

The July 3, 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:

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

Also present: Frank Tironi, Director of Water; Lisa Perry, Secretary to Supervisor; John Pingelski, Highway Working Supervisor; Pat Temple, Director of Finance; Nelson Ronsvalle, Grants.

The Town Board Workshop was held in the Board Room at 6:15 pm; no action was taken, Supervisor Wormuth led the Pledge of Allegiance. Councilwoman Parker asked for a moment of silence in memory of several residents who passed away this past, one being the Town's senior express van driver, Bill Suchocki.

A report from Bollam, Sheedy, Torani & Co. LLP, the Town Auditors was provided by Chris Kelsey. He stated they have performed the Town audit for the past four years. He stated the Town has a clean report and a good job is being done with the Town books and following GASB 34 requirements. He stated they provided copies of this report to the Town Board and outlined various highlights of the report which details the Town's 2006 operating budget. He stated this financial report is designed to provide an overview of the Town's finances. He stated there is a statement of government-wide net assets and other debts and a fund balance sheet of government funds, expenditures and changes in the fund balances. He stated there is a reconciliation of the total fund balances shown in the fund balance sheet to the statement of government-wide net assets and a statement of fiduciary net assets and other debts and liabilities, credits and equity. A summary of significant accounting policies is provided in detail. Also included is a balance sheet of the Town Justices. He stated there has been a reduction in the monies in the town landfill account.

Mr. Person stated they want to thank Pat Temple and the accounting office for working with them and also other Town departments.

RESOLUTION NO. 190

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 accepts the Town of Halfmoon Financial Report submitted by Bollam, Sheedy, Torani & Co. LLP, certified public accountants for fiscal year ending December 31, 2006.

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Councilman Hotaling reported that the first week of the summer program went very well. He reported that on June 20th a movie was held behind the town pavilion and on July 11th fireworks will be held.

Supervisor Wormuth reported, for clarification that there was a news article about the Town's zoning changes reported in "The Gazette" regarding Tabor Road that was not accurate.

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

DEPARTMENT REPORTS – month of June

1. Town Justice Wormuth

Total cases - 698 Total fees remitted to the Supervisor - \$31,840
Filed.

CORRESPONDENCE

1. Received, June 26th, from Leyland Development LLC. Revised Development Proposal Report for Howland Park residential PDD.
2. Received request from Bonnie DeCerce, 21 Birchwood Drive, Wood Court to lower the 30 mph speed limit and to install a Child at Play sign in Wood Court.
3. Received from State of New York Department of State notification of receipt and filing of Local Law No. 4- 2007, Inglewood PDD.
4. Received from Ocean Blue Fish Fry & Seafood, 1661 Route 9, Halfmoon, notification of their intent to renew their liquor license.
5. Received from Mr. C's Pub Inc., 46 Route 146, Halfmoon, notification of their intent to renew their liquor license.

OLD BUSINESS

RESOLUTION NO. 191

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 bids, opened June 19th for sale of Town Vehicles to high bidders: Item #1, 2001 Dodge Pick Up Truck to Thomas Murray, 160 Harris Road, Halfmoon at total bid amount of \$6,155.50 and Item #2, 1996 Jeep Cherokee to R.P.M. Inc., 280 Nador Road, Perth, at total bid amount of \$789.00, per recommendation of the review committee.

NEW BUSINESS

RESOLUTION NO. 192

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 and orders paid all vouchers for all funds listed on Abstract dated July 3, 2007, totaling: \$268,597.21.

Councilman Bold asked, relative to the next item for Brookwood Road, if the bids are on the street as of yet.

Town engineer Mike Bianchino stated the bids are out and are scheduled to be opened on July 23, at 10:00 am.

RESOLUTION NO. 193

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

RESOLVED, that the Town Board approve proposal from Clough Harbour & Associates, LLP for construction engineering services for the Brookwood Road Slope and Roadway Improvement project in the total not-to-exceed fee of \$190,000, per review and approval of the Town Attorney.

RESOLUTION NO. 194

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

RESOLVED, that the Town Board approves proposal from Clough Harbour and Associates, LLP to provide technology services associated with implementing a web based GIS mapping system for the Town Assessors office providing access to the Town's existing system and develop an additional layer for steep slopes within the Town in the lump sum amount of \$900.00 and further increase the combined annual maintenance and web hosting for the Water department and Assessor's GIS applications from \$3,000 to \$3,500.

Councilman Bold reported on the next item that this is an addition to the current district and is not a new district and does not affect the water rates.

RESOLUTION NO. 195

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 for July 17, 2007 at 7:00 pm for the formation of the System Wide Consolidated Water District Extension to service out of district residents.

Supervisor Wormuth requested that the Town engineer, Mike Bianchino provide a report on the Colonial Green drainage improvement project bids opened on June 28th.

Mr. Bianchino stated Clough Harbour has reviewed the bids received by the Town Clerk on June 28, 2007 for the proposed Colonial Greens Drainage Improvements Project.

Contractor	Base Bid
Casale Excavating	\$72,000.00
Peter Luizzi & Bros.	\$86,281.00
Lash Contracting	\$105,900.00
PJR Contracting	\$155,000.00
Engineers Estimate	\$77,100.00

The work includes providing all labor, materials, machinery, tools, equipment and other means of construction necessary and incidental to the completion of the work shown on the plans and described in the specifications.

