

The May 04, 2011 regular meeting of the Town Board of the Town of Halfmoon was called to order by Supervisor Wormuth at 2:05 pm in the A. James Bold Meeting Room at the New Town Hall with the following members present:

Melinda A. Wormuth, Supervisor
Regina C. Parker, Councilwoman
Paul L. Hotaling, Councilman
Craig A. Hayner, Councilman
Lynda A. Bryan, Town Clerk
Lyn A. Murphy, Town Attorney

Not Present: Walter F. Polak, Councilman, Matthew J. Chauvin, Deputy Attorney

The Town Board Workshop was held in the Board Room at 1:15 pm; no action was taken. Supervisor Wormuth led the Pledge of Allegiance.

Supervisor Wormuth stated that next is the presentation of 2011 Budgeted Funds for the Halfmoon Senior Citizen Association. It is her honor, along with the rest of the Town Board that she presents to them, the annual contribution of \$36,310.00. She asked Councilman Hayner to help her with the check, and invited Ruth Smalley, and Eileen Pettis up front for the presentation and a picture.

Supervisor Wormuth stated that the next thing on the Agenda is Dr. Robinson, the Superintendent from Shenendehowa School District, who has asked to speak briefly to the Seniors, the Town Board, and the audience.

Dr. Robinson thanked Mrs. Wormuth for the opportunity to be here today and stated that he does have several Board members here with him today Janet Grey is our Board President, Rick Mincher is one of our Board Members, There is also several people who are key to the district, Kathy Wetmare is our Financial genius in the school district, so if there is anything to blame, she is the one! Kelly DeFeciani is in charge of our Communication for the district and Becky Carmen who is in the District Office as well. I wanted to share this with you to show that clearly what we do as a school district often times on the face of the school district, are many, many people behind doing a lot of good work. And folks, today I am here to talk about the School Budget, and we have the Budget vote on May 17. Before the question is asked, and the question is always asked, "What are the tax implementations?" And yes there is going to be a tax impact as a result of this budget, and to be quite honest with you, this budget has been one of the most difficult budget in the 6 years since he has been at Shen. We are facing about 6 million dollars in reduction in State aid, which means a lot of reduction in programs and services. It is reducing 5.8 million dollars in costs in our budget meaning about 70 positions will be reduced, half instructional and half uninstructional. But yet we still see a tax impact of about 3 to 3.5 percent. The real impact of that will not be known until July until equalization rates are out in terms of what the real impact will be to people's direct tax bills. But to just give you some perspective, we use \$250,000.00 property value, which would be \$154.00 more annually for the tax impact. It is a difficult budget because of the reductions. We will be seeing some program reductions in the district and some program consolidations in the school district. However, the one thing that I will always have to say is that our job is to assure that we still provide quality experiences for our kids. And at Shen we will still continue to be a quality school district of high performance. Regardless of how the budget goes, ultimately we need to assure that our kids graduate and be able to compete successfully in the marketplace. So that is the budget that is coming up, when you think about our situation over the past 3 years, with the reduction in State aid, and in the past 3 years we have been making budget cuts. The concern that we have as I am standing here in front of us is how long can we continue to do this before we start seeing some serious erosion in the quality of programs and services to our students. That is the concern that we have as we move forward

because you as taxpayers have made a decision to invest, you as Board members have made a decision to invest, and certainly the same way the Town tried to insure that they could sustain program and services to the community, the same as we are trying to do it. The question is still “How long can we continue to do so by cutting things in trying to avoid increase in the tax impact too significantly”. So that is the concern moving forward, he asks that people come out and vote on May 17. A lot of information should be coming out, the newsletter that he passed out, a copy to the Town Board members will be coming out and to the respective households in the course of the next several days, for those of you who are on the web-site, there is a lot of information on the school district web-site. He asks people to be informed, but more importantly to come out to vote. It is a big concern for them because they are at a critical point in the future direction they go. Certainly in this region there is a lot of economic development potential and they want to ensure that as a school district we are in a place that we can in fact take advantage of the economic development potential particularly some of the initiatives happening with the Global Foundries and some of the spin off's that are already happening within the local region here. He asked Supervisor Wormuth if there were time to receive questions from the Board or the audience. She assured him that it was no problem.

