

The April 3, 2013 Regular meeting was called to order at 7:00 pm by Deputy Supervisor Polak in the A. James Bold Meeting Room at the New Town Hall with the following members present:

Walter F. Polak, Deputy Supervisor
Paul L. Hotaling, Councilman
Craig A. Hayner, Councilman
John P. Wasielewski, Councilman
Lyn A. Murphy, Town Attorney
Lynda A. Bryan, Town Clerk

Supervisor Wormuth - Excused
Deputy Attorney Chauvin - Excused

The Deputy Supervisor opened the meeting at 7:00 pm and led the Pledge of Allegiance

PROCLAMATION: JOPSEPH SANTIAGO

Councilman Wasielewski: Joe, it is our honor to pay homage to you tonight for the service that you have given to our country. We have a Proclamation from the Town Board in honor and recognition of what you have done for all of us. I would just like to take a minute to read the following proclamation:

TOWN OF HALFMOON TOWN BOARD RESOLUTION

WHEREAS, Joseph P. Santiago is a Captain in the United States Army reserves serving with the 624th Forward Surgical Team based out of Erie, Pennsylvania; and

WHEREAS, Joseph P. Santiago was deployed to Eastern Afghanistan in September 2012 and returned home with the assistance and support of his unit in March 2013 to be present for the birth of his son; and

WHEREAS, Joseph P. Santiago served as the Chief Nurse of a twenty person unit including nurses, anesthesiologists, surgeons, medics, technicians, and command staff while being subjected to the realities of war including the fact that his location was under fire on a daily basis; and

WHEREAS, Joseph P. Santiago has served in the Army Reserves for ten years; and

WHEREAS, Joseph P. Santiago also serves the community through his full time position as Chief Executive Officer & Director of EMS for the Clifton Park Halfmoon Ambulance Corp.; and

WHEREAS, the Town of Halfmoon is honored to recognize the service and sacrifices made by Joseph P. Santiago, his family, and all those who serve our country and give of themselves to insure our freedom; and

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Town Board of the Town of Halfmoon records and expresses deep appreciation for Joseph P. Santiago's contribution to the Town of Halfmoon and the United States of America, especially his service to our country.

2. That a certified copy of this Resolution will be entered into the Town records proclaiming the Town of Halfmoon's recognition of Joseph P. Santiago.

DATED: APRIL 3, 2013

Mindy A. Wormuth, Supervisor
Town of Halfmoon

Councilman Wasielewski: Joe, thank you very much.

Deputy Supervisor Polak: Joe, certainly this Board and all of the members of our community appreciate not only what you have done for our country, but what you have done to serve our community.

RESOLUTION NO. 102

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 recognizes Joseph P. Santiago for his contribution to the Town of Halfmoon and the United States of America, especially his service to our country.

PROCLAMATION: MC TEACHER’S NIGHT

Clerk Bryan: read the following proclamation:

**Recognizing the 6th Annual
Capital Region McTeacher’s Night**

- Whereas McTeacher’s Night launched in the Capital Region in 2008, and has since become an important and successful annual fundraising event, the proceeds of which directly benefit school in our community; and
- Whereas Increased strain and demand on education budgets has made this event all the more integral in 2013, and McDonalds restaurants are committed to increasing funds raised in this, the sixth year of the event since its inception in the region; and
- Whereas Local students and teachers are invited to precipitate on the night of the event, April 16, 2013 and twenty percent of the profits from the evenings sales are divided and given to schools to use at their need-based discretion; and
- Whereas The impact of this fundraiser will affect over 25,000 students in our Region by providing crucial funding to educational programs and joining together teachers, students and people in the community for an unforgettable evening; I do hearby
- Proclaim The sixth Annual McTeacher’s night will be recognized for the positive contribution to our local schools over the last six years and the future and growth of this important fundraising event will be celebrated.

Deputy Supervisor Polak: Thank you

RESOLUTION NO. 103

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 recognizes McTeacher’s Night for the positive contribution to our local schools over the last six years.

PRESENTATION: HALFMOON’S 225th ANNIVERSARY

Deputy Supervisor Polak: I heard this presentation at the Halfmoon Historical Society meeting a week ago. I would like everyone to just pay a little extra attention. There is a lot of extra history and things to learn about our community and also some of the events that will be coming up.

Clerk Bryan: read the following presentation:

On March 7th, 1788, NYS Legislature created the 4 parent towns of Half Moon, Balls Town, Saraghtoga and Stillwater, of what was then Albany County. It would not be for another 3 years in 1790 that we became Saratoga County.

