

The June 5, 2007 regular meeting of the Town Board of the Town of Halfmoon was called to order by Supervisor Wormuth at 7:00 pm at the Town Hall on Harris Road with the following members present:

Melinda A. Wormuth, Supervisor
Walter F. Polak, Councilman
A. James Bold, Councilman
Regina C. Parker, Councilwoman
Paul L. Hotaling, Councilman
Mary J. Pearson, Town Clerk
Lyn A. Murphy, Town Attorney

Also present: Jeff Williams, Senior Planner; Lisa Perry, Secretary to Supervisor; Laurie Sullivan, Deputy Town Clerk; Frank Tironi, Director of Water; Les Wormuth and Kevin Tollisen, Town Justices; John Pingelski, Highway Working Supervisor; Rodney Smallwood, Highway laborer

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.

Supervisor Wormuth read the following resolution honoring New York State Police Sergeant, Donald Baker and invited his family to join them at the podium:

RESOLUTION NO. 149

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

WHEREAS, Donald H. Baker, Jr. (Don) has served as a New York State Trooper since May 4, 1998, serving the citizens of the State of New York; and

WHEREAS, Don is a resident of the Town of Halfmoon where he lives with Tracy, his beloved wife of fifteen years, and their dog Jeter; and

WHEREAS, Don became a defensive Tactic Instructor for the New York State Police in June of 1999 and a member of the elite New York State Police Mobile Response Team in April of 2002; and

WHEREAS, Don was critically injured on August 31, 2006, when ambushed by a suspect in western New York during an attack which took the life of Trooper Joseph Longobardo; and

WHEREAS, Don survived his wounds, multiple surgeries, a chemically induced coma, and various therapies with the support of his wife, family and friends, and the determination and strength he has displayed throughout his life and career with the New York State Police; and

WHEREAS, Don has shown exemplary service to our community and the State of New York;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

That the Town Board of the Town of Halfmoon recognize and commends Donald H. Baker, Jr. for his years of service to the community and his strength and perseverance against all odds; and it is further resolved

That a framed copy of this Resolution be presented to Donald H. Baker, Jr. in recognition of his dedicated service.

The Supervisor stated it is not very often when the Board has two resolutions honoring members of the community. She invited Councilman Polak, a former Eagle Scout himself and Councilman Bold, the father of an Eagle Scout to join her in presenting this resolution.

Councilman Polak stated, being the first Eagle Scout in Halfmoon he tries to attend every Eagle ceremony for the boys in Halfmoon because Scouting is very dear to him. He stated that Jim was a Scoutmaster also as he was and they know the importance and the leadership and is a tribute to the community. He stated it was Brian's mom who was instrumental in Brian becoming an Eagle Scout and offers her applause.

RESOLUTION NO. 150

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

WHEREAS, it has come to the attention of the Town Board of the Town of Halfmoon that Brian Rosebrook is the recipient of an Eagle Scout Award, which is the highest award a Boy Scout can receive; and

WHEREAS, it is the sense of this Board that when someone of extraordinary dedication to the values and principles of Scouting is brought to their attention, the same should be memorialized for the emulation and edification of others; and

WHEREAS, a Town is only as great as those persons who give exemplary service to their community, whether through participation in voluntary programs, through unique personal achievement in their professional or other endeavors or simply through a lifetime of good citizenry; and

WHEREAS, such service, which is truly the lifeblood of the community and the Town, so often goes unrecognized and unrewarded; and

WHEREAS, Brian Rosebrook has had a long history of personal achievement both as a Scout, earning twenty seven badges and various positions of leadership and recognition, and as an active member of the Shenendehowa United Methodist Church, Shen football, the Clifton Park baseball league, YMCA basketball and through his efforts to help design and create hymnal holders for thirty-one antique chairs in the choir room of his church, all of which evidence his exemplary service to the community;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Town Board of the Town of Halfmoon recognize and commends, Brian Rosebrook, as an outstanding citizen for his achievements and advances, one who is worthy of the esteem of both the community and the Town of Halfmoon.

2. That a copy of this Resolution be presented to Brian Rosebrook at a public meeting of the Town Board of the Town of Halfmoon.

One bid was received and opened for the Town Monument & Welcome Signs. The bid received was from Empire Signs & Graphics, 1512 Route 9, Halfmoon in the following bid amount:

Item #1 – unit price \$9,425. – total - \$18,850

Item #2 – unit price \$650 – total - \$2,600

Item #3 – unit price \$625 – total -\$1,250

The Supervisor referred the bid to her office for Mr. Lee and the Grant Writer, Nelson Ronsville to review and report back to the Town Board.