Councilman Hotaling asked that with the cuts, how many were teachers and how many were aides?

Dr. Robinson stated that the cut is literally across the board. With the teachers it is about 34 teacher positions, from the non-instructional side, it is a combination of aides, typists, cuts from transportation, cuts from operation maintenance, so literally all of the departments. There were reductions everywhere from administration to custodian services. The reason why they deliberately took that path as opposed to decimating any 1 program, because all of those things have a purpose within an organization, so how do you squeeze costs in all of those areas? This was the approach that they took with this budget process versus adversely impacting 1 area opposed to another.

Councilwoman Parker asked if it was about across the board, did you try to use non-attrition and not fill jobs?

Dr. Robinson stated that, on this it helped out a lot. On the instructional side they had about 44 teachers retirements. They still have in their ranks about 136 teachers who are age and retirement eligible, and he says that because next year there is a potential that they can see some significant retirements and that actually helped them out quite a bit in terms of a cost saving standpoint, but also avoiding the preverbal pink slips, firing people out of positions because it then gave us a chance to not fill positions and not having to let people go. Last year we, the budget that we are living in now, we had to let more people go because we did not have as many retirements to deal with the reductions through attrition and we are very sensitive to the fact that the economic common is such that we do not want to contribute to the unemployment list either. On the same note, we need to reduce costs and find the balance and attrition was in that focus as well.

Councilwoman Parker had a second part to her question. She asked how has this affected class size?

Dr. Robinson said that the good thing about where we are and speaking largely in the Elementary level, K-5 level, actually our Elementary enrollment is trending down. The Kindergarten classes have actually been lower for the last 2 years, and as these children go through the system the K-5 will become lower. The concern is in the Secondary levels, the Middle school level. The middle school class sizes have been pretty tight for the past 3 years. By tight he means 28,29,30, students per class which is tight and will remain so. In the High school level 9 through 12, because of the wide variety of courses that different students take it becomes more

of a scheduling mechanism that dictates class size than actual enrollment itself. So this is how things progress through the system but your question lends itself to another concern we have. While we are optimistic that Global Foundries and some of those things will enhance the economic situation in this region, we have a real concern about the potential impact on enrollment at our buildings particularly at the elementary level. On our elementary level it is a pure mathematical formula. If you have 50 kids it is 2 classes of 25, if you have 60 kids, it is 2 classes of 30. All of a sudden exponentially increase just by having 10 more kids in the mix. Now we get to the point of do we have 2 classes of 30 or 3 classes of 20 and staff costs? So 10 kids can sway the difference between having either large class size or the need to add additional staff to balance class size again. So that is the piece that they are watching closely in terms of the enrollment growth as a result of the economic situation in the region, and how long can we, even from a capacity standpoint sustain this. Certainly you know that as the Town Board knows, we have been having a conversation over the past several years about potential of land purchase, potential of planning in case the boom occurs in a way people are anticipating. Planning of having to build new facilities and build something in the Town of Halfmoon has been a sour conversation some years ago prior to him coming to Shen, and he can't take credit for that. In the past several years trying to figure on how do we plan for the next 5 to 7 years out, if the boom occurs as a result of what's happening at Exit 11 or 12.

Dora Michaels asked the next question about the possibility of teachers not getting raises every year so that they would not have to let any teachers go.