Each of these 4 towns is unique in their own history, story, and celebrations. Halfmoon's boundaries went through many transformations

- 1816- Wfd separated from Halfmoon
- 1816-20 Halfmoon was briefly named the Town of Orange
- 1828- Clifton Park separated from Halfmoon
- It wasn't until 1910 that Mech separated from Halfmoon

One can only imagine the size of Halfmoon before the 3 towns separated from it!

On the first day of April in 1788, the newly formed Town of Halfmoon, held its first Town Meeting in the house of Cornelius C. VanDenBerg for the purpose of electing officers. The books that contain the minutes to this first meeting survived the Great Fire of 1853 where most of our records were destroyed. The bindings of these books were charred & were ordered rebound in 1959 by the Town Supervisor, Ellis Smith. We are honored to be able to display copies of the minutes that name the Officers that molded our town Gov. 225 years ago.

Some of the officers that were elected were Path, Pound & Poor Masters. The Path Masters are now our Highway Department. Back then the "Roads" were old Indian Trails that were narrow because they were traveled only by foot or by horseback; things sure have changed through the years! The Pound Master is now our Animal Shelter & Animal Control Officer.

This Town meeting was held "at the house of Cornelius C. VanDenBerg" & very possibly the "Old Stone House" which was a New York State Landmark. This house had 2 large stones carved with the date 1718, Sep. 12 A.D. which was when the house was built. One of the stones has remained in the Emerick family since Christopher owned the house in 1892. This stone has been donated to the HHS by Bev & Gordon Emerick, and is on permanent display @ the Society building.

Celebration of this Anniversary will be at the Fall Festival on Sept. 21st starting with a Parade at 1:00pm. Please check our website for details as they become available. If you would like more information of this history, please look at the display in the foyer and feel free to take some of the handouts that are available. Thank you.

Deputy Supervisor Polak: Lynda, thank you for a beautiful job on that again. I would just like to recognize two other people in the audience this evening, Jim Bold, our Historical Society President and our own Historian, Ellen Kennedy. You don't see them around a lot, but they do a lot of things to bring back the old community and make its presence known today. It takes a lot of work and a lot of research, but a great job on the presentation tonight and all of the help from the members of the Society, and I want to thank you on behalf of the Board.

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Councilman Hayner : The Summer Recreation brochure is available and you can pick one up at the Rec office. The first registration date is Saturday April 6th from 9 to Noon. It will be held every Saturday; the 6th, 13th and the 20th from 9 – Noon. They will also be taking registrations on Tuesday's, April 9th and 16th from 6 – 8pm. People can go on the Halfmoon Recreation Facebook page and find out what is going on there also.

One additional item is on April 20th, we will have our 7th annual Crescent Park Clean Sweep. It is a celebration of Earth Day and that will run from 10 – 11am. We are always seeking volunteers to come down there to help. We have done such a great job in the last six years, that there is not that much to pick up, so it does not usually take that long. It is a great opportunity for people to get out and especially for your kids to help out as well. Thank you

Councilman. Hotaling: First off, I would like to thank the Halfmoon Historical Society. The last couple of years, I had the opportunity to work with them, and attend their meetings. Ellen is a wealth of knowledge; Nancy Morris and Jim, you guys brought it to the top. They meet the last Tuesday of the month over by the Senior Center at 7:00pm. If you really want to get to know more of the history of our town, I would invite you to attend their meetings.

Also, Halfmoon Celebrations, I would like to thank them for the first event of the year. We had 155 people show up at the Senior Center for the Patsy Cline Tribute Concert. It was a free concert; people were out and had a good time. People work hard to make these events happen. I would also like to thank the Board for supporting these concerts. Thank you.

Deputy Supervisor Polak: I just have a couple of items and they are Highway related. They are our Spring Cleanup that starts April 9th, 12th, and 13th and then again the following week on April 16th, 19th and 20th. The only changes in the tomes are on Saturday, it is going to be open until 3:00.

The other item that I have is Halfmoon Shredding Day will be on May 5th from 9 – 11. There is no charge, but the Highway Department is asking that for every bag or box of material that is going to be shredded, that you bring in some canned goods

DEPARTMENT REPORTS – month of March

- 1. Town Justice Wormuth**
Total # Cases – 619 Total Fees Submitted to the Supervisor - \$37,585
- 2. Senior Express Dispatch**
Total # Riders – 254 Total # Meals - 391
- 3. Building**
Total # Permits – 105 Total Fees Submitted to the Supervisor - \$14,572
- 4. Fire Code**
Total # Permits – 20 Total Fees Submitted to the Supervisor - \$955
- 5. Town Justice Tollisen**
Total # Cases – 305 Total Fees Submitted to the Supervisor - \$33,157

