

The Thursday, November 6, 2008, regular Town Board meeting was called to order by Supervisor Wormuth at 7:00 pm 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
Lyn A. Murphy, Town Attorney
Matthew J. Chauvin, Deputy 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 7:02 pm the Supervisor opened the public hearing for the 2009 Town Budget; no one wished the notice read.

The Supervisor read the Budget Highlights as follows:

The Halfmoon Town Board continues to maintain **financial stability**. Solid budget management, affordability and conservative fiscal policies are the foundation for **financial stability**.

The Tentative Budget for 2009 operations has been created with financial stability the priority. **NO TOWN GENERAL TAX** for the 30th consecutive year and **NO HIGHWAY TAX** for the 24th consecutive year is the highlight of Town of Halfmoon's budget.

The overall operating budget for 2009 totals \$14,979,854. This figure includes combined funding for all categories. **General, Highway, Lighting, Sewer and Water**, are the categories budgeted. This increase equals just 9.17% more than the 2008 budget.

General Fund appropriations for 2009 total \$7,267,626. The increase results from continued requests for services as the Town's population increases. High costs for New York State Retirement benefits, higher costs for energy, demand for open space planning, building a New Town Hall and Town Family Park all contribute to this modest increase.

Many of our residents are struggling with the increased costs of food, fuel and utilities. While we cannot control the price of a gallon of gasoline or the cost of milk, we will continue to take our responsibility of managing your tax dollars seriously. The Town is committed to continuing to provide vital services to our residents in a cost effective manner.

The Halfmoon Seniors continue to hold educational, recreational and social events both at the center and off site. The Center provides a central site for a membership of 750 of Halfmoon's active and involved senior community. This funding includes administrative services and the availability of Meals on Wheels.

The Town of Halfmoon Recreation Program enrollment for 2008 was 701 children. The 2009 allocation for this program is \$473,907. Programs are designed for tots through 15 years of age. Halfmoon employed 129 youth and adults part time to serve the various programs for Recreation and Parks for our Town this past summer. "Character Counts" continues as a major undertaking for Halfmoon and is an integral part of the summer program.

The allocation for the Clifton Park/Halfmoon Ambulance services for 2009 is earmarked at \$997,136. This is an increase over 2008 essentially because of increased calls, ever increasing cost of fuel, utilities and supplies and maintenance of buildings and facilities. The CAPTAIN program is also budgeted for \$77,250. CAPTAIN dedicates time to our children and families for homework assistance and special efforts continue to be placed on literacy and providing a temporary haven for young people who have a problem living in their home environment.

The bottom-line is that Halfmoon town government operations are self-sufficient and **NO TOWN TAX** will be necessary for another year.

The **Highway Fund** portion of the 2009 Budget plan totals \$2,765,270, which represents an increase from the 2008 amended budget. This plan provides for the maintenance of all existing services, employee wages and benefits. The budget provides for the purchase of new equipment, maintenance, repair of existing equipment and maintenance of town roads. The increased costs of fuel and materials necessary for road repair and maintenance have been the driving force behind this increase.

The **Town Water System** appropriations for Year 2009 total \$4,838,622. The 2009 water budget contains provisions for anticipated increases in the cost of utilities, chemicals, salaries and benefits.

The treatment plant expansion and new transmission pipeline projects are now complete. These capital projects are consistent with the towns' aggressive approach to provide high quality water in adequate volumes to meet the needs of Halfmoon residences and businesses.

I credit each Department Manager and the Town Board for continued cooperation in working to keep this spending plan affordable, while maintaining the highest quality of essential services. This budget demonstrates sound fiscal preparation and a conservative spending plan which maintains funds for the essentials, keeps people working, provides necessary services, and does so with **NO TOWN TAXES** for General or Highway purposes.

Supervisor Wormuth opened the hearing for comments or questions.

Councilman Hayner stated he would just like to say that we have been very fortunate here in Halfmoon to provide and improve the services to the residents of Halfmoon for many years with

no additional town or highway tax. Looking at the numbers concerning revenues from sales tax and mortgage taxes for 2008, it appears that Halfmoon has remained steady with its revenue streams. However, as everyone knows, with fuel prices at unprecedented levels, along with skyrocketing costs for goods and services, our town, along with all other municipalities have had to increase spending to cover the increases. In light of the Federal, State and Wall Street Economic crisis that are effecting every person in this nation in one form or another, we would be naïve to say that our area will not be impacted in 2009. Nationally foot traffic in restaurants is down 25% and consumer spending is down drastically for September and October. Reports for job losses will be out over the next couple of days and it does not look promising. As a town board we will need to be vigilant more than ever concerning our revenues and expenditures every month as we navigate through these very challenging times. I would also like to encourage the residents of Halfmoon to support our businesses located in our town and across Saratoga County as the sales tax revenues generated do impact our the services provided by our Town.