Dr. Robinson answered her by stating that the question is salary freezes. Most of the employees in the district are part a Union Bargaining Unit. The Board of Education passed a resolution asking the Bargaining Unit for a salary freeze. All Administrators in the school district are taking a 0% increase for next year. They have a group of secretaries called Management Confidential who work for him and all of the people who work in the confidential part have all decided to take a salary freeze. The other bargaining unit did not take the salary freeze. The reason why we wanted to do it is exactly the same point, because if we have a freeze we would save a sizeable amount of money that could avoid layoffs. While that did not manifest itself in this budget, we will be in negotiations with the Bargaining Unit, and to be quite frank, we have to have those conversations because the thing is we can't solve our problems with out making cuts. It gets to the point where the capacity isn't there to provide anything of quality and the people are still paying good money for it. How do we avoid the diminishing return when you start coming down instead of going up in progress. We will still be aggressively pursuing those things. We have to reduce the cost footprint if you will, of the School District in order to sustain it over time. Recognizing the State aide has been reduced, as he was talking to Mr. Hayner earlier, said that the State aide for next year is the same State aide we got in 2006. So think about that piece of it and how things have change dramatically since 4 years ago. That is the concern we have moving forward. We can sit and blame many things for what is happening, but blame does not help anything. The question is what can we effectively do moving forward. Your suggestion is one that we have on the table all the time, particularly as we negotiate with the different bargaining units over the course of the next several months.

The next person with a question did not identify himself, but asked that with the salary freeze this year, will you make up for it next year? Nothing is free, and will you be making it up somewhere else?

Dr. Robinson says that he understands the persons logic, but the difference in our situations now, is that in the past 2 years, we have actually been cutting people, and people are getting to the point that they would rather have something than nothing. We cannot, from a financial perspective, afford to follow the logic that you just outlined. That is why the groups say ok, we take the 0% this year and next year

you make up for it. There is no make up for it because we are really trying to squeeze our costs and contain them. He said that is why these conversations are so difficult, because some people think that there is some expectation to make up and we cannot afford to make up. The only way you can have make up is if 2 things happen. One, increase in State aide which we do not anticipate, Two if we see a significant increase in property taxes, which we do not anticipate that either.

Same person from the audience again stated that it is not always the dollar sign.

Dr. Robinson stated that the notion of negotiation is always give and take, compromise, and what is affordable. Most of the things we talk about are based on 3 things. First, that the budget will add value to the school district. Second, can we sustain this 3,4,5,10 years down the road. Third, what is the sustainability to the tax base? He stated that 6 years ago, when he first started at Shen, they were seeing a total assessment valuation of 7% increase. This year, we anticipate the total assessment valuation increase of 1%. We see it by the tax structure of the businesses in the region, with people filing to get their property valuation reduced. So if there is an upswing, it minimizes the impact on local residents. Unfortunately, it happens at the same time, State aide reduction and reduction in property valuation. So the impact on residents is more pronounced than not. However in Halfmoon last year, the tax rate for residents was less than 1% because of the equalization rate and some of the things that Halfmoon is doing to make their valuation more marketable than some of the other surrounding municipalities, which was beneficial to the residents last year. He does not know what the equalization rates are going to be come July, but he thinks that they are going to be similar. Those things happen in negotiations, but now we have to squeeze costs. If there are other ways to give people benefits without have a costs implication, yes we will look at those options as well.

Supervisor Wormuth thanked Dr. Robinson for coming.

Dr. Robinson thanked everyone for their time and attention.

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Attorney Murphy asked the Board to indulge her in a resolution. The State of New York changed some of its statutory language with regards to the enforcement of Animal Control issues. It authorizes Dog Control Officers to do some things and Animal Control Officers to do other things, but does not authorizes both to do the same things. Right now we have an Animal Control Officer, and she would ask the Board to pass a resolution, with no increase in pay and no increase in responsibilities, that it become Animal Control/Dog Control Officer, so when tickets are issued nobody will be running afoul with the current statutory scheme.

RESOLUTION NO. 116

Offered by Councilwoman Parker, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Wormuth, Hotaling, Parker, Hayner

RESOLVED, that the Board approves the name of the Animal Control Officer be changed to Animal Control/Dog Control Officer.

