

The April 1, 2008, regular meeting of the Town Board of the Town of Halfmoon was called to order at 7:00 by Supervisor Wormuth 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. She requested a moment of silence to remember soldier Matt Maupin who was captured on April 9, 2004 in Iraq and it was very sad to learn that his life was lost over there. She stated April 9<sup>th</sup> has been declared as “Yellow Ribbon Day” in New York State and we will remember all our troops on that day here in Halfmoon.

The Supervisor stated she wanted to thank Carol Hotaling, who was a long time resident in Halfmoon and we know her fondly as the “Yellow Ribbon lady” and she does her best to keep our troops and the support of them at the forefront. She stated on April 9<sup>th</sup> at 10:30 am at the Wilton Elks Carol will be hosting a fundraiser and a ceremony to remember all of our troops and will be open to the public. She stated they will be taking donations of items to support our troops through our recreation department and the Supervisor’s office and the Board would like to thank Carol for all her hard work.

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

Councilman Hotaling reported that on Saturday, May 10, 17 and June 7 will start the registration for the summer recreation program and will be from 9am to 12 noon at the Town Hall and on Wednesday May 14, 21 and June 4 from 6 to 8 pm.

Supervisor Wormuth stated the recreation department is very proud of the program we offer and is always very well attended. She suggests that if anyone is interested in signing up for the tot program especially that they make the first day of registration because the numbers are very limited and fills up first.

Attorney Murphy reported that she is requesting that the Board entertain a resolution to allow the extension of a previous resolution permitting the Fellows Road PDD to discharge effluent from an additional apartment, being Building No. 4. She stated previously the Board authorized the pumping of effluent into temporary storage containers until the sewer was installed and approved by Saratoga County Sewer District and the hold was the receipt of the Army Corps permit. She stated the applicant is continuing to move forward with the installation of the sewer in accordance with the permit and should be in and approved in approximately 35 to 40 days. She also reported that the pumping has been occurring on a regular basis and there have been no problems and no complaints from the nearby residents.

#### **RESOLUTION NO. 73**

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

WHEREAS, the Planned Development District located on Fellows Road was approved by the Town Board of the Town of Halfmoon as Local Law No. 8 of 2005; and

WHEREAS, the Planned Development District, as approved, permits the Town Board to modify any of the provisions of this Local Law upon request of the applicant upon such terms as the Town Board shall determine to be reasonable; and

WHEREAS, the applicant for the Fellows Road Planned Development District has requested that the local law be amended to permit temporary on-site storage of domestic sanitary effluent for the apartment building labeled building 4 Heirloom Way on the plans entitled Halfmoon Heritage Apartments by Lansing Engineers dated May 14, 2007, for a period not to exceed sixty days from the issuance of the Army Corps permit for the placement of the sanitary sewer line through the planned municipal park pursuant to section 14 of the Fellows Road Planned Development District subject to the submission and approval of a pumping schedule to the Town Engineers; and

WHEREAS, the Town Board of the Town of Halfmoon is desirous of ensuring the health, safety and well being of the citizens of the Town of Halfmoon; and

WHEREAS, the Town Board understands that permitting a safe and reliable method for disposing of sewer promotes the health, safety, and well being of the citizens of the Town of Halfmoon; and

WHEREAS, the applicant is unable to hook into the Saratoga County Sewer District #1 until the appropriate permits are issued by the Army Corps of Engineers for the sewer line base upon the approvals that require that the sewer line run through municipal property currently designated for the municipal park; now be it hereby

RESOLVED, that the Town of Halfmoon hereby permits temporary on-site storage of domestic sanitary effluent for the apartment building labeled building 4 Heirloom Way on the plans entitled Halfmoon Heritage Apartments by Lansing Engineers dated May 14, 2007, for a period not to exceed sixty days from the issuance of the Army Corps permit for the placement of the sanitary sewer line through the planned municipal park pursuant to section 14 of the Fellows Road Planned Development District subject to the submission and approval of a pumping schedule to the Town Engineers; and it is further

RESOLVED, that all other provisions of the Fellows Road Planned Development District Local Law number 5 of 2005 shall remain in full force and effect; and it is further

RESOLVED, that the applicant must hook into the Saratoga County Sewer District #1 within sixty days of receipt of the Army Corps of Engineers permits for the municipal park.