The Supervisor thanked Councilman Hayner.

Councilman Polak stated he wanted to thank the Supervisor for all the interest she put into the budget this year, meeting with all the departments and trying to set costs and working with all the members of this Board to put this Budget together. He stated it is a time consuming job and a lot of work and we didn't grant all the organizations their full request but that is compatible to the economy. He stated we will all survive but it will take effort on everybody and every department to keep the services our residents are use to having and operate more efficiently for everybody. He stated he wanted to commend her for the extra effort she put into the budget.

The Supervisor thanked Councilman Polak.

Councilwoman Parker also thanks the Supervisor and Pat and all the department heads and, she knows it wasn't easy and is sure the wish list got smaller and smaller. She stated not knowing where we fall we strive and take pride and she wants to thank her for taking our community and the people that live here with the best interests at heart because we really strive to be conservative and still make it a great place to live and thanks her very much.

The Supervisor thanked Councilwoman Parker.

Councilman Hotaling thanked Mindy and Pat for their hard work and, all the department heads and it was hard to cut back and, it was very fair to everybody and it was a very good job.

The Supervisor thanked Councilman Hotaling.

There being no further comments the Supervisor closed the hearing at 7:12 pm.

Supervisor Wormuth thanked Pat Temple for all her hard work and stated they have meetings and talk about the approaches they want to take but Pat keeps all the numbers straight and works viligently with her throughout the year as well as the other department managers to make sure everybody stays focused and this would not be as successful a process without her dedication and hard work and thanks her. She stated she keeps a close eye on everything as do the majority of our department managers in managing their own budgets.

RESOLUTION NO. 267

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

RESOLVED, that the Preliminary Budget be and is hereby adopted as the 2009 Budget for the Town of Halfmoon, and further

RESOLVED, that said 2009 Budget be copied in its entirety in the 2008 Minute Book of the Town of Halfmoon.

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Councilman Polak reported the heating system for the historical building is on the agenda. He stated this week the buildings and ground crew worked with the highway and water departments to put a new roof on the Middletown Road pump house that was needed and also at the Historical building they have it buttoned up, have the exterior concrete poured, and they are working on the utilities, have the sewer connected and will be having the power installed shortly. He stated the guys all pitched in and got it done and he is proud of them.

Councilman Hotaling reported that the 4th Annual Holiday Parade will be on Saturday, November 22 at 2 pm followed by a bonfire and fireworks and if anybody wants to give a hand or participate they can call John Pingelski. He reported that Halfmoon will have an ice rink this year behind the pavilion purchased by the recreation department and parks will be installing it.

Councilwoman Parker reported that the Town transfer station recycling center is normally open on Tuesdays but will not be the case next Tuesday because it is Veterans Day. She reported that the Senior Bazaar is this Saturday at the Senior Center from 9am to 2 pm and café will be open for lunch from 11-1pm; the Home Energy Assistance Program (HEAP) for the 08-09 programs scheduled to be last Monday and the office is open from 9-5 at the county for taking applications and also applications for food stamps. She stated most important the new Town Park continues to be a field of green and there is a photo of it. She stated all the sod has been put in and most of the fields are finished; the fencing is proceeding and the last big feature field should be completed by late tomorrow. She stated the walls are up on the recreational building and the trusses are ordered, the pad will be poured tomorrow in the maintenance building and we continue to be ahead of schedule and under budget.

Councilman Hayner reported that Paul Maiello, Director of Parks will be at the next Town Board meeting and will give a report on projects he is working on as well as projects for 2009; work has begun by Riffenburgh Construction on the Crescent Trail off of Beach Road and progress is being made; the Open Space committee meeting will be on Thursday, December 11 at 7 pm in the Town Hall and there are a couple of vacancies to fill. He stated he can be contacted through the Supervisor's office and they will also be advertising in local papers.

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

DEPARTMENT REPORTS – month of October

1. Town Justice Wormuth

Total Cases – 354

Filed.

Total fees remitted to the Supervisor - \$33,290

2. Town Justice Tollisen

Total cases – 397

Filed.