Councilwoman Parker stated that she forwarded their choices for the Board of Directors to President Smalley and Peg Newhouse for next year's choice for the Board of Directors.

Councilman Hayner that he is happy to report that this weekend he had the opportunity to drive through the town park two different times. It was great weather first of all, and it was just amazing to see the amount of families using the playground equipment, biking, walking, the baseball games that were going on, so

the family park was very much used this weekend, and he is very happy to report that.

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

DEPARTMENT REPORTS - month of April

1. Town Justice Wormuth

Total cases 322 Total fees Submitted to the Supervisor - \$34,477.50
Filed

2. Building

Total permits 46 Total fees Submitted to the Supervisor - \$9,289.00
Filed

3. Fire Code

Total permits 9 Total fees Submitted to the Supervisor - \$435.00
Filed

4. Senior Express

Total # of Riders 313 Total # of Meals 409
Filed

CORRESPONDENCE

1. Received from Costanzo's Riverside Restaurant, Inc. 405 Hudson River Road, notification of intent to renew their liquor license.
Received & Filed

2. Received from Shenendehowa Central School District their 2011-2012 Budget
Received & Filed

3. Received 2010 Annual Report from the Clifton Park-Halfmoon Public Library.
Received, and copies are in the Town Clerk's office if anyone would like to review it.

4. Received from Town Planning Board resolutions approving the following: sign application for The Pet Lodge, 1868 Route 9, change of tenant at the Rekucki Plaza 1581 Route 9, The Beauty Parlor at Crescent Commons Plaza, 1471 Route 9, and ESP Auto at 1624 Route 9.
Received & Filed

5. Received from Rachelle Hendrick, a letter of resignation from the Assessor's Office, effective May 04, 2011
Received & Filed

6. Received from Sheldon Hills homeowners, a letter to Governor Cuomo for request for immediate installation of a traffic light at Route 146 at Vosburgh Road and Covington Drive at Sheldon Hills.
Received, Filed & Print

7. Received from CAPTAIN, a letter thanking the Highway Department for the donation to Karyl's Kupboard, CAPTAIN'S food pantry. These were donated items that were collected on Halfmoon's Shredding Day.
Received, Filed & copy to the Highway Superintendent.

8. Received from Robert H. Govin, a letter of resignation from the Transfer Station effective May 03, 2011
Received & Filed

OLD BUSINESS

RESOLUTION NO. 117

Offered by Councilman Hotaling, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Wormuth, Hotaling, Parker, Hayner

RESOLVED, that the Town Board awards Water Department bids, opened April 20, 2011 to low bidders, per their submitted bids:

Ferguson Waterworks

<u>MUELLER BRASS</u>		
<u>SIZE</u>	<u>ITEM</u>	
5/8"X3/4"X3/4"	Angle Meter Stop -H-14258	\$22.82
3/4" x 3/4"x1"	Angle Meter Stop -H14258	\$25.22
1"x1"	Angle Meter Stop -H-14258	\$31.26
3/4"	Meter Tail Couplings H-10890	\$ 5.34
1"	Meter Tail Couplings H-10890	\$ 8.21

Ti-Sales

<u>WATER METERS</u>		
	<u>SIZE</u>	
Neptune E-Coder R900i	5/8" x 3/4"	\$203.70
	3/4"	\$247.25
	1"	\$319.75
	1 ½"	\$523.20
	2"	\$711.40
	4" w/Strainer	\$2,476.65/ \$7,709.00
Compound E-Coder R900i	6" w/Strainer	\$4,467.00/ \$11,096.00
	8" w/Strainer	\$7,239.60/ \$14,351.00
	3" w/Strainer	\$3,322.00
	4" w/Strainer	\$4,251.35
	6" w/Strainer	\$7,011.10
	8" w/Strainer	\$7,591.60

