

The November 8, 2007 meeting of the Town Board of the Town of Halfmoon was called to order at 7:00 pm by Supervisor Wormuth 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  
Mary J. Pearson, Town Clerk  
Lyn A. Murphy, Town Attorney

Also present: Lisa Perry, Secretary to Supervisor; Pat Temple, Director of Finance; Laurie Sullivan, Deputy Town Clerk; John Pingelski, Highway Working Supervisor; Frank Tironi, Director of Water; Steve Watts, Building & Development; Craig Hayner, Councilman-elect; Nelson Ronsvalle, Grants Coordinator

The Town Board Workshop was held in the Board Room at 6:15 pm; no action taken. The Supervisor led the Pledge of Allegiance.

At 7:00 pm the Supervisor opened the Public Hearing for the 2008 Town Budget. The Clerk read the highlights as follows:

#### YEAR 2008 PRELIMINARY BUDGET HIGHLIGHTS

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

The Preliminary Budget for 2008 operations has been finalized with financial stability the priority. **NO TOWN GENERAL TAX** for the 29<sup>th</sup> consecutive year and **NO HIGHWAY TAX** for the 23<sup>rd</sup> consecutive year is the highlight of Town of Halfmoon's budget.

The overall operating budget for 2008 totals \$13,709,916. This figure includes combined funding for all categories. **General, Highway, Lighting, Sewer and Water**, are the categories budgeted. This increase equals just 2.83% more than the 2007 budget.

**General Fund** appropriations for 2008 total \$6,468,211. This amount is an increase of approximately 3.17% over the 2007 amended budget. 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.

The Halfmoon Seniors continue to hold educational and recreational programs, fundraisers and enjoyable events to support their programs. The Center provides a central site for a membership of 680 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 2007 was 654 children. The 2008 allocation for this program is \$456,157, a modest amount to be paid by the town's younger families participating in this all-important program. 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. Environmental science and entertainment programs continue to be highlighted in this program. Saratoga County Fair is a major highlight.

This budget provides Halfmoon residents with all essential services. The allocation for the Clifton Park/Halfmoon Ambulance services for 2008 is earmarked at \$958,785. This is an increase over 2007 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 \$73,000, of which \$12,000 is for a newly proposed youth development program in 2008. 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.

Saratoga County Sales Tax Formula calculations for the Town of Halfmoon projects that \$5,424,572 will be received in 2008. Based on this conservative projection of \$5,300,000 will be used for this budget. \$3,300,000 has been allocated for General Fund use and \$2,000,000 for Highway Fund use. This \$3,300,000 allocation plus mortgage tax, franchise fees, 3<sup>rd</sup> party ambulance fees, permits, licenses and justice fees amount to a General Fund estimated revenue of \$5,610,612. 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 2008 Budget plan totals \$2,434,490 approximately a 4.52% increase from the 2007 amended budget. This plan provides for the maintenance of all existing services and employee wages and benefits. The budget provides for the purchase of new equipment, maintenance and repair of existing equipment and maintenance of town roads.

The Highway budget includes \$160,000 for a new Heavy Plow Truck; \$52,000 for a compact excavator; \$28,000 for a pickup truck and \$10,000 for a mower attachment. Town of Halfmoon roads targeted for improvements for 2008 are also a major portion of this budget. The following roads are intended for improvements.

Hendrick Hudson Way; Christopher Way; Patroon Way;  
Mann Blvd.; Dater Farm Way; Beach Road

The 2008 CHIPS funding has been included in the improvement appropriations and is slated for Beach Road in the amount of \$100,000. Without increases in Chips funds or other funding sources, Halfmoon continues to expend sales tax revenue on highway maintenance at an accelerated rate.

The **Town Water System** appropriations for Year 2008 total \$4,758,757. The 2008 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.

Recently water has been made available to residents on Route 236; Woodin Road; more residents on Route 146; Lower Newtown Road and all residents on Upper Newtown Road.

The Town is continuing to improve treatment and testing procedures to ensure all system water complies with the latest DOH Regulations.

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.

The budget for 2008 continues to serve the taxpayers of the Town of Halfmoon, in the same economical and efficient way, originally established for this administration.

Melinda A. Wormuth, Budget Officer, Chief Fiscal Officer

There being no questions or comments the Supervisor closed the public hearing at 7:11 pm.

Councilman Bold stated this is the Supervisor's first budget to prepare and, it certainly looks like a sound budget. He stated costs continue to rise and it is not easy to deal with that and, the best is being done to maintain services, provide the increases needed and, live within our means. He congratulated the Supervisor.

The Supervisor stated she doesn't do it alone; it is done with the help of the Board, the finance department and department managers.

Councilman Polak stated hats go off to all departments and the highway department who maintain the roads and purchase only the necessary equipment replacing the antiquated equipment. He thanked the highway and the other departments for their efforts.