The Clerk opened the one bid received for the 2007 Infield Groomer for Parks Department. The bid was received from Grassland Equipment & Irrigation Corp., 892-898 Troy-Schenectady Road, Latham, New York 12110 at their - Total Bid Price-\$15,701.40

The Supervisor referred the bid to Councilman Bold and the Town Parks department for their review and recommendation back to the Board.

At 7:10 pm the Supervisor opened the Public Information Session on MS-4 Annual Compliance Report. She invited the Senior Town Planner, Jeffrey Williams to report on it.

Jeff Williams stated they have been working on the towns Stormwater Management Program for the past four years. He stated in 2003 the Town initiated the process for this program under the direction of Phase II of the Environmental Protection Agency program known as the regulated Regulated Small MS-4 Program. He stated this program mandates that each MS-4 municipality in the State develop a storm water management that includes six minimal control measures. He stated they include public education, public participation and involvement, illicit discharge detection and elimination, construction site runoff control, post-construction runoff control, pollution prevention and good housekeeping. He stated the ultimate goal is to preserve, protect and improve the nation's water resources including storm water runoff. He stated they had a five year time frame to develop and implement a storm water management program and it must be implemented by January 2008. He stated he will present some highlights of the annual report for year four of the Towns MS4 program and it informs NYS DEC on the Town's progress in implementing the program.

He stated this annual report covers the time frame of March 2006 through March 2007. He stated the Town continues to work together with Saratoga County MS-4 communities to develop public education and outreach programs and through a grant application the County has hired a storm water management coordinator and the Town is one of sixteen Saratoga County municipalities that have entered into an agreement to form a partnership with all the other municipalities to do a coalition effort to meet the goals. He stated the Town continues to sponsor and participate in the environmental clean up programs illicit discharges with the hazardous and electronic collection day. He stated the Town has reviewed the final model ordinance supplied by the State of New York and the Town will need to adopt these ordinances as they come into their final year. He stated the Town has performed a review of existing watersheds and identification of existing outfalls in addition to reviewing all commercial developments and residential subdivision projects for compliance with the Phase II storm water regulations and provide opportunities for public comment. He stated the town staff has attended numerous workshops or technical sessions and the County coordinator holds a monthly meeting with the municipalities. He stated the highway department continues a local roads program and a culvert repair and replacement program.

He stated in the next year they will continue to develop an educational effort and outreach program with the County; final adoption of local laws to control runoff and reduce pollinates including illicit discharges; construction and post construction storm water management; field verification of existing outfall locations and preliminary inspections which they have already started with the GPS system and create a data base; review all subdivision projects and developments for compliance and provide opportunity for public comment; continue to access field inspections and recording practices; additional training opportunities will be attended in preparation of additional Town responsibilities in 2008 and on June 13 there will be seminars for Town code enforcement officers. He stated they will continue to evaluate town facilities and shortly they will go out to each department look at how they operate and see if they can minimize. He stated a copy of the Annual report is available in the Town Clerk's office and the storm water management program.

Councilman Bold asked when they are identifying the outflow locations are they doing there own GPS location or are the consultants doing that.

Mr. Williams stated they are doing it themselves through the County with there equipment and they will create a data base.

Supervisor Wormuth commented that these new requirements will require a lot more responsibility on the Town and a lot more inspections that we will need staffing to do and when they look at the budgeting for next year they will need to plan on how they will handle additional mandates that will become law 2008. She stated the Board needs to be aware that these are coming.

Councilman Polak commented that this actually affects construction costs and is also on the developers because it is a mandate.

Councilman Bold commented that the design features built into the Town park for the water run off and management are extensive.

RESOLUTION NO. 151

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

RESOLVED, that the Town Board of the Town of Halfmoon finds the Storm Water Management Program Annual Report for 2007, Year No. 4, to be complete and thereby shall be adopted.

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Councilman Hotaling reported that approximately 562 children have been signed up for the summer recreation program and registration continues tomorrow night.

Councilman Bold commented that the area where the counselors normally park, at the moment. The County DPW is set up there and asked that he discuss that.

Councilwoman Parker reported there are items on tonight's agenda that she could report on at that time.

Councilman Bold stated there is a change order that the committee handled in the amount of \$9,894.70 for Thousand Oaks, Inc. to install a hydrant in the raw water line at the water treatment plant and this is a 20" line and also purchased an additional 16" special tapping sleeve. He explained that this line was needed to blow off or drain the raw water line now that the new system is up and running it stirs everything up and this will flush everything out.

Councilman Bold reported that we are now on full automatic at the treatment plant and runs unattended during some hours of the day.