Councilman Polak commented that it is no ones fault but with all the work that went into this we finally get the approval is wonderful.

Supervisor Wormuth commented that Mrs. Parker will comment on this during her report but the bids for this project were released on Friday and this Board looks very much forward to opening those bids and break ground on this park and make this dream become a reality.

Councilwoman Parker reported that tomorrow evening at the Senior Center at 6:30 pm, there will be a long-term health care discussion and tomorrow afternoon at 1:00 pm is the seniors regular monthly meeting.

She also reported on the Transfer Station Spring Clean Up that will start on April 15 and be open on Tuesday, Friday and Saturday for two weeks. She stated residents will need to get a vehicle permit in the Town Clerk's office and the only charge is for tires.

Councilwoman Parker reported that Crime Victims week is April 13 through 19 and will start at the Presbyterian New England Congressional Church, 24 Circular Street in Saratoga Springs at 2 pm. She stated it is a service for remembrance for crime victims and a very worthwhile ceremony and people are recognized for all their help and some have a chance for closure.

She stated that on Wednesday April 11 at 9 am, at Town Hall, there would be a meeting to discuss bids for the new town park.

Councilman Polak stated that every year during this month Clifton Park is contacted about entering into the Hazardous Waste agreement and the Town Clerk will be contacting them and it will require a Board resolution when they have the information.

Supervisor Wormuth stated the meeting on the 11<sup>th</sup> is a pre-bid meeting for any of the contractors or people interested in specific questions on the bid package that was released this past Friday. She stated information is available through Town offices and the engineers and is also available on-line.

Councilman Hayner reported that the NYS Canal Corp and the Trails Advisory Committee will be hold the second annual Crescent Park Clean Sweep on Saturday April 19 from 10 am to 12 noon with a rain date scheduled for Sunday from 1 to 3 pm. He stated it is Earth Day and volunteers can help by picking up litter and trash throughout Crescent Park and everyone is invited and will meet at Terminal Road.

Councilman Hayner reported that on Sunday, May 4 we will be holding a Halfmoon community event to support the troops and there will be a lot of festivities. He stated there is an opening day ceremony for Halfmoon Baseball League and they will do a salute to the troops and also baseball and fire department volunteers. He stated there will be booths set up at the event from the Halfmoon Recreation department to learn more about the summer program as well as Halfmoon Celebrations committee, the Trails committee and the Halfmoon Senior Center.

Supervisor Wormuth reported that the planning department received a request to look at a reduction in the speed limit on Grooms Road. She stated Grooms Road from Clifton Park into Halfmoon the speed limit is 40 miles per hour and as you enter Halfmoon and cross over the Northway toward Route 9 it is 45 miles per hour. She stated that area is zoned as a Professional Office Residential area as well as having some new residential developments in this area. She stated there is a day care center also on that road and some another businesses and multi family homes.

She stated she is requesting that the Board refer this request to the County to look at a possible reduction for the Halfmoon portion from the current 45 mph to a lower speed limit, at the very least 40 mph.

#### RESOLUTION NO. 74

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 requests the New York State Department of Transportation and the County of Saratoga DPW to conduct a speed limit study on Grooms Road in the Town of Halfmoon.

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

#### DEPARTMENT REPORTS- month of January

1. Building

Total Permits – 28 - Total fees remitted to the Supervisor \$8,765  
Filed.

2. Fire Code

Total permits – 15 - Total fees remitted to the Supervisor \$672.00  
Filed.

- month of February

1. Building

Total permits - 35 - Total fees remitted to the Supervisor - \$9,809.05  
Filed.

2 Fire Code

Total Permits - 14 - Total fees remitted to the Supervisor- \$597.00  
Filed.

- month of March

1. Town Justice Wormuth

Total cases – 478 - Total fees remitted to the Supervisor – \$41,490.  
Filed.

2. Town Justice Tollisen

Total cases – 453 - Total fees remitted to the Supervisor - \$44,602  
Filed.

