

The July 17, 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 Hayner : Thank you. The Halfmoon Trails Advisory Committee Meeting did not happen this past Monday night, there were a few conflicts. It has been moved to this coming Monday, July 22 at 7:00 PM.

Councilman Polak: The Hazardous Waste Day will be on September 7th at the Clifton Park site on Ray Road from 8 -4. You must register in order to participate. The other item is the Zoning Review Committee will meet here tomorrow night at 7:00 PM.

Supervisor Wormuth: The County Public Health Office, are asking that everyone to please remember and check on any of your elderly people, neighbors, friends and family members who may be more susceptible to the hot weather more than other people. Lots of older folks are on tight budgets, they either do not have air conditioning or it may not want to use it because it cost too much money. So with the extended amount of heat that we have been having to just put out a public health alert and kind of remind all of us to check in on our neighbors or family members.

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

DEPARTMENT REPORTS- Month of June

1. Building

Total # Permits – 130 Total Fees Submitted to the Supervisor - \$41,958.00

2. Fire

Total # Permits – 22 Total Fees Submitted to the Supervisor - \$2,322.00

CORRESPONDENCE

1. Received from the Town Planning Board Resolutions approving the following: Change of Use Application for Bowl New England, Inc. (Spare Time Bowl) located at 1668 Route 9, for an In-Home Occupation, Shear Styl,n, located at 9 Marcel Road, for SMJ International/Sprint for Site Plan Approval for replacement of equipment/Co-Location at the existing telecommunications facility, located at 7 Vosburgh Road, and regarding a revision to the Sheldon Hills Phase III Planned Development District Site Plan.

Received & Filed

2. Received from Halfmoon Diner the Corporate Change for their liquor license.

Received, Filed & Print

3. **Received** from Jill Chapman, a letter about her concerns about the traffic on Pawling Ave, Mechanicville and the possibility of a 4 way stop sign or speed bumps.
Received, Filed & Copy Councilman Polak & the Highway Superintendent

4. **Received** from Richard J. King, a thank you card to the Halfmoon Senior Express for the great service.
Received, Filed, Print & Copy to the Highway Superintendent who does a wonderful job with that program.

5. **Received** from the State of New York, Department of State, notification of receipt and filing of Local Law # 2-2013 amending the zoning ordinance of the Town of Halfmoon Local Law # 5- 1995 & the map & official regulations relating to zoning as codified in the Code of the Town of Halfmoon & added to Chapter 155 of said code creating a Planned Development District known as “Halfmoon Healthcare & Assisted Living/Memory Care Campus”.

Received, Filed , Print & Copies available in the Clerk’s Office

NEW BUSINESS

RESOLUTION NO. 175

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 1517 through 1628 as detailed.

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

10 GENERAL FUND	\$47,068.98
20 HIGHWAY FUND	\$243,541.48
25 SPECIAL REVENUE	\$907.50
30 CONSOLIDATED WATER	\$17,147.58
35 MISC. CAPITAL FUNDS	
40 LANDFILL POST CLOSURE	
50 CHURCHILL SEWER	
65 LIGHTING DISTRICT	\$414.73
70 WATER DISTRICT #1	\$11,358.18

ABSTRACT TOTAL: \$320,438.45

RESOLUTION NO. 176

Offered by Councilman Wasielewski, seconded by Councilman Hayner: 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, July 3, 2013 as presented.

RESOLUTION NO. 177

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 approves the June 2013 Water Report for water usage as submitted by the Director of Water.

RESOLUTION NO. 178

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 accept the Town of Halfmoon's share of 2014 sales tax revenue in cash from Saratoga County Real Property Tax Services.

RESOLUTION NO. 179

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

RESOLVED, that the Town Board authorizes closing Route 236 from Guideboard Road to New Country on September 21, for the Fall Festival & 225 Celebration Parade, and the Highway & Park's Departments to assist the Celebration Committee. The Parade will begin at 1:00 PM, at Knoxwoods and go the Town Park where the festivities will continue until 5:00 PM.

RESOLUTION NO. 180

Offered by Councilman Polak, seconded by Councilman Hayner: 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 June, 2013.