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

CORRESPONDENCE

- 1. Received** from the Town Planning Board Resolutions approving the following: Sign Application for Crossfit, located at 1580 Route 9, for Carosello Bakery Treats & Sweets, located at 1602 Route 9, Change of Use at Walmart, located at 1549 Route 9, at Lowe’s Home Improvement, located at 476 Route 146, at Home Depot, located at 4 Halfmoon Crossing Blvd, for a Special Use Permit for William Monast, located at 131 Vosburgh Road and regarding Arlington Heights Subdivision Phase II – Major Subdivision/PDD/ GEIS, located at Farm to Market Road.
Received & Filed
- 2. Received**, from NYS Department of Agriculture & Markets, their Dog Control Officer Inspection Report, completed on 3/21/2013 which indicates the services were rated “Satisfactory”.
Received & Filed
- 3. Received**, from Parma Italia LLC, 1503Route 9, notification of their intent to renew their Liquor License.
Received & Filed
- 4. Received**, from McDonald’s Owner and Operators of the Capital Region, a letter asking the Board to declare April 16th, 2013 McTeacher’s Night.
Received & Filed
- 5. Received**, from Hometown Lanes, Inc., 994 Hudson River Road, notification of their intent to renew their Liquor License.
Received & Filed
- 6. Received**, from the Highway Superintendent, a letter stating that the Highway Department will be switching to their summer schedule. They will be open Monday –

Thursday 6am to 4pm. There will be working with a skeleton crew on Friday's, this will be retro to April 1st.

Received & Filed

7. **Received**, from Kevin J. Tollisen, a letter of resignation as Town Justice for the Town of Halfmoon effective 5:00 pm, April 3, 2013.

Received & Filed

RECEIVED

KEVIN J. TOLLISEN, ESQ.
20 EAGLE LANE MECHANICVILLE,
NEW YORK 12118
(518) 664-1611

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April 3, 2013

Melinda Wormuth, Town Supervisor
Town of Halfmoon
1 Halfmoon Town Hall Plaza
Halfmoon, New York 12065

Lynda Bryan, Town Clerk
Town of Halfmoon
1 Halfmoon Town Hall Plaza
Halfmoon, New York 12065

Re: Resignation as Town Justice for the Town of Halfmoon

Dear Supervisor Wormuth and Town Clerk Bryan:

This letter shall serve to advise that I am resigning as Town Justice for the Town of Halfmoon effective as of 5pm today.

I have been truly honored to serve as Town Justice for the great people of the Town of Halfmoon. I have worked hard to protect Halfmoon's residents from criminals and those who want to harm our families and neighborhoods, while preserving and protecting the fundamentals of fairness and impartiality that make our justice system what it is today.

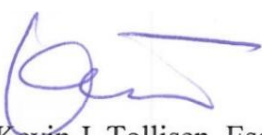
Halfmoon has been my home for my entire life. I am so blessed to live here with my wife Rebecca and two boys, Matthew and Timothy.

I will miss my Court Staff greatly. I would like to personally thank them for the tremendous job they do every day. Chris, Jackie and Ginny have been the best Court Clerks and have always worked hard and done an admirable and exemplary job. Jeff, Kevin and Dan have been the greatest Court Officers and have done an outstanding job providing security and protection for the Court. While not working directly for me, I would also like to thank Marlene, Cathy and AnnMarie for their support of my Court staff and their willingness to always help when needed. Thank you also to my co-Judge Lester Wormuth.

Lastly and most sincerely, I would like to thank all of the residents of the Town of Halfmoon for the confidence they placed in me while serving as Town Justice. I have worked hard to earn the Trust of the people of our great Town and my family and I am sincerely grateful.

The Town of Halfmoon is a great place filled with caring and compassionate people who are always willing to lend a helping hand to those in need. Thank you again.

Most gratefully your


Kevin J. Tollisen, Esq.

KJT/slw

Deputy Supervisor Polak: Thank you Kevin for all that you have done.

8. Received, from the US Army Corps of Engineers, a letter notifying the Town of Halfmoon that they have received our application for the Army permit for the property located on Woodin Road pursuant to Section 404 of the Clean Water Act.
Received & Filed

OLD BUSINESS

RESOLUTION NO. 104

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 awards Bid Spec. #2-2013, Truck Diesel Fuel received and opened February 20th, to G.A. Bove & Sons, Inc., 76 Railroad Street, Mechanicville, NY at bid markup from low posting in plus amount of .150 per gallon, per review and approval of the Highway Committee.

NEW BUSINESS

RESOLUTION NO. 105

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 and orders paid Vouchers numbered 691 through 814 as detailed.

