

The December 15th, 2010 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 in 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
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.

At 7:04 pm the Supervisor opened the Public Hearing for Dog Licensing. She asked the Town Attorney to go through what is entailed with the changes.

Attorney Murphy said the State has taken itself out of the business of issuing Dog Licenses and made it the burden of the municipalities to take on the licensing procedures. She stated functionally the Towns and municipalities have always done that but then everything was shifted to the State and at this time everything will be maintained by the municipality with some various notifications. She stated as part of the increase in the responsibilities and filing the Town has decided to increase the fees: from \$2.50 per dog for a senior citizen to register and will be \$4.00 now; it was \$5.00 per dog for non-seniors and is now going to be \$8.00 and there will be a surcharge of \$1.00 for every dog that is neutered and a surcharge of \$7.00 if the dog to be licensed is not neutered. She stated from the public's perspective nothing will change its just the entity that handles the paperwork and processing all of the documentation that will change.

Councilwoman Parker asked if the surcharges stay here or go to the County and asked if most of the money is staying here or are we still going to send money to the State or County.

Attorney Murphy stated the surcharges she is speaking about are staying in the Town of Halfmoon. She stated the County receives no funds, the State has some minimal fees but it doesn't affect or impact any of the numbers.

There being no further comments the Supervisor closed the public hearing at 7:08 pm.

RESOLUTION NO. 241

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

RESOLVED, that the Town Board approves Local Law No. 4-2010 as follows:

LOCAL LAW NO. 4 OF THE YEAR 2010

A Local Law to provide for an amendment to Section 56-5 regarding Dog licensing fees. The purpose for this local law is to provide for the licensing and identification of dogs, the control and protection of the dog population and the protection of persons, property, domestic animals and deer from dog attack and damage.

BE IT ENACTED by the Town Board of the Town of Halfmoon, County of Saratoga and State of New York as follows:

Section 56-5(A): All dogs within the Town of Halfmoon four (4) months of age or older, unless otherwise exempted shall be licensed. The owner of a dog shall obtain a dog license together with the license application fee, any applicable license surcharges, and such additional fees as may be established by the Town of Halfmoon. Each license application shall be accompanied by proof that the dog has been vaccinated against rabies or a statement from a licensed veterinarian that such vaccination would endanger the dog's life. If said proof is provided, the rabies vaccination will not be required as a condition precedent to obtaining a license. Each license issued will be valid for a period of one year and shall not be transferable.

Section 56-5(B): exempts guide dogs, hearing dogs service dogs etc. from licensing fee and shall remain the same. Still have to get license with proof of rabies shots but no fee.

Section 56-5(C): An additional five-dollar surcharge shall be assessed on all dogs that are identified for licensing during the enumeration process. This fee shall be collected at the time of licensing and is in addition to the fees detailed herein. This additional fee may be waived by the Town Clerk or his/her designee if the owner of the dog provides a valid license from a different community and the dog moved into the Town of Halfmoon within the

previous six months. The Town Clerk or his/her designee shall maintain copies of the previous license and proof of relocation whenever the fee is waived in accordance with this provision. These records shall be maintained for a period of five years from the date of the issuance of the new license

Section 56-5(D): The Town of Halfmoon hereby authorizes the Saratoga County Animal Shelter to provide, accept and grant an application for a dog license made by a resident of the Town of Halfmoon at the time of the adoption of a dog from the Saratoga County Animal Shelter provided that such application is made in accordance with section 56-5(A) of this local law and the license fee, any additional fee, and surcharge shall be remitted to the Town Clerk of the Town of Halfmoon on or before the third day of the month following the month in which the licensing fee and additional fee and surcharge was received.

Section 56-5(E): The base fee for obtaining a dog license in the Town of Halfmoon is \$4.00 per dog for senior citizens and \$8.00 per dog for non-seniors. In addition to the base fee, each applicant for a dog license shall pay a surcharge of \$1.00 if the dog to be licensed is altered or \$7.00 if the dog to be licensed is unaltered. In addition to the license base fee, each applicant for a dog license shall pay a surcharge of \$1.00, which shall be retained by the Town of Halfmoon and used to defray the cost of an enumeration of dogs living in the Town of Halfmoon and the cost of providing replacement identification tags.