Supervisor Wormuth reported that, as discussed previously, the Board was presented with some recommended zoning changes and, the Board chose to incorporate the comments they heard from the public. She stated at the next meeting, June 19th, the Board will be coming in with a formal reaction.

The Supervisor stated herself, Waterford Supervisor Lawler and County Supervisor Richardson, Waterford Mayor Mahoney have get out trying to get the attention of the EPA and G.E on the upcoming dredging process and the concern about us drinking water treated after the possibility of PCB contamination during the dredging.

Supervisor Wormuth stated she praises the Board and the Trails Committee following the National Trails Day on and did the ground breaking for the Champlain Canal trail which can be 500 miles of trails across the State.

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

DEPARTMENT REPORTS – month of May

1. Town Justice Wormuth

Total cases -	792	Total fees remitted to the Supervisor -	\$37,985
Filed.			

2. Town Justice Tollisen

Total cases -	386	Total fees remitted to the Supervisor -	\$35,360
Filed.			

CORRESPONDENCE

1. Received from Halfmoon Diner-Restaurant notification of intent to renew their liquor license for the Halfmoon Diner, Inc., 231 Grooms Road, Halfmoon, NY

2. Received letter of resignation from Ken Hassett as Senior Code Enforcement Officer and Emergency Management Coordinator effective June 22, 2007.

3. Received letter from residents requesting speed limit reduction in Dater Woods and Christopher Glenn from 30 mph to 20 mph

4. Received from Town Senior Planner notification of Planning Board denial of application for the New Comer-Cannon Funeral Home on lands within Lawrence Circle in the Town of Halfmoon based on not providing adequate parking as required in "*Local Laws relating to Zoning of the Town of Halfmoon*"

5. Received from Town Senior Planner notification of Planning Board denial of application for the New Country Buick/Pontiac/GMC at 205 Route 146 in the Town of Halfmoon based on proposed canopy structure encroaching on the required minimum front yard setback as described in the "*Local Laws relating to Zoning of the Town of Halfmoon*".

6. Received from State of New York Department of Health notification of Approval of Completed Works, Expansion of Water Treatment Plant Consolidated Water District.

Councilman Bold stated the letters will be going out to the residents tomorrow informing them they can now connect.

7. Received from Bowl New England, Inc., 1668 Route 9 notification of intent to renew their liquor license.

OLD BUSINESS

Supervisor Wormuth stated, relative to the next item that the Board had requested from the County Office of the Aging assistance in the amount of \$16,000 towards the purchase of this vehicle but we found out today that there is extra money available in the County and, due to the size of the van we will be receiving \$20,000 in assistance for this.

RESOLUTION NO. 152

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

RESOLVED, that the Town Board awards bid for Van for Senior Citizen Transportation, opened May 15th, to bidder New York Bus Sales, LLC for 2007 Ford Diesel in the bid amount of \$52,855, per recommendation of the review committee.

RESOLUTION NO. 153

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

RESOLVED, that the Town Board awards bid for Dump Body and Plow Equipment for the Highway Department to T&T Sales Inc., Latham, NY in their bid amount of \$59,854.00 per recommendation of the review committee.

RESOLUTION NO. 154

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

RESOLVED, that the Town Board authorizes removing item number three from the table.

Supervisor Wormuth stated this item is to have display cases be developed for the town hall which are an integral part of our new building and will require lighting and be a focal point of our lobby area and hallway. She stated they have looked at alternate routes for design other than through the architect and after discussion its her opinion that this is a key point of the town hall and we should make sure we do it right.

Councilman Bold reported that the estimates he has at this point are that the 3 display cases may well cost \$20,000 to have them done in a cabinet shop and he doesn't know what it would cost to have it done as a change order through out prime contractor. He stated there is no way to know how this will play out and there are also two kiosks included and he would suggest they get them designed but not actually construct them at this time because they won't be needed at this time.

Councilwoman Parker asked the grant writer, Nelson Ronsville if it would be possible to look in this avenue to defray the cost.

Mr. Ronsville stated there are all kinds of opportunities to explore and part of the issue is finding the right source and granting agencies.

Councilman Bold stated he also spoke to the grant writer.

RESOLUTION NO. 155

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

RESOLVED, that the Town Board approves proposal from Butler Rowland Mays, Architects, LLP for additional services authorization for Display Cases and Kiosks for the Lobby of the New Town Hall in the lump sum amount of \$4,500 plus a reimbursable allowance of \$200.00 per review and approval of the Town Attorney.