Ferguson Waterworks

<u>AMERICAN MADE BRASS FITTINGS</u>		
<u>SIZE</u>	<u>ITEM</u>	
3/4"	Ball Valve	\$ 5.87
1"	Ball Valve	\$ 9.14
1 ½"	Ball Valve	\$20.22
2"	Ball Valve	\$30.93

RESOLUTION NO. 118

Offered by Councilwoman Parker, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Wormuth, Hotaling, Parker, Hayner

RESOLVED, that the Town Board approves and order paid all vouchers for all funds listed on Abstract dated May 04, 2011 totaling \$ 89,640.60

RESOLUTION NO. 119

Offered by Councilman Hotaling, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Wormuth, Hotaling, Parker, Hayner

RESOLVED, that the Town Board approve minutes of Town Board meeting of April 20, 2011 as presented.

RESOLUTION NO. 120

Offered by Councilwoman Parker, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Wormuth, Hotaling, Parker, Hayner

RESOLVED, that the Town Board enters into a Lease agreement between the Town of Halfmoon and the New York State Senate for the years 2010 and 2011, and permitting the Town Supervisor to execute any necessary documents associated with the lease.

RESOLUTION NO. 121

Offered by Councilwoman Parker, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Wormuth, Hotaling, Parker, Hayner

RESOLVED, that the Town Board authorizes Dave Engle to execute the agreement extending the Tolling agreement regarding the Waterford lawsuit filed against the Town of Halfmoon.

RESOLUTION NO. 122

Offered by Councilwoman Parker, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Wormuth, Hotaling, Parker, Hayner

RESOLVED, that the Town Board to amends the Employee Manual to include a Leave Donation Program.

RESOLUTION NO. 123

Offered by Councilman Hotaling, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Wormuth, Hotaling, Parker, Hayner

RESOLVED, that the Town Board to authorizes the Supervisor to sign CDPHP contract pending Town Attorney approval.

RESOLUTION NO. 124

Offered by Councilwoman Parker, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Polak, Hotaling, Parker, 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	\$2,645.89
	Subsidiary: 25-4-2189 Home & Community Services		\$2,645.89
Credit:	Appropriations	25-960	\$2,645.89
	Subsidiary: 25-5-1440.40 Engineering Contractors Inspections		\$2,645.89

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
Plant Road PDD	\$276.00
Arlington Heights Ph II	\$2,369.89
Total	\$2,645.89

The Supervisor opened public privilege for discussion of non-agenda items.

A woman in the audience, who lives on Fellows Road, stated that many people use that road to avoid the intersection. She is concerned that the road will become a speedway.

She is asking for a left arrow on the light to help the traffic flow.

Supervisor Wormuth stated that they could put in a request to the State of New York, because both Route 146 & 236 are State roads and DOT controls the traffic lights. So we can have our engineer and our Planning Office write up a request for that and submit it to New York State DOT.

She also has an issue with a creek on Fellows Road. She states that it rises on the West side of the road, however, on the east side the flow is very much less. She has called the Highway department a few times and they have come to try to rectify it, but it continues to clog back up again.

Supervisor Wormuth stated that they have a Storm Water Management Officer in town that sometimes comes up with creative solutions for something like that. She will have the Highway Superintendent meet with her and take a look at it with her, and maybe can come up with something a little longer term with out getting into any violations with any DEC issues.

Supervisor Wormuth had one more announcement to make. She stated that tomorrow morning at 11:00 am, here in the Lobby, the Town Board along with a local hospital, will be having a Press Release talking about some new medical facilities that are going to locate here in the Town of Halfmoon. If you are able to join us at 11:00, feel free to do so. If not, look for it in the news!

There being no further business to discuss or resolve, on motion by Councilwoman Parker, seconded by Councilman Hayner the meeting was adjourned at 2:35 pm.

Respectfully Submitted,

**Lynda A. Bryan,
Town Clerk**