#### RESOLUTION NO. 295

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

RESOLVED, that the Preliminary Budget be and is hereby adopted as the 2008 Budget for the Town of Halfmoon, and further

RESOLVED, that said 2008 Budget be copied in its entirety in the 2007 Minute Book of the Town of Halfmoon.

#### REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Councilman Hotaling reported that the Town recreation department is having the ski program sign up and they also received approval for an ice skating rink. He reported that November 24<sup>th</sup> will be the Holiday Parade followed by the Ribbon Cutting for the New Town Hall.

Councilwoman Parker reported that the Senior Center will be having the flu shots tomorrow and there will be a charge of \$12.00; the Thanksgiving luncheon will be the 16<sup>th</sup>; also the Holiday bazaar is on the 17<sup>th</sup>.

Councilman Bold reported on an update of the Town's public works projects; the Colonial Green storm water drain construction has started; the Dunsbach Road sewer project is progressing and they are now working on the pump station; the Brookwood Road slope project construction has started and the banks are under construction; at the next meeting he will provide an update on the new town hall.

Councilman Bold reported on the older highway garage problem with pigeons roosting in the garage. He stated it is a problem and the droppings are considered unhealthy and an unsightly environment and it is our responsibility to correct that situation. He stated Mr. Pingelski has coordinated the work on this and a proposal has been submitted from the Rentokill Pest Control Company. Mr. Bold provided proposal information as follows "prior to the installation of the

netting, the pigeons will be removed from the area that will be netted off; they will then brush the area to remove accumulations of droppings and then sprayed with a disinfectant, sanitizing agent, fungicide and deodorizer. He stated the cost of this would be \$15,830 and he would recommend we proceed with this for all the health and safety issues.

Attorney Murphy stated she reviewed the agreement and this is an approved State bidder and she has advised the insurance certificate needs to be in place.

#### RESOLUTION NO. 296

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 the Supervisor to sign an agreement with The Rentokil/Ehrlich Company for pigeon control at the old Town highway garage in the service proposal amount of \$15,83.00.

Supervisor Wormuth reported on a magazine that has been put out called “Vistas” which featured the “Mohawk Towpath Byway” and includes a quote by Nelson Ronsvalle, the Town Grants Coordinator stating how this Board feels about this heritage. She stated they are very proud of it and copies are available.

#### **PUBLIC PRIVILEGE (for discussion of agenda topics)**

Henrietta O’Grady, Church Hill Road, commented on Resolution No. 1, New Business, for a Grant Project with the Town of Clifton Park for a trail that connects with Clifton Park along the former Erie Canal towpath. She stated, on behalf of the Trails committee she is delighted to see this.

#### **DEPARTMENT REPORTS – month of October**

##### 1. Town Justice Tollisen

Total Cases	-	421	Total fees remitted to the Supervisor -	\$38,235
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Filed.

##### 2. Town Justice Wormuth

Total cases	-	781	Total fees remitted to the Supervisor -	\$40,050
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Filed.

##### 3. Town Clerk

Total fees remitted to the Supervisor -	\$7,956.92
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Filed.

#### **CORRESPONDENCE**

1. Received from Town Senior Planner notification of Planning Board determination of positive recommendation for amendment to the SEDC Planned Development District for Lot 1- Grace Fellowship Church, NYS Route 146.

2. Received from State of New York Department of Transportation notification of decision of speed limit reduction request for Dater Woods/Christopher Glenn subdivision stating the existing 30 mph speed limit is the lowest allowable area speed limit that can be established.

3. Received from Office of Saratoga County Attorney notification of public hearing of the Saratoga County Sewer District No. 1 scheduled for November 7<sup>th</sup> at 9am at the Board of Supervisors Chambers in Ballston Spa.

4. Received from Tai Pan Restaurant, 1519 Halfmoon Parkway, Route 9, Halfmoon notification of intent to renew their liquor license.

5. Received from State of New York Department of State notification of receipt of request for speed limit study for Upper Newtown Road.

## **OLD BUSINESS**

1. On October 2<sup>nd</sup> agenda, receipt of Narrative & Site Plan for PDD amendment for 11 Solar Drive, Parkford PDD for Architectural Glass & Mirror.

Stefanie Bitter, representing the applicant NPH, LLC stated the applicant is requesting a PDD amendment an is a three acre portion that was organized by Mark Haverly and Mike Haverly and is owned by June Haverly and is a family run business. She stated the purpose is to expand the existing Architectural Glass & Mirror business located at 11 Solar Drive and has been there for over 21 years and the current facility is not large enough to sustain their operational needs. She stated the property is currently zoned Commercial and is adjacent to the proposed parcel. She stated the proposed building would be 33,000 square feet with 23,000 square feet occupied by the business. She stated it would be constructed facing Solar Drive to protect the privacy of the residents that are located on Crew Road. She stated the traffic for the business is minimal and only 12 employees work on site and they would like to keep the business here. They will only provide parking for the employees and bank the rest for future development; the storm water will be handled on site; the DOT access road is not available for the applicant consequently all the traffic will come off Solar Drive.

