

The July 18th, 2006 regular meeting of the Town Board of the Town of Halfmoon was called to order at 7:00 pm by Supervisor DeCerce at the Town Hall on Harris Road with the following members present:

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

Also present: Frank Tironi, Director of Water; Laurie Sullivan, Deputy Town Clerk; Rodney Smallwood, Executive Assistant to Supervisor; William Bryans, Highway MEO; Lisa Perry, Secretary to Supervisor.

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.

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Councilman Bold reported on the work that has been done on the fields near Town Hall. He stated the baseball field area has been cleaned up by the Town Highway and Parks employees and, the wooden poles are gone, the fencing, the dugouts the electrical connections and the trees. He stated the site preparation is almost entirely cleaned up and ready for construction.

Councilwoman Parker reported that she wants to thank the Halfmoon Celebration Committee for all their efforts and for the fireworks on July 5th. She stated on August 2nd they will have "The Legend" from 6:30 to 9:30 pm in the gazebo.

Supervisor DeCerce stated he credits them and estimates 800-1000 people in attendance and, they received great accolades.

Councilman Polak reported on the field work at the ball field and wants to thank the Town Parks Department and Highway department for chipping in and helping to remove all the apparatus and equipment. He stated this work had to save the Town thousands of dollars. He thanked Councilman Bold for coordinating this project.

Supervisor DeCerce stated the trees that lined the field are now on Town property near the Hayners' barn.

Supervisor DeCerce reported the Scenic Byway signs directing traffic along Canal Road and Clamsteam Road have been erected, from the Crescent Bridge west at almost every bend.

He reported that Teri Di Sarno is present and has helped each year organize the 9-11 Ceremony at Town Hall. He stated it is Monday this year and welcomes the opportunity to work with her and, also Mrs. Parker and Mrs. Wormuth have some ideas. Supervisor DeCerce asked to be kept informed and if we have more of our troops that would be very nice as well.

The Supervisor reported that today at the County Board meeting there was talk about the neighboring Towns tying in the water contest and he congratulated Clifton Park for tying with Halfmoon in the taste contest. He stated he is very proud of our water department.

He stated there was another newspaper article about water being a concern in dredging and residents shouldn't be alarmed. He stated they are battling with the EPA to protect our water source from PCB's when they start dredging the Hudson River. He stated they have mechanisms in line to make sure that the water department will be immediately notified of any problems. He stated the Town does have a letter from the EPA that offers some guarantees relative to price differentials and they will iron out any problems.

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

DEPARTMENT REPORTS-month of June

1. Town Clerk

Total fees remitted to the Supervisor
Filed.

- \$ 6,136.06

2. Building
Total Permits - 104 Total fees remitted to the Supervisor - \$21,976.00
Filed.

3. Fire Code
Total Permits - 18 Total fees remitted to the Supervisor - \$ 710.00
Filed.

4. Town Justice Tollisen
Total Cases - 290 Total fees remitted to the Supervisor - \$31,105.00
Filed.

-month of May

1. Building
Total Permits - 63 Total fees remitted to the Supervisor - \$12,826.00
Filed.

2. Fire Code
Total Permits - 21 Total fees remitted to the Supervisor - \$ 640.00
Filed.

CORRESPONDENCE

1. Received from Town Planner notification of Planning Board denial of application by Timothy Butler for a proposed minor subdivision of Lands of Robert J. Frechette located on Upper Newtown Road. Denial based on the fact that the proposed subdivision would create two flag lots on the same land which is not allowed according to the *Town of Halfmoon Subdivision Regulations*.

2. Received from Town Planner notification of Planning Board denial of application by Jim DeNooyer for the Auto America Addition to Site Plan located at 1540 Route 9, Halfmoon. Denial based on a determination that the proposed Addition would be an expansion of a pre-existing, non-conforming use as described in the *Local Laws Relating to Zoning of the Town of Halfmoon*.

NEW BUSINESS

RESOLUTION NO. 176

Offered by Councilwoman Parker, Seconded by Councilman Polak: Adopted by vote of Board:
Ayes: DeCerce, Polak, Bold, Parker, Wormuth

RESOLVED, that the Town Board approves the Supervisors Report for month ending June 2006, as submitted.

RESOLUTION NO. 177

Offered by Councilwoman Parker. Seconded by Councilman Polak: Adopted by vote of Board:
Ayes: DeCerce, Polak, Bold, Parker, Wormuth

RESOLVED, that the Town Board approves and orders paid all vouchers for all funds listed on Abstract dated July 18, 2006, totaling: \$1,102,730.44

Councilman Bold stated, relative to the next resolution, that this work relates to a number of water system extensions application work that has to go in to DEC. He stated there are certain projects that were developed in the past and, DEC has changed some of their guidelines and rules and we cannot let this go and accumulate them. He stated this is a catch- up and will clean-up old matters. He stated with all new projects the developer has paid for most of the engineering that goes into preparing these applications.

