

**The July 20, 2011 regular meeting of the Town Board of the Town of Halfmoon was called to order by Supervisor Wormuth at 7:02 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  
Regina C. Parker, Councilwoman  
Craig A. Hayner, Councilman  
Lynda A. Bryan, Town Clerk  
Lyn A. Murphy, Town Attorney

Not present: Paul L. Hotaling, Councilman, Matthew J. Chauvin, Deputy Town Attorney

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

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

**Councilman Polak** wanted to remind everyone that Hazardless Waste Day is coming up in September. Applications can be picked up in the Town Clerk's office

**Supervisor Wormuth** had one thing this evening. She said that if you visit our web site and take a look at it, you will notice a letter from the Town Board to all of our town residents. It is also posted on both the front and the back entrance doors to Town Hall, relative to the issue of Colonie looking at leasing the operations portion of the landfill. Although it is in another town and another county, it has the potential of having a significant impact on our community. We encourage any residents to attend both the Public Meetings and the Public Hearings and share their thought process on them. Her office number is on there and will be happy to communicate those messages to them. We will submit, as a Town, a formal letter that we will ask Colonie to respond on the potential impacts of leasing this to a private company. We are very concerned about it. It has a very large impact on our Historical district down along Canal Road. We will continue to be vigilant about this because we are not sure that the impacts on our community are going to be positive impacts. We have already received several phone calls, concerns and e-mails from residents regarding the potential impact on that. She just wanted to make sure everybody's aware that if you have an opinion we would love for you to share it with us, as the impact is going to have the potential to be significant within the community.

Again, it is available on the web site, on the front and back door of Town Hall, and her office will provide any more information that they can. She has attached articles from the newspapers to give people more background history and looks forward for people sharing their opinions with us, as there will be several people at different points interacting with those meetings.

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

#### **DEPARTMENT REPORTS - month of June**

**1. Senior Express Dispatch      Total # Riders – 376      Total # Meals - 469**

#### **CORRESPONDENCE**

**1. Received** from the Town Planning Board resolutions approving the following: Garden Time Shed display commercial site plan approval and sign application, located at 1467 Route 9; change of tenant for Powers Irish Pub, located at 130 Meyers Road, Performance School of the Arts located in the Halfmoon Plaza at 1503 Route 9, Movin Ads/Embroidery & More at 1712 Route 9, and for ACME Vending

LLC at 4 Enterprise Avenue; change of tenant and sign application for Frankie C's Family Pub at 46 Route 146.

*Received & Filed*

2. **Received** from Powers Irish Pub, 130 Meyers Road, a New Application Notice for a liquor license.

*Received, Filed & Print*

3. **Received** from Frankie C's Family Pub, 46 Route 146, a New Application Notice for a liquor license.

*Received, Filed & Print*

4. **Received** from the Crescent Boat Club, Inc. 142 Canal Road, notification of intent to renew their liquor license.

*Received, Filed & Print*

5. **Received** from the Zoning Board of Appeals, approval for Bryah and Randy Gifford to open the former use of the Old Dater Tavern/Old Dublin Inn as a restaurant, Power's Irish Pub.

*Received & Filed*

6. **Received** from Bollam, Sheedy, Torani, & Co. Inc. Town Auditors, financial report for year ending December 31, 2010.

*Received & Filed*

Supervisor Wormuth stated that they have been received and each Board member had already received a copy in their box for review. If there are any questions, please feel free to contact her. If anyone would like a workshop with auditors, they would be happy to do that. If there is a general question that she can answer, please contact her in her office and she would be happy to do that for you. They are not much different than the draft report and nobody had any comments on them. The reports are available in your boxes today.

## **OLD BUSINESS**

### **RESOLUTION NO. 160**

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

**RESOLVED**, that the Town Board authorizes the Cardin Residential PDD a further extension of the September 1, 2011 date by which the construction within the PDD must commence.

**Town Attorney Murphy** asked that a date be given to this, a 1 or 2-year extension. Typically, the Board grants a 1-year extension for a PDD construction period.