Supervisor Wormuth stated the reason it is being proposed as an extension of the PDD is because the access will actually be through 11 Solar Drive because access is not available through Crew Road.

Attorney Murphy stated it would be more convenient for the applicants to expand the PDD than what they would have to go through to access through the light manufacturing onto Crew Road.

Councilman Bold asked if there was public sewer on the site or only public water.

Mr. Haverly stated there is public water but not sewer but the site is ideal for an on-site system.

The Supervisor stated this is the first time the Board has seen then but they have had it for a couple of weeks for the Board's review. She stated she has had discussion with the applicants regarding public benefits and the applicant has expressed an interest in working with the Town Board on that and they will continue to work on the public benefit.

### **RESOLUTION NO. 297**

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 refers the Architectural Glass & Mirror, Planned Development District amendment to the Town Planning Board for their review and recommendation back to the Town Board.

### **RESOLUTION NO. 298**

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

RESOLVED, that the Town Board declare Lead Agency status in accordance with the requirements of SEQR for the Architectural Glass & Mirror PDD Amendment, Solar Drive, Halfmoon.

## **NEW BUSINESS**

### **RESOLUTION NO. 299**

Offered by Councilwoman Parker, 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 November 8<sup>th</sup>, 2007, totaling 416,434.91.

#### RESOLUTION NO. 300

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 declares lead agency status in accordance with SEQR and send out the notices for the Grace Fellowship Church Planned Development District amendment.

Councilman Bold stated, relative to the next resolution, that this continuing education is very important as we continue to expand the amount of turf the parks department is managing.

#### RESOLUTION NO. 301

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 authorizes a cash advance in the amount of \$200.00 for Paul Maiello, Recreation Maintenance Supervisor to attend the 2007 Empire State Green Industry Show in Rochester, New York on November 13-15 for expenses of travel, meals and fees incurred in connection with attendance with the seminar.

#### RESOLUTION NO. 302

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 authorizes entering into Intermunicipal Agreement with the Town of Clifton Park for a New York State Department of Transportation Grant project for a hiking and bicycle trail along the former Erie Canal towpath between the two Towns, to be known as Erie Canal Towpath Connector Trail, and further

RESOLVED, that Supervisor Wormuth be and is authorized to sign said Agreement.

#### RESOLUTION NO. 303

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

RESOLVED, that the Town Board to accepts letter of resignation from Meg Bearce as part time Senior Express Dispatcher and appoint Meg Bearce to fill in as dispatcher in an emergency, as needed.

#### RESOLUTION NO. 304

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

WHEREAS, documentation has been submitted for dedication of roads in the Ellsworth Landing Residential Development, Shelbourne Drive and Worthington Court, it is therefore

RESOLVED, that the Town Board dedicates the roads in the Ellsworth Landing Residential Development, Shelbourne Drive and Worthington Court as Town roads

#### RESOLUTION NO. 305

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 closing the following roads on November 24<sup>th</sup> for the Halfmoon Christmas Parade: Independence Blvd., Lape Road, Guideboard Road, Harris Road and NYS Route 236.

Councilman Bold, stated relative to the next resolution, that this is another critical continuing education program and has another aspect and Sean McCarthy is working toward a Class 1A license. He stated a Class 1A operator on staff will have full authority to operate the plant and it is very difficult and there are not that many people in the State and Frank Tironi is the Town’s only operator with a Class 1A license.

RESOLUTION NO. 306

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

RESOLVED, that the Town Board authorizes a cash advance in the amount of \$300.00 for Sean McCarthy, Water Maintenance Supervisor to attend a Grade I Operator Certification Course in Tonawanda, New York on November 12<sup>th</sup> through 16<sup>th</sup>.

RESOLUTION NO. 307

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 Supervisor to make the following Creation of Appropriations and Transfer between 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 \$35,736.95  
Subsidiary: 25-4-2189 Home & Community Services \$35,736.95  
Credit: Appropriations 25-960 \$35,736.95  
Subsidiary: 25-5-1440.40 Engineering Contractors Inspections \$35,736.95

