

The June 16, 2010 regular meeting of the Town Board of the Town of Halfmoon was called to order at 7:00 pm by Supervisor Wormuth in the A. James Bold Meeting Room at the New Town Hall, 2 Halfmoon Town Plaza, with the following members present:

Melinda A. Wormuth, Supervisor  
Walter F. Polak, Councilman  
Regina C. Parker, Councilwoman  
Paul L. Hotaling, Councilman  
Craig A. Hayner, Councilman  
Mary J. Pearson, Town Clerk  
Matthew J. Chauvin, Deputy Town Attorney

Not Present - Lyn A. Murphy, Town Attorney

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

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

Councilman Polak reported before we get into the summer season he wants to give recognition to the parks and rec staff, our maintenance crew and the highway department for all the things they did at our park to get it ready for the kids to play. He stated everybody chipped in and everybody had a little part and they are still doing some work on the scoreboards, but this is an extra thank you to all those guys who did a little extra to make it ready for the kids.

He stated he had the opportunity a couple of weeks ago to take a tour with John Pingelski on some of the work going on in the town; the lowering of Button Road by taking the hill down to make the site distance a lot better, the milling on the Crossing's Road, Stone Quarry Road, and what he's done along Lower Newtown, not only the milling and the paving but also widening the shoulders and the slopes to give drivers a little extra protection while they are driving down those roads. He stated he wanted to bring the Board up to speed on everything going on and if they get a chance they should visit those sites and they will see massive improvements by the highway department.

Councilman Hotaling reported the new Recreation Director, Amanda Smith, in addition to Jim McBride and Harold Robbins from the building department, and with help from our Highway department have set up a new swing set in the Town park and he thanks everyone for that.

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

### **DEPARTMENT REPORTS – month of May**

#### **1. Town Clerk**

Total fees remitted to the Supervisor - \$6,162.71

*Filed.*

#### **2. Town Justice Tollisen**

Total cases - 729 Total fees remitted to the Supervisor - \$40,665

*Filed.*

### **CORRESPONDENCE**

1. Received from Bollam, Sheedy, Torani & Co. Inc., Town Auditors, financial report for year ending December 31, 2009.

*Print & copied to all Board members.*

2. Received from State of New York Department of State notification of receipt and filing of Local Law #1-2010, Falcon Trace of Halfmoon.

*Received & Filed.*

### **NEW BUSINESS**

#### **RESOLUTION NO. 127**

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

RESOLVED, that the Town Board approves and orders paid all vouchers for all funds listed on Abstract dated June 16, 2010, totaling: \$604,665.28.

RESOLUTION NO. 128

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

RESOLVED, that the Town Board approves the Supervisor's Report for month of May 2010 as presented.

RESOLUTION NO. 129

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

RESOLVED, that the Town Board approves minutes of Town Board meeting of May 19<sup>th</sup>, 2010 as presented by the Town Clerk.

RESOLUTION NO. 130

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

RESOLVED, that the Town Board provide Mohawk Towpath Scenic Byway Coalition with financial support in the amount of \$550.00 for 2010

Supervisor Wormuth stated, relative to the next item that, this money was previously allocated when they agreed to take money out of the rec funds for the paving and improvements to the park and was done as a change order through the contractor who was already on site. She stated the fields and the park are beautiful and wonderful and they are glad to be there.

RESOLUTION NO. 131

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

RESOLVED, that the Town Board approves Kingsley Arms Inc. change order for the New Town Park for: 2 dugouts for field #2 in the amount of \$8,947, 2 dugouts for field #3 in the amount of \$7,456; 2 dugouts for field #6 in the amount of \$5,964 for total amount of \$22,367.

## RESOLUTION NO. 132

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

**WHEREAS**, the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) administers the Historic Property Preservation Grant Program, and

**WHEREAS**, grant funding is available for fiscal year 2010-2011 for preservation and conservation work on nationally significant historic properties, and

**WHEREAS**, the Town of Halfmoon seeks to preserve the historic structures of the Champlain Canal, including the stone arched culvert and wastewater weir at McDonald Creek and Old Lock 7,

**THEREFORE BE IT RESOLVED**, the Town of Board authorizes the Supervisor to apply for a Historic Property Preservation Program grant in the amount of \$200,000 to preserve the historic structures of the Champlain Canal including the stone arched culvert and waste water weir at McDonald Creek and Old Lock 7, and be it further

**RESOLVED**, that Melinda A. Wormuth as Supervisor of the Town of Halfmoon is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$200,000 and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Halfmoon for preservation and conservation work to preserve the historic structures of the Champlain Canal, including the stone arch culvert and waster water weir at McDonald Creek and Old Lock 7.