Total fees remitted to the Supervisor - \$38,330

3. Building

Total permits – 78

Filed.

Total fees remitted to the Supervisor - \$28,346

4. Fire Code

Total permits – 53

Filed.

Total fees remitted to the Supervisor – \$2,253.

5. Town Clerk

Total fees remitted to the Supervisor

Filed.

- \$6,016.01

CORRESPONDENCE

1. Received from Office of Saratoga County Attorney notification of public hearing of the Saratoga County Sewer District No. 1 scheduled for November 5th, 2008 at 9:00 am at the Board of Supervisor's Chambers in Ballston Spa.

2. Received from State of New York Department of State notification of receipt and filing of Local Law No. 4-2008, Fair Housing Law and Local Law No. 5-2008, Brookfield Place PDD.

OLD BUSINESS

1. Action on Howland Park Residential Planned Development District, Johnson and McBride Road. Public Hearing held on September 16th.

Supervisor Wormuth stated at the public hearing the Board heard a complete description of the project as well as the public benefits associated with it. She stated this project has been before the Board, referred to the Planning Board, received positive recommendation. She stated

it consists of 96 single family homes with several public benefit. She stated they received a letter from a homeowner whose land was involved in part of the improvement for realignment of Johnson Road. She stated the attorney has responded to that letter and has heard back from Mrs. Johnson that she understands where everything lies with her property and the building lots and what would be created from the improvements on the road. She stated it is before the Board to decide if the Board is ready to move on this and would require a vote to deny or approve the application. She stated if they are going to approve the application it would require a Neg Dec for SEQRA.

RESOLUTION NO. 268

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 hereby declares itself lead Agency, and be it further

RESOLVED, that the Town Board adopts a Negative Declaration and authorizes it to be filed in accordance with the requirements of the State Environmental Quality Review Act for the Howland Park Residential Planned Development District.

Councilwoman Parker stated she is concerned about the straightening of the road and asked if it will happen before the project begins.

Attorney Murphy stated, contained in the local law is a requirement that prior to the issuance of any certificate of occupancy that straightening will be completed.

Councilman Polak stated even though they approved the PDD it has to go back to the Planning Board for final design approval so there will be engineering review and comments.

RESOLUTION NO. 269

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 legislation for the Howland Park Residential Planned Development District as follows:

LOCAL LAW NO. 6 OF THE YEAR 2008

BE IT ENACTED by the Town Board of the Town of Halfmoon as follows:

Section 1. This Local Law shall be known and may be cited as "Local Law #6-2008, amending the zoning ordinance of the Town of Halfmoon, Local Law #5 of 1995, and the map and official regulations relating to zoning of the Town of Halfmoon", creating a Planned Development District known as Howland Park Planned Development District.

Section 2. Local #5, 1995, of the Town of Halfmoon, entitled "Local Law Relating to Zoning for the Town of Halfmoon" and the zoning map of the Town of Halfmoon, as set forth and enacted in Local Law #5 of 1995, as previously amended and supplemented be and the same hereby are further amended by creating the residential Planned Development District to be known and described as "Howland Park Planned Development District"

Section 3. The area comprising said "Howland Park Planned Development District" consists of approximately 149.14 acres, tax map parcel numbers 261.-2-36.12 and 260.-2-60.2 and is located at Johnson Road-west side of McBride Road, Town of Halfmoon, County of Saratoga, State of New York and is bounded and described as set forth in **Exhibit A** attached hereto and made a part hereof.

Section 4. There shall be constructed within the area of said "Howland Park Planned Development District", a project generally consistent with the Site Plan dated April 2006, last revised August 18, 2008, prepared by Ivan Zdrahal Associates, PLLC, consisting of a maximum of 96 single family homes together with the necessary infrastructure and improvements in general conformity with the Site Plan dated April, 2006, last revised August 18, 2008, attached hereto as **Exhibit "B"** and in general conformity with the zoning ordinance of the Town of Halfmoon with relation to Planned Development Districts and in accordance with the negative declaration by the Town Board of the Town of Halfmoon attached hereto and made a part hereof as **Exhibit "C"**. Sixty percent of the project is common open space controlled by a homeowner's association. A twenty-foot additional Right of Way will be provided to the Town of Halfmoon along Johnson Road for future improvements. All lots within the Planned Development District shall front on a Town road and shall have a minimum front yard set back and rear yard set back of thirty (30) feet.