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

10 GENERAL FUND	\$102,177.14
20 HIGHWAY FUND	\$39,899.50
25 SPECIAL REVENUE	\$28,167.99
30 CONSOLIDATED WATER	\$735,128.58
35 MISC. CAPITAL FUNDS	\$26,700.00
40 LANDFILL POST CLOSURE	
65 LIGHTING DISTRICT	

ABSTRACT TOTAL: \$932,073.21

RESOLUTION NO. 106

Offered by Councilman Hayner, seconded by Councilman Wasielewski: 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, March 20, 2013 as presented.

RESOLUTION NO. 107

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 the Director of Recreation to appoint the seasonal staff for the 6 week Summer Recreation program.

RESOLUTION NO. 108

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

RESOLVED, that the Town Board authorize letting bids for Water Meters, American Made Brass Fittings & Mueller Brass for the Water Department proposed to be opened April 17, 2013 at 7:00 pm.

RESOLUTION NO. 109

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

RESOLVED, that the Town Board authorize the Supervisor to sign an amended contract with MJ Engineering to add Right-of-Way responsibilities to Scope of Services of R.K. Hite for Crescent Road Trail Project in the not to exceed amount of \$24,500, per the review and approval of the Town Attorney.

WHEREAS, additional consulting services are required for completion of the Crescent Road Path/Sidewalk project (PIN 1757.68) specifically Right-of-Way activities as per the Federal Highway guidelines, and

WHEREAS, additional cost of \$24,500 will be calculated into Town cash match requirements as per July 2010, NYSDOT Contract No.DO32569, now

THEREFORE BE IT RESOLVED, that the Supervisor is authorized to sign an amended contract with MJ Engineering to add Right-of-Way responsibilities to Scope of Services of R.K. Hite for Crescent Road Trail Project.

RESOLUTION NO. 110

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 Supervisor to enter into a rental agreement with County Waste & Recycling Center, 1927 Route 9, for a Roll Off Truck in the amount of \$250.00 per day, and for the rental of the 30 yard dumpster

for \$20.00 per day to be incurred only on days when the equipment is utilized by the Highway Department, per review and approval of the Town Attorney.

RESOLUTION NO. 111

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

RESOLVED, that the Town Board approves the changes to the Employee Manual by removing the old ethics portion and replacing with the new, and increasing the amount of comp time allowed to accrue to 40 hours effective March 19, 2013, adding the lighthouse park to buildings and grounds use policy; add Tier 6 in the retirement section; and correcting the benefits section regarding health insurance to more clearly state when employees are eligible.

RESOLUTION NO. 112

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 letting bids for a Light Duty Dump Truck for the Highway Department and authorize being paid for from the Highway Department 2013 budget. . Bids are to be opened at the May 2nd Town Board meeting as soon as the agenda allows.

Deputy Supervisor Polak: Just one comment on this, John feels as though he could get a lower price than on state contract. He feels that if he can go to bid, he could save us some money, so that is why we are going to do it that way and to see what those prices are. If they are no better, then we will take the state contract.

RESOLUTION NO. 113

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 authorize the Supervisor to sign the contract with Shenendehowa Central School District for the use of the busses for the Summer Recreation Program for 2013.

RESOLUTION NO. 114

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 approves the Supervisor's Report for the months of December, 2012 and January, 2013 as presented.

RESOLUTION NO. 115

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

RESOLVED, authorize the Supervisor to make the attached Transfer between Appropriations and the 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 Revenues25-510
 \$12,074.10
 Subsidiary: 25-4-2189 Home and Community Services \$12,074.10
Credit: Appropriations 25-960
 \$12,074.10
 Subsidiary: 25-5-1440.40 Engineering Contractors Inspection \$12,074.10

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

NAME	AMOUNT
Arlington Heights	\$315.50
Halfmoon Assisted Living	\$1,015.00
Linden Village	\$580.00
Santoro Warehouse	\$776.00
Fairway Meadows Ph III	\$7,542.17
Pleasant Valley Estates	\$870.00
Stephenson Ridge Subd	\$827.00
Swatling Falls Resd PDD	\$148.43
TOTAL	\$12,074.10

Transfers between Appropriations for 2012:

From Account	To Account	Amount	Reason
30-5-8320.41-Water Source Electric	30-5-8310.42-Water Contractual Legal Fees	\$20,000	Transfer to cover costs associated with legal fees for GE/EPA lawsuit
30-5-8330.42-Purification Cont Chemicals	30-5-8310.42-Water Contractual Legal Fees	\$5,000	Transfer to cover costs associated with legal fees for GE/EPA lawsuit

PUBLIC PRIVILEGE (for discussion of non-agenda items) No one came forward

There being no further business to discuss or resolve, on a motion by Councilman Hotaling and seconded by Councilman Hayner, the meeting was adjourned at 7:25 pm.

Respectfully Submitted,

Lynda A. Bryan, Town Clerk