Supervisor Wormuth stated elative to the next item, that this request was received from several of the residents up there concerned about truck traffic, the speed and the condition of the road. She stated they realized the Town highway department has done as much as they can with it but feel with the amount of traffic and speed is unsafe.

## RESOLUTION NO. 133

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

**RESOLVED**, that the Town Board requests that a speed limit study be performed on Tabor Road and Cary Road in the Town of Halfmoon.

## RESOLUTION NO. 134

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

**RESOLVED**, that the Town Board authorizes renewal of the following Mobile Home Park Licenses for the 2010-2011 licensing year, per inspection and approval of the Code Enforcement Office: Martindale Court; Halfmoon Mobile Home Park; Crescent City Mobile Home Park; Midway Community; Springbrook Community; Robert Hollner, 10 Smith Road; Gregoire Mobile Home Park; Arrowhead Mobile Home Park; Rome Mobile Home Park.

Supervisor Wormuth thanked the Code Enforcement office who work very hard on these every year and visit each to make sure they are meeting all of the requirements and making these communities as wonderful as they are and appreciates their hard work on everything.

## RESOLUTION NO. 135

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

**RESOLVED**, that the Town Board approves proposal from Clough Harbour & Associates for wetland mitigation monitoring at the Town Family Park in the amount not to exceed \$49,000 over 5-year monitoring period, per review and approval of the Town Attorney.

The Supervisor stated, relative to this proposal, it is a requirement of the Army Corp of Engineers permitting process and by law we are required to have this monitoring done.

#### RESOLUTION NO. 136

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

RESOLVED, that the Town Board set a public hearing for July 7, 2010 at 7:00 pm for the Fellows Road abandonment and realignment.

Supervisor Wormuth stated, relative to the next resolution, one of the things we will do from this point forward is look to partner with the Shenendehowa School District, who in most of these cases, are the ones that either benefit from or would be harmed by these reductions. She stated the Towns position would be that the school district should be actively involved in looking at these reductions because with no Town tax it doesn't really affect the Town tax base but it certainly has an impact on the school district. She stated on behalf of the Town Board she will be reaching out to Dr. Robinson in discussing with him about them taking a more active financially responsible role in securing some of the agreements.

#### RESOLUTION NO. 137

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

11. Resolution authorizing the Town Board to enter into a Stipulation Agreement with Solar Associates Inc. and J. Eric King,

#### RESOLUTION NO. 138

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

RESOLVED, that the Town Board authorizes the Supervisor to make the following 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 \$28,835.53  
Subsidiary: 25-4-2189 Home & Community Services \$28,835.53  
Credit: Appropriations 25-960 \$28,835.53  
Subsidiary: 25-5-1440.40 Engineering Contractors Inspections \$28,835.53

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

NAME	AMOUNT
Halfmoon Village/Yacht Club	\$21,416.03
Arlington Heights	680.50
Fred the Butcher	1,360.00
Tanski Mixed Use	1,052.00
Youth for Christ	260.00
Sheldon Hills	536.00
Stone Crest Preserve Insp	3,132.00
Rolling Hills Insp	399.00
TOTAL	\$28,835.53

Transfers between Appropriations:

From Account	To Account	Amount	Reason
10-5-1990.40 Contingency	10-5-1356.10 Board of Assessment Review- Personal Services	\$3,200	Additional appropriations needed to cover assessment review payroll for 2010
30-5-8320.41 Source of Supply, Power & Pumping Electric	30-5-8310.42 Administration Contractual Legal Fees	\$11,000	Transfer of appropriations needed to cover legal fees for water administration

The Supervisor opened public privilege for discussion of non-agenda items; no one had questions or comments.

There being no further business on motion by Councilwoman Parker seconded by Councilman Hotaling the meeting was adjourned at 7:10 pm.

Respectfully submitted,

Mary J. Pearson  
Town Clerk