RESOLUTION NO. 181

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

RESOLVED, that the Town Board allows the Supervisor to apply for credit at Lusco Paper Company for maintenance supplies.

RESOLUTION NO. 182

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

RESOLVED, that the Town Board authorizes the renewal of Mobile Home Park licenses for the 2013-2014 licensing year per inspection and approval of the Director of Code Enforcement as follows: Crescent City Mobile Home Park, Rome Mobile Home Park and Halfmoon Mobile Home Park.

RESOLUTION NO. 183

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

RESOLVED, that the Town Board authorize the Town membership to the American Planning Association for the annual rate of \$370.00.

RESOLUTION NO. 184

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

Whereas, New York State administers the 2013 Consolidated Funding Application Process for the purpose obtaining grant applications for a variety of purpose, and Whereas, the Town of Halfmoon seeks to construct a segment of the Erie Canal Towpath Trail in collaboration with the Town of Clifton Park,

Therefore Be It Resolved, that the Town Supervisor is hereby authorized and directed by the Halfmoon Town Board to file an application for the 2013 Consolidated Funding Application Process for the Erie Canal Towpath, and upon approval of said request to enter into and execute a project agreement and all other necessary documents with the appropriate State agencies.

RESOLUTION NO. 185

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 Elan Planning and Design for Phase II of the Connecting Trail Project, in the amount not to exceed, \$41,600.

RESOLUTION NO. 186

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

Whereas, the Local Technical Assistance Program (LTAP) has been the outreach program of the Cornell Local Roads Program since the 1930's, and Whereas, the LTAP has met the training and education needs of Highway Superintendents through workshops, seminars, institutes, training videos, books, newsletters and via electronic media, and an annual Highway Superintendents school, and

Whereas, the LTAP has met the training and education needs of Highway Superintendents in an efficient and cost effective means, and

Whereas, the training and education needs of Highway Superintendents are likely to increase because of engineering and technology innovations effecting highways, and

Whereas, the training and education needs of Highway Superintendents are likely to increase because of the forecast replacement needs of retiring Highway Superintendents, and

Whereas, the College of Agriculture and Life Sciences at Cornell University has decided to terminate the LTAP effective September 30, 2014,

Therefore Be It Resolved, that the Town Board of the Town of Halfmoon urges the Dean of the College of Agriculture and Life Sciences and Cornell University to reconsider their decision to terminate the Local Technical Assistance Program.

Supervisor Wormuth: The County also sent a letter in support of this resolution.

RESOLUTION NO. 187

Offered by Councilman Wasielewski, seconded by Councilman Hayner: 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
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	\$907.50
	Subsidiary: 25-4-2189 Home & Community Services	\$907.50

Credit:	Appropriations	25-960	\$907.50
	Subsidiary:	25-5-1440.40 Engineering	
		Contractors Inspections	\$907.50

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

NAME	AMOUNT
Windsor Woods	\$472.50
Howland Park PDD	\$435.00
Total	\$907.50

A resolution is necessary to close out the Eco-Docks Grant in the amount of \$32,000. All monies have been expended, the remainder of left over monies will be returned to the General Fund.

Debit: Appropriations 35-960 \$32,000
Subsidiary: 35-5-7150.24 - \$32,000
Culture & Recreational Parks

Credit:	Estimated Revenue	35-510	\$32,000
	Subsidiary:	35-4-5031 - \$8,000	
		Interfund Transfers	
		35-4-4889 - \$24,000	
		Culture & Recreation Capital Grants	

A resolution is necessary to close out the Hudson River Valley Greenway Water Trail Grant Program in the amount of \$35,000. All monies have been expended.