Supervisor DeCerce stated we have a good system and, anytime there is a wrinkle they like to iron them out.

RESOLUTION NO. 178

Offered by Councilman Bold, Seconded by Councilwoman Wormuth: Adopted by vote of Board: Ayes: DeCerce, Bold, Parker, Wormuth Abstain: Polak

RESOLVED, that the Town Board approves proposal from Clough Harbour and Associates for development of system wide water supply application and Map, Plan and Report in the not to exceed amount of \$18,500

Councilman Bold reported, relative to the next resolution that this is regarding the project to upgrade four different areas on Brookwood Road where the slope is not stable. He stated over the years the highway department continually makes repairs the best they can but they cannot get down to the root of the problem which is at the base. He stated through the efforts of the Supervisor and other personnel there is a Federal Congressional grant from John Sweeney in the amount of \$1.33 million dollars. He stated that will go a long way for a project estimated to cost an estimated \$3 million dollars. He stated they found out, through the administration of this grant, it has to go through New York State DOT and, they require engineering design work and reports which are well beyond what was contracted. He stated they contracted for enough design to do the bid package, construction and to do an adequate and safe job. He stated this is all paperwork that is required above and beyond what the Town had done and the Town has to do it to obtain the \$1.33million dollars.

Supervisor DeCerce asked if the contact with the four individuals that own that property is a part of this.

Councilman Bold stated he will review the proposal to determine if the appraisal and the negotiation for the purchase of those properties is included.

RESOLUTION NO. 179

Offered by Councilwoman Wormuth, Seconded by Councilman Bold: Adopted by vote of Board: Ayes: DeCerce, Bold, Parker, Wormuth Abstain: Polak

RESOLVED, that the Town Board approves proposal from Clough Harbour and Associates for engineering services for the Brookwood Road slope and roadway improvements project in the not to exceed amount of \$69,000, subject to review and approval of the Town Attorney and Town Supervisor.

RESOLUTION NO. 180

Offered by Councilwoman Parker, Seconded by Councilman Polak: Adopted by vote of Board: Ayes: DeCerce, Polak, Bold, Parker, Wormuth

RESOLVED, that the Town Board authorizes the Supervisor to make the following Creations 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 CM510 \$8,346.31
Subsidiary: CM2189 Home & Community Services \$8,346.31
Credit: Appropriations CM960 \$8,346.31
Subsidiary: CM1440.4 Engineering Contractors Inspections \$8,346.31

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

NAME	AMOUNT
Fairway Meadows-Insp	\$2,048.13
Fairway Meadows-Insp	124.68
Farmview Insp Ph I	342.00
Gaetano/Tanski	517.00
Boni PDD	240.00
Provident Dev	1,264.50
Lawrence Circle	546.00
Berkshire Bank	570.00
Auto America	342.00
Hudson Ridge PDD	480.00
Casale Rent All	498.00
A&M Sports Complex	114.00
Arlington Heights PDD	462.00

Lands of Jerry Paris	684.00
Abele PDD	114.00
Total	\$8,346.31

A resolution is needed to appropriate the contribution from Solomon Apartment Management for \$1000 made to the Character Counts Program for summer recreation camp and the Town of Halfmoon Refreshment Fund and a contribution from St George Church for \$100 as follows:

Debit:	Estimated Revenues	A510	\$1100	
	Subsidiary: Community Gift Contributions	A2705	- \$1100	
Credit:	Appropriations	A960		\$1100
	Subsidiary: Character Counts – Contractual	A7989.4	- \$600	
	Recreation – Contractual	A7140.41	- \$500	

A resolution is needed to create the following appropriations within the Miscellaneous Capital Project Fund from Developers Recreation Fees held in the Town of Halfmoon Trust Fund and from Water Source Improvement Phase II, Capital Project for the purchase of property from the City of Mechanicville known as the Old Champlain Canal in the Town of Halfmoon for the purchase price of \$150,000 to include \$10,000 for additional costs associated with the purchase.

Debit:	Estimated Revenues	H510	\$160,000	
	Subsidiary:	H5031 Interfund		
	Transfers -	\$60,000		
		H2001 Recreation		
	Charges -	\$100,000		
Credit:	Appropriations	H960	\$160,000	
	Subsidiary:	H1940.2 – Purchase Of Land	- \$160,000	

Transfers Between Appropriations:

From Account	To Account	Amount	Reason
FO1990.4 Contingency	FO8310.20 Administration Equipment	\$100	Transfer of appropriations within own budget to cover purchase of equipment

RESOLUTION NO. 181

Offered by Councilwoman Parker, Seconded by Councilman Bold: Adopted by vote of Board:
Ayes: DeCerce, Polak, Bold, Parker, Wormuth

RESOLVED, that the Town Board approves the July 2006 Billing for Water Usage, as submitted by the Director of Water.