The apparent low bidder is Casale Excavating, Inc., 551 Main Avenue, Wynantskill, New York. After reviewing the qualifications of the apparent low bidder listed above, based on financial stability, prior work experience and work quality, we conclude that Casale Excavating is qualified to perform the work as defined in the Contract Documents.

It has however come to our attention during recent site visits with Councilman Bold and John Pingelski from the Highway Department that the condition of the storm sewer in Colonial Drive and Woodin Road has significantly deteriorated from our initial investigations. As a result, we now recommend that the scope of the work on Colonial Drive be expanded to include replacement of the culvert that crosses Woodin Road to Colonial Drive.

This pipe appears to have failed and may impact the safety of the roadway. We recommend therefore that the scope of work be revised to include replacement of this pipe together with the downstream drainage structure and associated pipes that connect to this structure. We have investigated the possibility of simply adding this new work to the work already bid as a change order. It is our opinion that the value of the new work is too large for this to be viable.

As such, we recommend that the current bids be rejected at this time. We further recommend that the contract documents be revised accordingly, that the project be re-advertised within the next two weeks (plans available by July 18th). Since the contractors are familiar with the project, we would allow for a maximum two week bid period (bid opening no later than Friday August 3rd). That would allow award at the Board’s August 7th meeting and sufficient time for construction to be completed this season.

RESOLUTION NO. 196

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

WHEREAS, the Bids for the Colonial Green Drainage Improvements have been reviewed by the Town engineers and a recommendation made, it is therefore

RESOLVED that the Town Board rejects the bids as submitted and reviewed and authorizes that the project shall be re-bid and bid documents revised.

The Town engineer, Mike Bianchino stated they have reviewed the qualifications to award both contracts for the Dunsbach Road Sanitary Sewer and Pump Station and made the recommendation to award to the low bidders.

RESOLUTION NO. 197

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 awards bids, opened June 28th for the Dunsbach Road Sanitary Sewer and Pump Station for Contract 1G, W. M. Schultz Construction, Inc. in low total bid amount of all unit prices \$971,592.50 and Contract 1E, Stilsing Electric Inc. in lump sum bid amount of \$71,250.00

RESOLUTION NO. 198

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

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation is soliciting projects for Historic Preservation under the Environmental Protection Act of 1993, and

WHEREAS, the Commissioner for the New York State Office of Parks, Recreation and Historic Preservation has established program priorities for historic resources associated with Lake Champlain and the Hudson River, and for the Erie Canal way National Heritage Corridor,

THEREFORE BE IT RESOLVED:

That the Supervisor for the Town of Halfmoon is hereby authorized to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 in the amount not to exceed \$169,710, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Halfmoon for the project entitled "Historic Preservation of Old Lock #7, Stone Culvert and Waste Water Weir on the Old Champlain Canal" and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

RESOLUTION NO. 199

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

RESOLVED, that the Town Board appoints Carol Cooper for temporary three month period, clerk in the Town Clerk's office to be paid \$12.16 per hour effective July 23.

RESOLUTION NO. 200

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

WHEREAS, the Town Board of the Town of Halfmoon recognizes the importance of providing adequate health care for qualified town employees and their beneficiaries; and

WHEREAS, the Town of Halfmoon provides continuation of these benefits pursuant to the Consolidated Omnibus Budget Reconciliation Act (COBRA); and

WHEREAS, the current Employee Policy Manual mandates that the availability of COBRA coverage terminates when a beneficiary for the continuation coverage becomes eligible for Medicare; and

WHEREAS, the Town of Halfmoon is aware that it is important for our employees and their beneficiaries to be permitted to chose the health care policy that is best suited for their personal needs; now, therefore, be it

RESOLVED, that the Town Board of the Town of Halfmoon hereby modifies the current Employee Policy Manual so as to remove the portion of the manual that mandates that COBRA coverage terminate when a beneficiary for the continuation of coverage becomes eligible for Medicare.

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

Ronald Iacobucci, 341 Hudson River Road asked if the Town has a Noise Ordinance in effect. He stated he has had problems with dogs continually barking and has talked to animal control, problems with snowmobiles and four wheelers. He stated his neighbors keep a junk yard and there are always parties. He stated he has phoned the sheriff but there is no noise ordinance to enforce He stated they have spoken with his wife but nothing changes and he wants to peacefully end this.

Supervisor Wormuth stated this will be discussed with the Town Attorney and code enforcement can be asked to investigate the problems on the property and animal control will assist with continually barking dogs.

Attorney Murphy stated a noise ordinance is difficult to enforce and control volume. She stated to enforce proper equipment is needed to measure decibel level. She stated code enforcement can enforce how many unregistered vehicles are on a property.

Supervisor Wormuth stated she will ask the County Sheriff to speak to the deputies to check on these complaints.

Matt Shea stated he had an issue and he called the sheriff ahead of time and they came and helped with the problem.

There being no further business to discuss or resolve, the meeting was adjourned at 7:50 pm.

Respectfully submitted,

Mary J. Pearson
Town Clerk