#### CORRESPONDENCE

1. Received from NYS Department of Transportation notification of Designation of Restricted Highway for suspender rope replacement on the I-87 Bridges northbound and southbound.

Supervisor Wormuth reported this was received, filed and forwarded to Justice Tollisen and Justice Wormuth

2. Received from Town Senior Planner notification of Planning Board decision to pass a positive recommendation for the Architectural Glass and Mirror amendment to the Parkford PDD.

Supervisor Wormuth requests that, based on the positive recommendation from the Planning Board (the Town Board has already seen it) that a public hearing be set for April 15<sup>th</sup> at 7:00 pm. She stated the plans are available in the planning department and it did not significantly change since they saw it last.

## RESOLUTION NO. 75

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

RESOLVED, that the Town Board sets a public hearing for the Architectural Glass and Mirror amendment to the Parkford Planned Development District for April 15, 2008 at 7:00 pm.

## NEW BUSINESS

### RESOLUTION NO. 76

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 approves and orders paid all vouchers for all funds listed on Abstract dated April 1, 2008, totaling \$981,738.83.

### RESOLUTION NO. 77

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 approves minutes of Town Board meeting of March 4, 2008 as presented by the Town Clerk.

### RESOLUTION NO. 78

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

RESOLVED, that the Town Board authorizes letting bids for one new, unused Compact Excavator for the Highway department; to be opened April 15<sup>th</sup> at 7:05 pm.

Supervisor Wormuth stated the Highway department did plan for this piece of equipment in their annual budget and it won't have any impact on the budget.

### RESOLUTION NO. 79

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

RESOLVED, that the Town Board authorize the Town Supervisor to execute a special hauling permit authorizing NYSEG to operate vehicles that weight in excess of four tons on Town roads to provide services to our citizens and citizens of New York State.

### RESOLUTION NO. 80

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 authorizes the Supervisor to make the following Creation of Appropriations and Transfer between Appropriations:

A resolution is needed to create appropriations for money received from E.W. Russell Appliance Service in the amount of \$95.82 for food loss in company's refrigerator. This money will be used to replenish refreshments as needed at the discretion of the Supervisor.

DEBIT: Estimated Revenues	10-510	\$95.82
	Subsidiary: Community Gift Contributions	10-4-2705 - \$95.82
CREDIT:	Appropriations	10-960
	Subsidiary: Recreation Program – Contractual	10-5-7140.41 - \$95.82

The following creation of appropriations is needed in the Highway Fund based on money received for Insurance Recovery. This creation is for the repairs to one of the highway trucks that were damaged.

CREDIT:	Appropriations	20-960	\$1,387.29
	Subsidiary:	20-5-5130.40 – Machinery	Contractual - \$1,387.29

From Account	To Account	Amount	Reason
20-5-9060.80 Employee Benefits Medical Ins.	20-5-9055.80 Employee Benefits Disability	\$335	Transfer of appropriations needed within own budget to cover increase in disability insurance for 2008
30-5-9060.80 Employee Benefits Medical Ins.	30-5-9055.80 Employee Benefits Disability	\$186	Transfer of appropriations needed within own budget to cover increase in disability insurance for 2008

Larry DeVoe, Route 9, stated the Route 9 and 146 intersection has problems and he thinks there are some things that can be done. He stated the signals are set up so the northbound traffic on Route 9 and the southbound traffic all get the green light at the same time and that stacks up the left turn going west on Rt. 146. He stated yesterday he sat through 2 lights in the middle of the afternoon. He stated that what is happening is if the light for the north bound lanes on Rt. 9 and the arrow going west on Rt. 146 at the same time would unload a lot of it. He stated it may be only a matter of changing the signals around. He stated the second phase may end needing to be a right in and a right out at Raymore Flannigan on the northbound and the main entrance come out at the Crossing near Hoffman carwash and may require a barrier to keep the cars from cutting across and then take the light out at the Crossing. He stated that would allow two lanes to stack up quite a ways back further and would be simple things to have done without changing the whole dynamics of the intersection.

Lisa Perry stated that the long-term health care discussion meeting will be held tomorrow at the Town Hall and not the Senior Center.

Respectfully submitted,

Mary J. Pearson  
Town Clerk