**Councilman Hayner** said he would make a motion for a 1-year extension. Councilman Polak seconded the motion.

**Supervisor Wormuth** stated that for those of you joining us in the audience who isn't familiar with this, this is a Planned Development District that was previously approved by this Board with a date when construction was to commence by, and it has not. The applicant has asked for an extension and by action of this Board this evening, we would be extending that planning and the allowing of them to move forward with the plans as presented for another year without having them come before this Board. It is a Local Law that currently exists and this would allow it to be carried out for 1 more year.

## **NEW BUSINESS**

### **RESOLUTION NO. 161**

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

**RESOLVED**, that the Town Board approves and order paid all vouchers for all funds listed on Abstract dated July 20, 2011 totaling \$290,419.53

### **RESOLUTION NO. 162**

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

**RESOLVED**, that the Town Board approves the minutes of Town Board meeting of July 06, 2011 as presented.

**Supervisor Wormuth** stated that she would abstain from voting on those minutes, as she was not at that meeting due to illness.

### **RESOLUTION NO. 163**

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

**RESOLVED**, that the Town Board reappoints John A. Ouimet for the Town of Halfmoon Planning Board effective July 01, 2011.

**Supervisor Wormuth** stated that a resolution was done because John was leaving his job at the State and in order to meet the requirements for retirement, he needed to resign from his positions. It was the Boards prerogative to reappoint him, which is allowed by law, so that is what this resolution is about. His term had not expired on the Planning Board level; it was a merely a matter of keeping in line with New York State retirement.

### **RESOLUTION NO. 164**

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

**RESOLVED**, that the Town Board amends Resolution # 158, dated July 06, 2011, to change the title of James McBride from MEO Grade 5 Step 5 to Building Maintenance Mechanic Grade 5 Step 5.

**Supervisor Wormuth** gave an explanation that this is the title from the County based on the Duty Statement. The Personal Director was on vacation, so the Deputy Personnel Director did this. It doesn't change the salary, and it has no budget impact on our budget based on the last resolution that we did. It is more of a housekeeping issue with the title that best fits the description of the work that Mr. McBride does, so there is no additional budget impact on this that we would be considering tonight. It is just to have the correct title attached with it. As you can see it is the same Grade and the same Step.

### **RESOLUTION NO. 165**

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

**RESOLVED**, that the Town Board appoint provisionally, Kevin Lynch as Court Officer, pending pre-employment testing at Grade 6 Base pay.

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## RESOLUTION NO. 166

vote of the Board: Ayes: Wormuth, Polak, Parker, Hayner

June 2011, as presented.

## RESOLUTION NO. 167

the vote of the Board: Ayes: Wormuth, Polak, Parker, Hayner

**RESOLVED**, to authorize the  
Creation of Appropriations.

accounting procedures as set forth by NYS Department of Audit and Control.

Subsidiary: 25-4-2189 Home &  
Community Services \$76,256.80

Subsidiary: 25-5-1440.40 Engineering  
Contractors Inspections \$76,256.80

on the July Abstract for engineering and related fees:

NAME	AMOUNT
Plant Road PDD	\$276.00
Sheldon Hills Ph III Insp	\$2,578.28
Arlington Heights	\$537.00
Duke's Grove	\$343.50
Gils Garage	\$629.25
Stewarts Shop	\$550.00
Garden Time	\$1,441.50
Rolling Hills	\$69,901.27
Total	\$76,256.80

youths to attend summer camp as follows:

Subsidiary: Community Gift Contributions  
10-4-2705 - \$1,839

**Subsidiary: Character Counts – Contractual**  
10-5-7989.4 - \$1,839

The Supervisor explained the procedure and opened public privilege for discussion of non-agenda items.

There being no further business to discuss or resolve, on motion by Councilman Hayner and seconded by Councilwoman Parker the meeting was adjourned at 7:18 pm.

**Respectfully Submitted,**

**Lynda A. Bryan,  
Town Clerk**