

**The February 15, 2012 regular meeting of the Town Board of the Town of Halfmoon was called to order by Supervisor Wormuth at 7:00 pm in the A. James Bold Meeting Room at the New Town Hall with the following members present:**

Melinda A. Wormuth, Supervisor  
Walter F. Polak, Councilman  
Paul L. Hotaling, Councilman  
Craig A. Hayner, Councilman  
John P. Wasielewski, Councilman  
Lyn A. Murphy, Town Attorney  
Lynda A. Bryan, Town Clerk

Matthew J. Chauvin, Deputy Attorney- Excused

**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.**

#### **REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY**

**Attorney Murphy** respectfully requested that the Board vote on a resolution authorizing the purchase of a Dodge Caravan off of State Contract for the Animal Control Department subject to the review and approval of the Animal Control Officer and myself.

**Supervisor Wormuth** said that just for discussion purposes that the vehicle that we had previously used for the Animal Control Officer was several years old. While it was parked it was hit destroyed. We did receive and recover money from the insurance company from last year that was encumbered into this year's budget. In order to replace that vehicle, we have been using a vehicle that was available from another department, but does not meet the Ag & Markets requirements and does not suit the needs of our Animal Control Officers. That is why we are looking to replace that vehicle. The money we are planning on spending to purchase this, is off of State Contract and is well less than monies budgeted, which included the amount of money we received from the insurance company. There will be a net savings to our budget this year.

#### **RESOLUTION NO. 46**

Offered by Councilman Wasielewski, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski, Hayner

**RESOLVED**, that the Town Board authorizes the purchase of a Dodge Caravan off of State Contract for the Animal Control Department subject to the review and approval of the Town Attorney and the Animal Control Officer.

**Councilman Hayner** has a couple of things this evening. The next meeting for the Halfmoon Ethics Committee is tomorrow night at 7:00 pm right here in Town Hall in the town Board Room. We will be continuing our research and review of best practices and Gold Standards throughout the State. Tomorrow night our focus will be on the New York State Comptroller's advise. There is a disc that has been provided and we will be going through that. If there is time we will also jump into the Saratoga County Ethics Legislation as well. We have received 6 applications to fill a vacancy on our Ethic's Committee and we will begin our interview's next week. Talking with Mr. Polak, we are looking at next Wednesday, and we will be calling applicants and setting up interviews.

Last, I just want to commend our Park's Department. They have been working pretty diligently the last couple of weeks taking advantage of the weather and having no snow on the ground. Basically they are taking care of a lot of things that they couldn't do in the fall due to all of the rain that we had. They have been doing

a lot of trimming on the trails, cleaning up garbage on the Crescent Trail, and things. I am very pleased with the work that they have been doing the past couple of weeks, and I wanted to report that.

**Supervisor Wormuth** said that tomorrow afternoon at 3:00 pm, there is a meeting here with the Norfolk Southern Railroad. Folks that live down near the railroad who were here at our last meeting and or prior to that and since then expressed to us a concern about the noise, the aesthetics, the general overall operation of the railroad. We have set up a time for Norfolk Southern to be here and meet with the Town, our Town Attorneys, and the folks from down there. This is one of what we envision will be several meetings in moving through this process, in order to make some resolution to the concerns that was expressed at the last meeting. We will also have folks from the engineering here too. Again, it is 3:00 pm tomorrow at Town Hall, and that will be one of many workshop meetings that will go on.

#### **DEPARTMENT REPORTS – month of January**

1. **Town Justice Tollisen**  
**Total # of Cases – 297      Total Fees Submitted to the Supervisor \$27,613**
2. **Town Clerk**  
**Total Fees Submitted to the Supervisor \$5,349.13**

***Received & Filed***

#### **CORRESPONDENCE**

1. **Received** from the Town Planning Board Resolutions approving the following: Sign application for Capital District Youth for Christ located at 1544 Route 9, Change of Tenant and Sign Application for Felicity Hair Salon, located at Stewart's (Kinn's Road), 1859 Route 9, and for The Computer Answers to be located at 1602 Route 9, Change of Tenant for RIE Technology Services at Crescent Commons Plaza, located at 1471 Route 9, Approval of a Commercial Site Plan and Sign Application for the proposed Stewart's Shop #127 located at 454 Route 146, and for ESP Auto Special Use Permit located at 41 Plank Road.

***Received & Filed***

2. **Received** from the Army Corps of Engineers, a letter to Amy DiModugno about the plan to resolve the violation on her property on Hudson River Road.

***Received, Filed & Copy Planning***

3. **Received** from Ryan McCarty a letter stating his resignation from the Assessor's Office effective March 02, 2012

***Received & Filed in the Personnel Office***

4. **Received** from New York State Department of Environmental Conservation, Division of Environmental Permits, Region 5, the DEC Water Supply permit to the Town of Halfmoon Consolidated Water District Service Extension to the Swatling Falls PDD

***Received & Filed***

5. **Received** from New York State Department of Transportation, a copy of a letter to Joseph C. Ritchey, Commissioner of Public Works, stating that their investigation for the reduction in the speed limit at the Route 9 intersection of Kinns and Farm to Market Roads is not warranted at this time, and they have initiated an investigation of the need for a turn arrow for the light at that intersection and upon completion, they will notify us of the results.