Section 5. Before application is made for any building permit, preliminary and final subdivision plan approval shall be obtained from the Planning Board of the Town of Halfmoon and the final plan shall be signed by all governmental entities having jurisdiction thereof including but not limited to the Halfmoon Water Department, Halfmoon Planning Department, and Saratoga County Sewer District #1. The final plan shall be filed either in total, or in phases, as approved by the Planning Board of the Town of Halfmoon, in the Saratoga County Clerk's Office. The exact location and specifications of roadways, buffers, green space and other related matters may be changed, altered or amended during the Town of Halfmoon Planning Board review process in a manner generally consistent

with the Site Plan dated April 2006, last revised August 18, 2008.

The project is within the North Halfmoon GEIS. The site has been created to conform in theory with the statements and recommendations of the GEIS.

Additionally, the applicant will contribute \$3,330 in mitigation costs for each and every one of the 96 units to mitigate the cumulative impacts of the project on the GEIS Study Area as is required within the GEIS for GEIS parcels. The payments will go directly to the GEIS fund as follows:

Water = 96 EDU x \$1,500/EDU = \$144,000
Sewer = 96 EDU x \$780/EDU = \$74,880
Culverts = 96 EDU x \$65/EDU = \$6,240
Traffic = 96 EDU x \$970/EDU = \$93,120
GEIS Prep. = 96 EDU x \$31/EDU = \$2,976
Open Space = 96 EDU x \$420/EDU = \$40,320

TOTAL = 96 EDU x \$3,766/EDU = \$361,536

The applicant is aware and has consented to be responsible for any increase in fees as approved by the Town Board prior to the obtaining of a building permit for a lot. If the applicant constructs improvements, which are identified in the GEIS, the applicant is entitled to a credit against the above fees in an amount equal to the cost of those improvements as determined by the Town Engineer and approved by the Town. Request for said credit must be made as part of the request for Final Subdivision Approval to the Planning Board and if approved, should be so noted in the approval resolution.

The applicant has volunteered to make improvements to the vertical alignment of Johnson Road in order to achieve the goals of public benefit of the Town as determined by the Town Board in its sole and absolute discretion. These improvements will be made as part of the construction of the initial phase of the project and will be completed prior to the issuance of any Certificate of Occupancy other than that of a Model home if one is proposed.

In addition to the improvements noted above, recreation fees will be paid on a per lot basis in the amount of \$1,500 per lot for a total of \$144,000. These fees are subject to any increase approved by the Town Board.

The project is not currently within, nor is it served by any existing water district. The Project is anticipated to be served by the Town of Halfmoon Municipal Water Supply by reason of an Agreement for Extension of Town of Halfmoon Consolidated Water District to be entered into between the applicant and the Town upon terms and conditions acceptable to the Town Board. The execution of that Agreement for Extension of Town of Halfmoon Consolidated Water District is a condition precedent to the subdivision approval and any construction, building permits, or development within the subdivision site. As a part of the agreement for extension of water to the site the applicant will be required to extend water lines from the current Town of Halfmoon system to the project site and loop those lines in accordance with the requirements of the Town of Halfmoon Water Superintendent, which requirement and agreement will be a part of the Agreement for Extension of Town of Halfmoon Consolidated Water District. This looping will be completed prior to the commencement of Phase II of development. In addition to the improvements noted above, water connection fees will be paid on a per lot basis in the amount of \$1,500 per lot for a total of \$144,000.

Section 6. Sanitary sewer service shall be provided in general conformance with the plans noted above prepared by Ivan Zdrahal Associates, PLLC. Final plans and profiles for same shall be provided as part of the Final Subdivision Plans to be reviewed and approved by the Planning Board and all applicable county and state agencies. All sewer mains and appurtenants will be installed and improved/upgraded by the Applicant to the Saratoga County Sewer District No. 1 standards and offered for dedication to the Saratoga County Sewer District No. 1 at no cost to the Saratoga County Sewer District No.1 or the Town of Halfmoon, with delivery to the Saratoga County Sewer District No. 1 of duly executed deeds, easements and bills of sale as appropriate.

Section 7. Potable water service for the Howland Park Planned Development District will be provided by the extension of existing water mains in the vicinity of the parcel and as approved by the Town Engineer and Water Department.

Section 8. Approval of the New York State Department of Health, New York Department of Environmental Conservation and Town Engineer will be obtained for the potable water system and the sanitary sewer system, as appropriate.