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
Boyack Rd Subd	\$3,214.20
Guideboard Rd	273.50
Harvest Church	852.00
Lane Proposed PDD	120.00
Tire Warehouse	371.00
Westbrook Subd	4,895.25
Westbrook Subd	431.00
Summit Hills	530.00
Summit Hills	125.50
Harvest Bend	8,264.56
Ellsworth Landing Insp	458.00
Westbrook Subd	237.79
Pino Comm	378.00
County Waste Revision	507.50
Ellsworth Landing	490.75
Stone Crest Preserve	624.53
Brookfield Place	126.00
Summit Hills Ded	310.75
Boyack Rd Subd	11,893.87
Harvest Church	410.00
Princeton Heights	486.00
Specialized Audio Visual	736.75
TOTAL	\$35,736.95

Transfers Between Appropriations:

From Account	To Account	Amount	Reason
10-5-1680.10 Data Processing Personal Services	10-5-1680.40 Data Processing Contractual	\$10,000	Transfer of appropriations within own budget to cover expenses through year-end
20-5-5110.10 General Repairs Personal Services	20-5-5140.10 Miscellaneous Personal Services	\$49,694	Transfer of appropriations within own budget to cover payroll through year-end
20-5-5112.10 Improvements Personal Services	20-5-5140.10 Miscellaneous Personal Services	\$49,849	Transfer of appropriations within own budget to cover payroll through year-end
20-5-5142.10 Snow Removal Personal Services	20-5-5140.10 Miscellaneous Personal Services	\$3,877	Transfer of appropriations within own budget to cover payroll through year-end
10-5-1990.40 Contingency	10-5-9010.80 Employee Benefits Retirement	\$2,850	Additional Appropriations needed to cover retirement expense for 2007
10-5-1990.40 Contingency	10-5-3310.20 Traffic Signs Equipment	\$15,000	Transfer of appropriations needed to cover purchase of monument signs prior to receiving grant money
10-5-3310.40 Traffic Signs	10-5-3310.20 Traffic Signs	\$3,850	Transfer of appropriations needed to cover purchase of monument signs prior to receiving

Contractual	Equipment		grant money
30-5-9010.80 Employee Benefits Retirement	30-5-8320.41 Source of Supply, Power & Pumping Contractual Electric	\$6,000	Transfer of appropriations within own budget to cover expenses thru year –end
30-5-8320.42 Source of Supply, Power & Pumping Contractual Purchase of Water	30-5-8320.41 Source of Supply Power & Pumping Contractual Electric	\$14,000	Transfer of appropriations within own budget to cover expenses thru year –end

RESOLUTION NO. 308

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 Resolution to amend Resolution No. 12-2007 changing authorized Town cell phone user from Deputy Highway Superintendent to Highway Working Supervisor.

Councilwoman Parker stated, relative to the next resolution, that she was part of the committee that interviewed for the Senior Dispatch job and Margaret Fiske will be an asset to that department.

RESOLUTION NO. 309

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 appoints Margaret Fiske as part time clerk, Senior Dispatcher, to be paid \$11.06 per hour worked effective November 13, 2007.

RESOLUTION NO. 310

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

WHEREAS, documentation has been submitted for dedication of a road in the Westbrook Residential Subdivision, Wesley Court, it is therefore

RESOLVED, that the Town Board dedicates Wesley Court in the Westbrook Residential Subdivision as a Town road.

Councilman Bold stated, relative to the next resolution, that this is the area of the historic Champlain Canal and goes from Brookwood Road to Upper Newtown Road, crosses Lower Newtown on its way. He stated right now they have signs down there indicating it is not open for public use at this time and our goal is to bring us up to standard and improve the trail with safety railings, gates and mallards and safety signs.

Councilwoman Parker asked if there would be signs indicating no motorized vehicles.

Councilman Bold stated that will a part of the signage.

RESOLUTION NO. 311

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

WHEREAS, bids were opened on November 6<sup>th</sup> for the Old Champlain Canal Trail and review and recommendation made by the Town engineers to award to low bidder, Shaker Flats Landscaping, Inc., it is therefore

RESOLVED, that the Town Board awards the Old Champlain Canal Trail base bid to Shaker Flats Landscaping, Inc. in the low base bid amount of \$137,409, and further

RESOLVED, that said award be subject to the review of the Town Attorney.

Supervisor Wormuth stated, relative to the next resolution that the Storm Water Management and Erosion & Sediment Control requirements are being passed down from the State as unfunded mandates that the Town will be required to conform to.

RESOLUTION NO.312

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 sets a public hearing for November 20<sup>th</sup> at 7:00 pm for the Stormwater Management and Erosion & Sediment Control requirements

**PUBLIC PRIVILEGE (for discussion of non-agenda items)**

John Pingelski, Highway Superintendent-elect, stated that today the entire Highway department attended an ice management class and, expressed his thanks to the West Crescent Fire Department for use of their facility for the class. He stated there was a lot of information on safety procedures and calibrating the trucks on the correct amount of salt when needed and thanks the Supervisor for approval to attend that class.

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

Respectfully submitted,

Mary J. Pearson, Town Clerk