The license fee enacted herein shall not apply to any guide dog, hearing dog, service dog or police work dog.

The Town of Halfmoon will not be issuing Purebred or Kennel Licenses; all dogs will be licensed individually as per the fee system stated above.

Section 56-5 (G):

The owner of any dog impounded by the Town of Halfmoon shall be entitled to redeem that dog within five (5) business days from the day the dog was impounded, excluding the day the dog was impounded, provided that the owner produces proof that the dog was licensed and identified. A fee of \$15.00 must be paid to secure the release of a dog after the first impoundment. A fee of \$30.00 must be paid to secure the release of a dog after the second impoundment. A fee of \$45.00 must be paid to secure the release of a dog after the third or any subsequent impoundment.

Section 56-11: Seizure, Impoundment, Redemption and Adoption.

(a) A dog may be seized, pursuant to the provisions in section 117 of the Agricultural and Markets Act for violation of this local law.

(b) Every dog seized shall be properly cared for, sheltered, fed and watered pursuant to Section 117 of the Agricultural and Markets Act for a redemption period of not less than five days.

(c) Seized dogs may be redeemed by producing proof of licensing and identification pursuant to the provisions of Article 7 of the Agriculture and Markets Law and by paying the impoundment fees set forth in section 117 of said Article.

(d) If the owner of any unredeemed dog is known, such owner shall be required to pay the impoundment fees set forth in subdivision 56-5(F) of this section whether or not such owner chooses to redeem his or her dog.

(e) Any dog unredeemed at the expiration of the appropriate redemption period, shall be made available for adoption or euthanized pursuant to the provisions of Section 117 of the Agriculture and Markets Law.

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Councilman Polak reported the transfer station will be closed on Saturday’s for Christmas and New Year’s Day and will be open the regular days of operation.

Councilwoman Parker thanked Justice Tollisen for a job well done with his Tree Lighting committee and, he forwarded a letter from Mr. Scott Brennan and it was nice to hear from a Town resident about how memorable and thoughtful the event was for he and his elderly mother.

Supervisor Wormuth stated the tree lighting ceremony is something that they hear accolades about every year and is a big part of our community. She thanked Judge Tollisen and Deputy Supervisor Polak for covering her absence at that event

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

DEPARTMENT REPORTS – month of November 2010

1. Building

Total permits -	61	Total fees remitted to the Supervisor -	\$16,487
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Filed.

2. Fire Code

Total permits -	31	Total fees remitted to the Supervisor -	\$ 1,296
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Filed.

3. Town Justice Tollisen

Total cases - 281 Total fees remitted to the Supervisor - \$32,510.75
Filed.

4. Town Clerk Total fees remitted to the Supervisor - \$ 4,371.37
Filed.

NEW BUSINESS

RESOLUTION NO. 242

Offered by Councilman Hotaling, seconded by Councilwoman Parker: Adopted 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 December 15th, 2010, totaling \$110,680.82.

RESOLUTION NO. 243

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

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

RESOLUTION NO. 244

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

RESOLVED, that the Town Board approves minutes of the Town Board meeting of December 1st, 2010 as presented.

RESOLUTION NO. 245

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

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation has awarded a \$200,000 Environmental Protection Fund grant to the Town of Halfmoon for the preservation of the McDonald Creek Culvert and Weir on the Historic Champlain Canal,

THEREFORE BE IT RESOLVED, that the Town Board authorizes the Supervisor to solicit Requests For Qualifications from engineering firms for design and engineering services for the preservation of the McDonald Creek Culvert to be received by 2:00 pm on January 14, 2011.

RESOLUTION NO. 246

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

RESOLVED, that the Town Board authorizes the Town to approve the amendment to the Town of Halfmoon Benefit Conversion Plan, per the review and approval of the Town Attorney.

RESOLUTION NO. 247

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

RESOLVED, that the Town Board appoints Rachelle Hendrick, full-time Clerk, Grade 1 Step Base, effective January 3, 2011.

RESOLUTION NO. 248

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

RESOLVED, that the Town Board authorizes entering into lease agreement with Shenendehowa Central School for leasing of busses for the Learn to Ski program beginning January 8, 2011 through February 12 and extended through February 26, 2011 if cancellation necessary due to weather; pending contract review by the Town Attorney.