Section 9. A storm water management plan will be developed during the subdivision review process. The applicant shall offer to the Town of Halfmoon the storm water management area for dedication to the Town of Halfmoon upon request by the Town and shall post a one-year maintenance bond or letter of credit upon making the dedication. In the event that the dedication of the storm water management area and any other areas proposed for dedication are not accepted by the Town of Halfmoon, the applicant shall be responsible for the periodic maintenance and/or repair of the system to the Town of Halfmoon at no cost to the Town of Halfmoon.

Section 10. All utilities, roads and/or streets within the Howland Park Planned Development District shall be constructed by the Applicant in accordance with the specifications approved during subdivision review. The roads shall be offered to the Town of Halfmoon for dedication to the Town. The applicant shall post a two year maintenance bond or letter of credit upon making the dedication to the Town of Halfmoon. The roadway shall be constructed in conformance with the roadway specifications as set forth by the Town Highway Department and the Town engineers with the applicant being responsible for any and all costs associated with the proper inspection of the road.

In an effort to provide a direct positive impact on the immediate area, the applicant shall provide an easement for the future construction of a trail along the eastern portion of the project site. In addition, the subdivision plans shall include design details for the future construction of this trail by others.

Based upon the studies conducted by the Town including but not limited to the Town wide survey, Trail Study, Recreation Study, the open space work conducted on behalf of the Town, the Comprehensive Plan, and the studies conducted and reports prepared for the new Town Park, it is clear that although a proper case exists for requiring a park or parks suitably located for playgrounds or other recreational purposes, this parcel is not suitable for the location of a park of adequate size to meet the needs of the Town of Halfmoon, therefore the applicant shall be responsible for recreation fees as assessed by the Planning Board at the time of the subdivision and prior to the granting of Certificates of Occupancy. The Howland Park Planned Development District shall contain approximately seventy point forty two (70.42) acres of common open space or land preservation area which shall be maintained by either a Homeowner’s Association or the lot owners individually.

The Homeowner’s Association shall also be responsible for maintaining the emergency access road, which shall be constructed as set forth in the plans dated April 2006, last revised August 18, 2008.

Section 11. All buildings and improvements shall be designed and constructed pursuant to plans and specifications approved by a duly licensed architect or engineer and in strict compliance with established construction standards, regulations and codes (including the New York State Uniform Fire Prevention and Building and Construction Code). All construction, during the performance thereof and upon completion, shall be subject to the inspection and approval of the Town of Halfmoon Code Enforcement Officer, Engineer and Superintendent of Highways, and Fire Marshall.

Section 12. The Town of Halfmoon Planning Board shall not give final subdivision plan approval unless and until all approvals required by each and every other government or governmental entity have been obtained. The Planning Board may, in its discretion, give approval conditioned upon the Applicant obtaining such approvals.

Section 13. Signs within the Howland Park Planned Development District shall comply with the requirements established by the town of Halfmoon Planning Board during subdivision review. The architect or engineer performing the work herein described shall be employed by and at the expense of the developer.

Section 14. This Local Law shall take effect upon being filed in the Office of the Secretary of State as provided in the Town Law and/or Municipal Home Rule Law.

Section 15. The Town of Halfmoon Town Board may, upon the request of the then owner of the Howland Park Planned Development District, modify any of the provisions of this Local Law upon such terms as the Town Board shall determine to be reasonable.

Section 16. This Local Law shall be deemed automatically revoked and void, and the previous regulations shall apply, if within three (3) years from the effective date of this Local Law, or within such additional period as the Town Board may subsequently provide without a further public hearing, commencement of the construction of the Howland Park Planned Development District has not begun, or if, after construction has begun, substantial progress, weather permitting, is not continued without interruption.

NEW BUSINESS
RESOLUTION NO. 270

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 November 6, 2008, totaling: \$577,193.85.

RESOLUTION NO. 271

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 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 \$19,147.94
 Subsidiary: 25-4-2189 Home & Community Services \$19,147.94
Credit: Appropriations 25-960 \$19,147.94
 Subsidiary: 25-5-1440.40 Engineering Contractors Inspections \$19,147.94

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

NAME	AMOUNT
Stone Crest Preserve	\$50.50
Stone Crest Preserve	520.00
Morrissey Comm Site Plan	267.25
Walgreens	278.50
Walgreens	514.00

RESOLUTION NO. 273

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

RESOLVED, that the Town Board authorize Clough Harbour & Associates to perform Environmental Monitoring for the Town of Halfmoon Landfill for 2008 for the annual fee of \$7,500, subject to review and approval of the Town Attorney.

