

Received & Filed

Supervisor Wormuth: We certainly know that their hours will expand that as they are on call and ready to serve the community any time and often times cannot control when Mother Nature decides to let it snow.

13. Received from the Zoning Board of Appeals of the Town of Colonie, notification that they will holding a Public Hearing on November 15, 2012 at 7:00 pm for the Wireless Telecommunications Special Use Permit application.

Received, Filed, Print & make available on the website please

14. Received from the Department of Taxation and Finance, Office of Real Property Tax Services, a letter stating that Jo-Ann Smith has completed the requirements for the designation of State Certified Assessor pursuant to the Real Property Tax Law.

Received & Filed

Supervisor Wormuth: JoAnn, congratulations! I know how hard you worked on this and we are very proud that you have completed all of your training and we look forward to you being with us for a very long time.

15. Received from Boni Enterprises, LLC, a request for an amendment to the Halfmoon Healthcare & Biomedical Research Campus PDD (Local Law No. 3-2008).

Received, Filed, Print & Copy to the Planning Board and the Town Board

NEW BUSINESS

RESOLUTION NO. 224

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 2435 through 2591 as detailed.				
===== FUND TOTALS =====				
10 GENERAL FUND	\$398,402.46			
20 HIGHWAY FUND	\$79,592.35			
25 SPECIAL REVENUE	\$5,363.85			
30 CONSOLIDATED WATER	\$545,615.88			
35 MISC. CAPITAL FUNDS	\$3,062.60			
40 LANDFILL POST CLOSURE	\$523.25			
65 LIGHTING DISTRICT	\$422.73			
ABSTRACT TOTAL:	\$1,032,983.12			

RESOLUTION NO. 225

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

RESOLVED, that the Town Board approves the minutes of Town Board meeting of, October 17, 2012 as presented.

Resolution #3 from the Agenda, was already voted upon at the end of the Presentation from Environmental Design Partnership, LLC

RESOLUTION NO. 226

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

RESOLVED, that the Town Board denies the CGM PDD as the Planning Board did not make a favorable report and the proposed PDD was less than ten acres in size.

Supervisor Wormuth: Whenever we have a PDD referred to the Planning Baord, they make either a positive or negative recommendation that the Board usually has the option of abiding by or deciding for whatever reason not too, in this case because it is less than 10 acres, the way the local law reads, the Board does not have the option to override the recommendation.

RESOLUTION NO. 227

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

RESOLVED, that the Town Board approves a negative Declaration pursuant to SEQRA for the adoption of the Ambulance District.

Councilman Wasielewski: I understand this, but for everybody’s clarification, could you please explain what this actually means?

Supervisor Wormuth: A negative declaration means that we have looked at the impacts of what is going on in the map planning report and then this gets filed saying it doesn’t have a negative impact. Thank you for asking for that clarification

Again, this is part of the process that needs to be done in order to be moving through the creation of that.

RESOLUTION NO. 228

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 approves the Supervisor's Report for the month of September 2012 as presented.

RESOLUTION NO. 229

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 to authorizes the Town Supervisor to execute a contract with The Dock Doctors, LLC in the amount of \$5,840.00, for the fabrication of an aluminum floating rowing dock section for the Halfmoon Lighthouse Park on the Hudson River.

Supervisor Wormuth: Just for clarification purposes, there was money left in the original budget for the Halfmoon Lighthouse Park. This will be an added amenity to the Park. The reason that we are going with the Dock Doctors, LLC, is they provide professional services for the creation of the dock. In order for the warranty to stay valid and for it to be compatible, we are utilizing them to do this work.

RESOLUTION NO. 230

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

WHEREAS, the Town of Halfmoon recognizes the importance of providing municipal water to the businesses of the Town of Halfmoon; and

WHEREAS, 5 Liebich Lane is a commercial site is that is requesting permission to extend the existing water district to provide service to one unit requiring potable water from the municipality; and

WHEREAS, Liebich Lane One, LLC has executed a contract to provide for the extension of the existing water district which details the payment of funds to the Town of Halfmoon for the receipt of potable water; and

WHEREAS, the Town Attorney has received and approved the terms and conditions set forth in the Water District Extension Agreement; and

WHEREAS, the Town's Water Regulations set forth the water rates charged on behalf of the Town; now, therefore, be it

RESOLVED, that the Town Board of the Town of Halfmoon hereby authorizes the Town Supervisor for the Town of Halfmoon to execute the Water District Extension Agreement for 5 Liebich Lane commercial site upon receipt of the associated fees as detailed in the Water District Extension Agreement, subject to the review and approval of the Town Attorney.

RESOLUTION NO. 231

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 Change Order No. 1, Mid-State Industries, for the Halfmoon Justice Court Roof Replacement in the additional amount of \$6,800.00.

Councilman Polak: What the additional money is for is that after they tore off the roof, there was considerable amount of the fascia that rotted and had to be replaced. We had a contingency in there that covered items like this so we are well within the budget. We need to spend this \$6,800.

RESOLUTION NO. 232

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 authorizes the Town Supervisor to execute a mutual use agreement with the West Crescent Fire Department.

RESOLUTION NO. 233

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 Extension of the Clemente Route 146 Planned Development District as follows: Resolution to extend the Clemente Route 146 Planned Development District for a period of two years.