NEW BUSINESS

RESOLUTION NO. 156

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

RESOLVED, that the Town Board approves and orders paid all vouchers for all funds listed on Abstract dated June 5, 2007, totaling \$114,053.56

RESOLUTION NO. 157

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

RESOLVED, that the Town Board appoints Lucia Smith, temporary/seasonal/part time Water department laborer to be paid \$12.47 per hour effective June 11, 2007.

RESOLUTION NO. 158

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

RESOLVED, that the Town Board authorizes letting bids for sale of Water Department 2001 Dodge ¾ ton Diesel Pick Up truck and Code Enforcement Department 1996 Jeep Cherokee bids to be opened June 19th at 7:00 pm.

RESOLUTION NO. 159

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

RESOLVED, that the Town Board authorizes a cash advance for Sean McCarthy in the amount of \$300.00 to attend Morrisville Community College working toward his 1A Water License on June 19-22, for expenses of travel, meals, and fees incurred in connection with attendance at the school and further

RESOLVED, that the Town Board authorizes that documentation be submitted for all expenses incurred and submit any unused funds in compliance with the Town Travel Policy.

RESOLUTION NO. 160

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

RESOLVED, that the Town Board authorizes the Director of Water to sell one surplus dry powdered chemical feeder in the amount of \$2,000 to Waterford Water Works.

RESOLUTION NO. 161

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

RESOLVED, that the Town Board approves New Town Hall, Change Order No. 9, Contract No. 1, Malone & Tate Builders Inc. in the deduct amount of \$7,116. to delete Stanley Automatic Door Operators at Doors #1&2 and approve proposal from Center for Security in the amount of \$7,420 to provide 2- GyroTech Double Door Handicap Openers; 2 Handicap Push Plate Packages; 4-Lynx Striker Innerface and labor to install hardware.

RESOLUTION NO. 162

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

RESOLVED, that the Town Board approves proposal from Clough Harbour and Associates to perform the Water Treatment Plant Sludge Drying Beds – Wetland Mitigation in the not to exceed amount of \$3,500, and be subject to review and approval of the Town Attorney

RESOLUTION NO. 163

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

RESOLVED, that the Town Board approves Change Order No. 16, Contract No. 4G, BCI Construction for Phase II Water Source Improvement Project to upgrade the existing filtrate pumps with larger pump in the total additional amount of \$20,495.30.

RESOLUTION NO. 164

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

RESOLVED, that the Town Board approves Change Order No. 17. Contract No. 4G, BCI Construction for Phase II Water Source Improvement Project to order new tube settlers for the existing (Phase I) filter tanks in the total additional amount of \$11,343.34.

RESOLUTION NO. 165

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

RESOLVED, that the Town Board approves Change Order No. 5, Contract No. 4E, Talon Electric for Phase II Water Source Improvement Project for the electrical work associated with Change Order No. 16 in the additional amount of \$18,700.

RESOLUTION NO. 166

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

RESOLVED, that the Town Board sets a public hearing on the abandonment of property known as a portion of Vale Drive in the Town of Halfmoon for June 19th at 7:05 pm.

RESOLUTION NO. 167

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

RESOLVED, that the Town Board authorizes the Town to provide Mohawk Towpath Scenic Byway Coalition with financial support in the amount of \$550.00 for 2007.

Supervisor Wormuth stated, relative to the next resolution, that at the Organizational meeting the appointments for the two people to the Senior Board the dates were not accurate and, the terms will expire May 31st.

Attorney Murphy stated the Board does not have to do a resolution to rescind the resolution because in accordance with the By Laws of the Senior Citizens Association those end on the day provided for in the By Laws.

RESOLUTION NO. 168

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

RESOLVED, that the Town Board appoints Patricia Keyrouze, Nancy Morris, Robert McBroom and Rosemary Herbert to the Halfmoon Senior Citizen Association Board of Directors for a two year term effective June 1, 2007 through June 1, 2009, and further

RESOLVED, that the Senior Citizen Association Board of Directors appointed at the January 2, 2007 Town Board meeting are appointed for a term through June 1, 2008.

Councilman Bold stated, relative to the next item that this project has been on-going for a long time now.

RESOLUTION NO.169

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

RESOLVED, that the Town Board authorizes letting bids for the construction of the Dunsbach Road sewer line and pump station to be opened June 28th at 2:00 pm

RESOLUTION NO. 170

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

RESOLVED, that the Town Board lets bids for construction of the Colonial Green drainage project for June 28 at 2:00 pm or as soon thereafter as its agenda allows

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

There being no further business to discuss or resolve the meeting was adjourned at 7: 55 pm.

Respectfully submitted,

Mary J. Pearson
Town Clerk