Supervisor Wormuth stated, relative to the next item, that money is in this year's budget to include some addition things needed to install and is within budget.

RESOLUTION NO. 274

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 awards proposal to furnish and install new heating and air-conditioning system in the new Town Historical Building to Albany Mechanical, Inc. in their quoted amount of \$10, 250, per review of the Town Attorney.

Attorney Murphy stated, relative to the next item, that the amendment for the Mobile Home Ordinance would do two things, one would be to increase the fees which have not been increased since 1992 and it would allow the Town Clerk to process the fees that are paid prior to the administrative costs that are incurred in making sure the parks are in accordance with our Local Laws. She stated, different than any of our other fee schedules when it was enacted the Mobile Home Ordinance mandated that the Town Clerk not actually cash any checks received until after the new license was issued. She stated often the checks would actually expire prior to the completion of the recertification for the licensing process.

Supervisor Wormuth stated the recertification process is something handled in house through the building and code enforcement office and they annual inspect mobile home parks for health and safety issues. She stated they commend them for all the hard work we put into it and this is more of a housekeeping type item as far as the payment and the fee increase.

RESOLUTION NO. 275

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 schedule a public hearing for November 18th to amend Local Law Article #107 relating to the Mobile Home Ordinance

Deputy Attorney Matthew Chauvin stated, relative to the next item, that this is a minimal change to allow codification of laws and there was a discrepancy between the ability of the code department to issue a violation for a continuing problem on the site and failure to comply with site plan approval, building permits, certificates of occupancy. He stated if there was a violation per week or per day there was a conflict in town code and the amendment to the code will simply make the two match up. He stated they also amended the code such as to simply language to clearly state that it is a violation to fail to comply with the site plan.

RESOLUTION NO. 276

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 schedule a public hearing for November 18th to amend Local Law Article #165-76 relating to penalties for offenses involving Zoning.

Attorney Murphy stated, relative to the next item, that she is asking the Board to consent to an amendment to read that it is a resolution to permit the highway superintendent to place the following items on the previously approved e-mail auction site for sale.

Supervisor Wormuth stated these are items that have been taken out of service because they have outlived their usefulness for the Town. She stated the sale of each of these items is still up to approval of the Board. Supervisor Wormuth stated this is done through a process on the internet and will allow a third party company to help advertise the items.

RESOLUTION NO. 277

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 Superintendent of Highways to submit the following items to Auctions International, e-mail auction site: 1) 1989 E-350 Econoline Bus; 2) 1994 E-350 Econoline Bus: 3) Tenco Sander.

RESOLUTION NO. 278

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

Be it RESOLVED, that the Town Board of the Town of Halfmoon shall authorize the Town of Halfmoon to execute an easement to New York State Electric & Gas Corporation for the purpose of installation and access to a transformer to be placed on Town land to service the Town Park located in the Town of Halfmoon and more fully described in the easement being presented and authorize the Supervisor to execute the easement subject to the review and approval of the engineers on the project and further

RESOLVED, this is to certify that the above resolution is an exact copy of a Resolution made and entered in the minutes of the Town of Halfmoon and duly passed at a regular meeting of the Town Board on the 6th day of November 2008.

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

Tom Sarris, 10 Manchester Drive, stated he is waiting for some sort of action on the amendment to the Zoning Rules & Regulations that he submitted three months ago. He stated the amendment is not a wide sweeping reform and only pertains to R-1, R-2 and does not affect all the other zones. He stated he asks that the Board review the Code to make the Town a place to be proud of.

Supervisor Wormuth stated she thought the Board had officially responded to him at a meeting. She stated she will summarize and stated that the Board did review what he submitted and thinks the consensus of the Board was what he submitted was not something the Board was willing to enact at this point but they have passed along a concern and asked both the Planning department and Code Enforcement office to look at other local laws that pertain to unregistered vehicles and try to come up with a happy medium between where we are now and what he is looking at in order to get some of the same results. She stated they are trying to be not as restrictive as some of them felt what was submitted was and they will continue to look at that and bring something for the Board to react to.

There being no further business to discuss or resolve on motion by Councilwoman Parker, seconded by Councilman Hotaling the meeting was adjourned at 7:40 pm.

Respectfully submitted,

Mary J. Pearson
Town Clerk

11/6/2008