RESOLUTION NO. 234

Offered by Councilman Wasielewski, 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 make the 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		
	\$5,363.85			
	Subsidiary:	25-4-2189 Home and Community Services	\$5,363.85	
Credit:	Appropriations	25-960		\$5,363.85
	Subsidiary:	25-5-1440.40 Engineering Contractors Inspection	\$5,363.85	

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

NAME	AMOUNT
Anna’s Place	\$846.00
Creatacor-10 Enterprise Ave	141.00
Arlington Heights	141.00
Stephenson Ridge Subd	423.00
Rock’s Precision	1,029.00
Linden Village PDD	1,833.00
Klersy Major Resd Subd	141.00
Glen Meadows PDD	527.85

Howland PDD	141.00
Stewarts’s Plant Road	141.00
TOTAL	\$5,363.85

Transfers between Appropriations:

From Account	To Account	Amount	Reason
30-5-8310.40 Water Admin. Contractual	30-5-8310.41 Water Engineering Contractual	\$6,000.00	To cover engineering costs associated with the EPA/GE litigation.
10-5-1990.40 Contingency	10-5-7989.40 Character Counts Contractual	\$10,664.04	To restore unexpended fy-2011 appropriations for Character Counts.
10-5-1410.40 Town Clerk Contractual	10-51410.20 Town Clerk Equipment	\$9,353.41	To cover the cost of records storage shelving as part of the NYS Archives Grant.
30-5-8320.42 Water SP&P Contractual	30-5-8310.42 Water Admin. Contractual Legal	\$140,000	Transfer to cover costs associated with legal fees for GE/EPA lawsuit
10-5-1990.40 Contingency	10-5-3610.40 Code Enforcement Contractual	\$1,800.00	To cover costs associated with code enforcement vehicle maintenance.

Creation of Appropriations – Resolution No.185 of 2012 authorizes Clough, Harbour and Associates, Inc. to perform quarterly environmental monitoring services at the Town Landfill site in accordance with NYDEC approved post-closure monitoring and maintenance per the operations manual not to exceed \$7,500 annually. This creation covers this annual monitoring for the 2012 fiscal year.

Debit: Appropriated Landfill Post-Closure Reserves 40-3-0878.00 \$7,500.00

Credit: Appropriations 40-8160.20 -- PC Landfill Capital Outlay - \$7,500.00

Creation of Appropriations – A resolution is needed to appropriate the contributions made to the Character Counts Program to provide scholarships for youths to attend Town recreation programs.

Debit: Estimated Revenues – Community Gift Contributions \$2,091.21
10-4-2705

Credit: Appropriations – Character Counts: Contractual \$2,091.21
10-5-7989.4

PUBLIC PRIVILEGE (for discussion of non-agenda items)

Bruce Tanski: Clifton Park, Falcon Trace Seniors are in the process of purchasing a van from New Country. It is going to be a Senior Shuttle, and I would like to offer its services to the town if they ever get in a bind or if they ever get behind. I have a driver and we should have the van in about two weeks and we are then going to letter it. So if somebody wants to contact Danielle at Falcon Trace Seniors, she will set it up. Whatever you guys need, it is there for you.

Supervisor Wormuth: Thank you, I will pass this information on to our Highway Superintendent, he runs our Senior Van Services and helps coordinate our Meals on Wheels delivery.

Deanna Stephenson, 7 Cindy Lane: I missed this and I apologize, I am noting that the Planning Board did pass Phase III, was the developer supposed to get letters from the residents that were directly affected for the trail? Was that accomplished already if that passed?

Supervisor Wormuth: Mr. Watts, could you comment on that?

Mr. Steve Watts, Planning Board Chairman: Approval was contingent on the developer contacting the residents, and that meeting of Mr. Tanski he said that should anybody not be satisfied with that trail going by their house, he would refund the full purchase price of the lot, but that’s where we are at with that.

Deanna Stephenson: and that’s appropriate?

Attorney Murphy: Have you signed the plans?

Mr. Steve Watts: I don’t believe so

Attorney Murphy: The plans won't be signed until those letters are here, because that was the condition

Deanna Stephenson: I appreciate that, thank you very much. Second thing, and I am just bringing it up again, not that I want a full moratorium for the town, but I am just going to ask again, that a committee be formed for comprehensive planning, for future planning, for the town multi discipline, a lot of talent out there in Halfmoon. I am just wondering if we could get a timeframe on that at some point, if you could help me out with that. I know you always look at me when I say this but

Supervisor Wormuth: I look at you whenever you talk because I was brought up that way and yes we will work on putting together some timeframes and parameters for that.

Deanna Stephenson: I appreciate that. Thank you very much.

Supervisor Wormuth: The last thing that I have is just to remind everyone, and I know that we mentioned it earlier, but there is a Special Meeting scheduled for November 19th for the adoption of the Town of Halfmoon 2013 at 7:00 pm right here in this room. That is posted on the doors, on the website, it has been printed, we will do everything that we can to keep people informed of that so if any of your neighbors aren't here and you know that they are interested, please pass that along, because it is outside of the parameters of our regular scheduled meetings.

There being no further business to discuss or resolve, on a motion by Councilman Hotaling and seconded by Councilman Wasielewski, the meeting was adjourned at 7:55 pm.

Respectfully Submitted,

Lynda A. Bryan, Town Clerk