RESOLUTION NO. 182

Offered by Councilwoman Parker, Seconded by Councilman Polak: Adopted by vote of Board:
Ayes: DeCerce, Polak, Bold, Parker, Wormuth

RESOLVED, that the Town Board appoints Gaither Espey as seasonal Parks Laborer to be paid \$8.00 per hour effective July 26, 2006, contingent upon successful completion of any necessary pre-employment testing.

Attorney Murphy stated, relative to the next resolution, that any time the Town has a fixed asset, which we are required to maintain, once that asset becomes obsolete the Town undergoes a procedure whereby it is determined if there is any value to that asset and determine disposal of the item. She stated they had a fencing company come in to determine if there was a value and it actually would have cost the Town money to dispose of the items.

Councilman Bold stated some of the items on the list include the fencing, dugouts, poles, gates, backstops and various items from the Town park property.

RESOLUTION NO. 183

Offered by Councilwoman Parker, Seconded by Councilman Bold: Adopted by vote of Board:
Ayes: DeCerce, Polak, Bold, Parker, Wormuth

RESOLVED, that the Town Board authorizes the deletion and disposal of obsolete, broken or sold Town equipment from the Town Fixed Asset Inventory list as follows:

Town Board:

As per NYSDOAC recommendation we are in the process of updating our fixed asset inventory. Below, is a list of deletions from the fixed asset inventory and I will need a resolution officially deleting them. These deletions are either obsolete, broken or have been sold.

TAG #	ITEM	ORIGINAL PRICE	AGE
Misc-86-0004	Chain Link Fence	\$6,369.00	20 yrs
Misc-92-0003	Chain Link Fence	\$6,475.00	14 yrs

Misc-96-0001	Chain Link Fence	\$9,650.00	10 yrs
Misc-84-0001	Chain Link Fence	-	22 yrs
Misc-84-0002	6' Gate	-	22 yrs
Misc-86-0001	Chain Link Fence	-	10 yrs
Misc-94-0001	Chain Link Fence	-	12 yrs
Misc-95-0001	Chain Link Fence	-	11 yrs
Misc-95-0002	Chin Link Fence	-	11 yrs
Misc-97-0005	Chain Link Fence	-	9 yrs
Misc-80-0001	Backstop	-	26 yrs
Buildings-90-0001	Dugouts & Materials	-	16 yrs
Land-Imprv-96-0001	Dugouts & Materials	-	10 yrs
	All of the above includes posts, wire and installation		

RESOLUTION NO. 184

Offered by Councilwoman Parker, Seconded by Councilman Polak: Adopted by vote of Board:
Ayes: DeCerce, Polak, Bold, Parker, Wormuth

WHEREAS, a letter of resignation has been submitted by Rodney Smallwood, Executive Assistant to the Supervisor, effective COB Friday, July 21st, 2006, it is therefore

RESOLVED, that the Town Board accepts the letter of resignation from Rodney Smallwood as Executive Assistant to the Supervisor and appoints Rodney Smallwood as highway department laborer, to be paid \$12.51 per hour effective Monday, July 24th, 2006.

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

Henrietta O'Grady, Church Hill Road, stated that the Mohawk Towpath Scenic Byway has just completed their second printing of the brochures and thousands are available. She stated they are in the libraries and other places of interest and also in the Town Clerk's office.

John Dunsic, Smith Road, asked the Town's intention with regard to his claim for the damage to his property.

Attorney Murphy stated a letter was written to Mr. Dunsic explaining that it was not a Town vehicle that caused damage to his property but was a public utility that identified themselves as causing the damage. She stated the Town's insurance company wrote a letter to him detailing it. She stated she can provide a copy to the Supervisor tomorrow and his secretary can call him tomorrow.

Supervisor DeCerce stated he immediately took action after the last time he was here.

Mr. Dunsic stated one day recently he drove past a property on Smith Road spur and a Town highway department truck came along with culvert pipe and went down the spur and it looked like they were installing a culvert under a driveway and wonders why they were installing a culvert under a driveway.

The Supervisor stated the Town has a right of way along each road and in each right of way there are ditches and, it is common for the Town to install, repair and maintain any water movement material in the Town right of way. He stated he is under the assumption that is what they were doing. He stated the Town would put a culvert in the right of way at his driveway if he needed one.

Councilwoman Wormuth stated if it was necessary for the maintenance of the road the highway department would be responsible for doing the maintenance work on the road.

Councilman Polak stated he will check this out with the highway department and with all the flooding this year they may have felt it needed an increase in the size of the pipe.

There being no further business to discuss or resolve the meeting was adjourned at 7:35 pm.

Respectfully submitted,

Mary J. Pearson
Town Clerk