RESOLUTION NO. 249

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

RESOLVED, that the Town Board authorizes the Highway Superintendent to purchase per Saratoga County Contract one new unused Elgin Whirlwind MV Vacuum Sweeper to be mounted on current Freightliner Sweeper chassis from Wm. H. Clark Municipal Equipment, Inc. in the total installed amount of \$134,925.00.

Councilman Polak stated that a brand new sweeper to replace the Town’s would cost roughly \$200,000+ dollars so this is a considerable savings reusing the chassis, body and mechanisms.

Supervisor Wormuth stated she appreciates all the work that went into researching this and with the necessary mandates that are placed on us from both the Federal and State government, this is a piece of equipment that the Town cannot go without. She stated the one we have currently is not functioning in a manner that would allow us to meet our requirements for those and appreciates the work that went into this and the cost savings by using the chassis.

Councilman Polak stated he was told by Mr. Pingelski that we need to purchase this at this point of the season in order to get everything and rebuilt by spring when we need it.

Attorney Murphy stated this item will be paid for from the budget for next year.

RESOLUTION NO. 250

Offered by Councilwoman Parker, seconded by Councilman Hotaling: Adopted by vote of the Board: Ayes: Wormuth, Polak, Parker, Hotaling, 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	\$7,135.74
	Subsidiary:	25-4-2189 Home & Community Services	\$7,135.74
Credit:	Appropriations	25-960	\$7,135.74
	Subsidiary:	25-5-1440.40 Engineering Contractors Inspections	\$7,135.74

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

NAME	AMOUNT
Youth for Christ Rec Center	\$134.00
Summit Hills	107.00
Summit Hills	145.50
Arlington Heights	157.00
Fred the Butcher	134.00
Inglewood PDD	264.00
Plant Road PDD	291.00
Brookwood Place	2,790.00
Adams Point PDD	3,113.24
Total	\$7,135.74

A resolution is necessary to close out the Historical Building Capital Project in the amount of \$75,000. All monies have been received and expended. Money left over will be returned to the General Fund.

Debit:	Appropriations	35-960	\$75,000
	Subsidiary: Buildings	35-5-1620.20 -	\$75,000
Credit:	Estimated Revenues	35-510	\$75,000
	Subsidiary: Interfund Transfers	35-4-5031 -	\$75,000

Transfers between Appropriations:

From Account	To Account	Amount	Reason
30-5-8320.20 Source of Supply, Power &	30-5-8310.40 Administration	\$15,000	Transfer of appropriations within own budget to cover expense to Hawk Drilling for

Pumping Equipment	Contractual		Decommissioning of the Hoffman and Twin Lakes well field
30-5-9060.80 Employee Benefits Medical Ins.	30-5-8340.40 Transmission & Distribution Contractual	\$20,000	Transfer of appropriations within own budget to cover expenses thru year end
10-5-1990.40 Contingency	10-5-1410.40 Town Clerk Contractual	\$150	Additional appropriations needed to cover expenses thru year end
10-5-1440.40 Engineer-Regular	10-5-5010.40 Supt. Of Highways Contractual	\$450	Additional appropriations needed to cover expenses thru year end
10-5-1440.40 Engineer-Regular	10-5-3610.40 Code Enforcement Contractual	\$900	Additional appropriations needed to cover expenses thru year end
10-5-1440.40 Engineer-Regular	10-5-7110.40 Parks Contractual	\$500	Additional appropriations needed to cover expenses thru year end

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

On motion by Supervisor Wormuth, seconded by Councilwoman Parker the Board entered into Executive Session to discuss a personnel issue. She stated when they come out they will report on any action taken.

On motion by Councilwoman Parker seconded by Councilman Hayner the Board closed the Executive Session and the Supervisor reported that no action was taken.

Councilman Polak wished everyone a happy holiday.

There being no further business, on motion by Councilwoman Parker seconded by Councilman Hayner the meeting was adjourned to December 29th at 3:00 pm for end of year business.

Respectfully submitted,

Mary J. Pearson
Town Clerk