Debit: Appropriations 35-960 \$35,000
Subsidiary: 35-5-7150.21 - \$35,000
Culture & Recreational Parks

Credit:	Estimated Revenue	35-510	\$35,000
	Subsidiary: 35-4-4889 - \$35,000		
	Culture & Recreation Capital Grants		

PUBLIC PRIVILEGE (for discussion of non-agenda items)

Larry Koniowka, 15 New Castle Road: I was wondering if the town was aware that in our neighborhood of Northwood Development, that there is a State run Elderly Home, Elderly Special Needs Care, that is being turned into a troubled home for teens, in a development that has a lot of kids and a lot of elderly Senior Citizens in there, not to mention, a lot of families. They moved in one troubled teen already and the police have already been there a few times. We don't know anything about this. There was a rumor going around the neighborhood that it might happen, and then all of a sudden now it is happening. We don't know anything about these kids, what their troubles are, we support helping troubled teens, but in a neighborhood like we've had, we've had no trouble at all with the elderly special needs people there. They were great! Buses would come and take them here and there, but now I've had multiple people come up to me and ask me if I knew anything about it and if I could address it, because they know that I come here on a regular basis.

Supervisor Wormuth: I would like to ask Councilman Hotaling and Councilman Polak if they have seen anything come before

Councilman Polak: There haven't been any changes of uses that I am aware of.

Supervisor Wormuth: Larry, do you have the address?

Larry Koniowka: 6 Cambridge Lane

Supervisor Wormuth: We will look into it and see which State Agencies are licensing and see if there is any authorization that the town has to do and we will get you an answer.

Larry Koniowka: OK, thank you.

Supervisor Wormuth: If you want to call my office early next week, we will have looked into it by then and try to figure it out. We will have an answer for you by the next Town Board Meeting.

Larry Koniowka: Thank you very much. The second thing that I have is a few months ago I spoke here about the scheduling of public hearings. They always seem to be at the following meeting and the minutes for that public hearing are always voted on that day of the public hearing, where the public does not have a chance to review the minutes. Is there any way that we can at least push it out a second week or after the minutes are actually posted so that people could review the minutes and prepare themselves for the public hearing, because they seem to be voted on that day and no one really gets a chance to see them.

Attorney Murphy: This issue has actually come up in the Zoning Committee meetings, and we are having one tomorrow, as far as trying to more effectively make sure the public has the notice it needs and the information it needs. So we are looking into exactly that. We will be addressing that issue tomorrow.

Larry Koniowka: Very good, thank you very much.

Supervisor Wormuth: The other thing that took a little bit to catch up is to stretch out when applicants to apply and actually appear on the agenda in order to get more public notice out.

Larry Koniowka: Thank you

Deanna Stephenson, 7 Cindy Lane: I am sorry that I am piecing these questions about zoning, but every time that I walk away, I have more questions.

What I heard tonight in the pre meeting prompted another question. There is no budget for the Zoning Review Committee at this point, correct?

Councilman Polak: Correct

Deanna Stephenson: OK, so

Supervisor Wormuth: We have money left in our General Engineering fund, which is a budget line item. We also have money left in the Planning Department based on vacancies that we can have which is why the Board looked at taking it on now and not putting it off or having to amend the budget at this point. We still have contingency in our budget as well. So well there is not a specific line item for that in the 2013 budget, if we hadn't taken that on yet, there is money available to pay for the work that we are doing now.

Deanna Stephenson: Ok, so that goes to my next question. Would CHA, are they doing any pro bono, or are they being paid, what I heard tonight, I think that they are being paid for any work that they are doing for this correct?

Supervisor Wormuth: We pay them for any engineering work that

Deanna Stephenson: Alright, no pro bono?

Supervisor Wormuth: No

Deanna Stephenson: OK, and my other question, and I just want to understand, when I read, Councilman Polak, you are a voting member of this committee?

Councilman Polak: Yes

Deanna Stephenson: OK, I am just throwing it out there, even though you are a Councilman, you are on the committee, as I put forth, would it have been better maybe to have one of the people that you have as the non-voting members to be a voting member rather than yourself only because, I'm just throwing it out there

Councilman Polak: That is the way that we have done it in the past that is why I continue that procedure.

Deanna Stephenson: OK,

Attorney Murphy: So that you are aware, most of the State Statuary Boards that are set up with require there to be a voting member of the Town Board as a voting member, so it's just kind of in accordance with what is established per state law.

Deanna Stephenson: OK, I was just looking at how this might, OK thanks.

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 7:18 pm.

Respectfully Submitted,

Lynda A. Bryan, Town Clerk