***Received, Filed, Print & Copy the Resident who put in the initial complaint***

#### **NEW BUSINESS**

#### **RESOLUTION NO. 47**

Offered by Councilman Polak, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski, Hayner

**RESOLVED**, that the Town Board approves and order paid all vouchers for all funds listed on Abstract dated February 15, 2012 totaling \$285,128.46

**RESOLUTION NO. 48**

Offered by Councilman Wasielewski, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski, Hayner

**RESOLVED**, that the Town Board approves the minutes of Town Board meeting of, February 01,2012 as presented.

**RESOLUTION NO. 49**

Offered by Councilman Hayner, seconded by Councilman Polak: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski, Hayner

**RESOLVED**, that the Town Board authorizes the Supervisor to sign the agreement with Upstate Transit of Saratoga LLC for bus transportation for the Winter Break Rec. Program.

**Supervisor Wormuth** stated that this was for our Property & Casualty Insurance

**RESOLUTION NO. 49**

Offered by Councilman Wasielewski, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski, Hayner

**RESOLVED**, that the Town Board authorizes the supervisor to execute paperwork necessary for insurance for the town

**RESOLUTION NO. 50**

Offered by Councilman Polak, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski, Hayner

**RESOLVED**, that the Town Board authorizes letting bids for Truck Diesel Fuel for Town departments for fuel year effective April 1, 2012 through March 31, 2013 to be opened March 7, 2012 at 7:00 p.m. per the review and approval of the Town Attorney

**RESOLUTION NO. 51**

Offered by Councilman Hayner, seconded by Councilman Polak: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski, Hayner

**RESOLVED**, that the Town Board authorizes the Supervisor to make the Transfer between Appropriations and Creations 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	\$1,692.00
	Subsidiary: 25-4-2189 Home and Community Services	\$1,692.00

Credit:	Appropriations	25-960	\$1,692.00
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Subsidiary: 25-5-1440.40 Engineering Contractors Inspection     \$1,692.00

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

NAME	AMOUNT
6 Liebich Lane	\$987.00
Anna’s Place Werner Road	705.00
TOTAL	\$1,692.00

Transfers between Appropriations:

From Account	To Account	Amount	Reason
10-5-1990.40 Contingency	10-5-3610.40 Code Enforcement Contractual	\$225.00	Materials and supplies for remainder of fiscal year.
20-5-5140.10 Highway Miscellaneous	20-5-5130.40 Highway Machinery Contractual	\$3,676.00	Transfer of appropriations to cover costs of the purchase of plow blades.
10-5-1990.40 Contingency	10-5-1110.40 Town Justice Contractual	\$77.00	Transfer to cover costs associated with mileage reimbursements.
10-5-1990.40 Contingency	10-5-1620.40 Building Contractual	\$1,426.00	Transfer to cover costs associated with end of year supplies
20-5-5140.10 Highway Miscellaneous	20-5-5130.20 Highway Machinery Equip.	\$5,161.00	Transfer to cover costs associated with equipment replacement for vehicles.
10-5-1230.10 Grants Personnel	10-5-1230.40 Grants Contractual	\$70.00	Transfer to cover costs associated with end of year supplies
10-5-1330.10 Receiver of Taxes Personnel	10-5-1330.40 Receiver of Taxes	\$74.00	Transfer to cover costs associated with tax collection software enhancements.
10-5-1990.40 Contingency	10-5-1355.10 Assessor Personnel	\$6,297.00	Transfer for personnel costs due to personnel transitions.
10-5-1990.40 Contingency	10-5-1355.40 Assessor Contractual	\$164.00	Transfer for end of year supplies and materials.
10-5-1670.40 Central Printing	10-5-1660.40 Central Storeroom	\$787.00	Transfer to cover end of year supplies and materials.
10-5-3989.40 Public Safety	10-5-3610.10 Code Enforcement Personnel	\$4,655.00	Transfer to cover personnel costs associated with personnel transitions.
10-5-5010.10 Highway Personnel	10-5-5010.40 Highway Contractual	\$130.00	Transfer to cover costs associated with end of year supplies.
10-5-5010.10 Highway Personnel	10-5-5010.41 Highway Senior Van	\$1,652.00	Transfer to cover costs associated with fuel costs.
10-5-1990.40 Contingency	10-5-5182.40 Street Lighting	\$1,706.00	Transfer to cover increased electrical use rates.
10-5-1990.40 Contingency	10-5-7110.40 Parks Contractual	\$589.00	Transfer to cover costs associated with end of year supplies.
20-5-5140.10 Highway Miscellaneous	20-5-5142.40 Snow Removal	\$151.00	Transfer to cover costs associated with purchase of road salt.
20-5-5140.10 Highway Miscellaneous	20-5-9060.80 Highway Employee Benefits	\$133.00	Transfer to cover costs associated with health insurance.
30-5-8320.41 Water Contractual Electric	30-5-9710.61 Zone 1 Principal	\$2,875.00	Transfer to cover costs associated with principal debt payment.

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

There being no further business to discuss or resolve, on a motion by Councilman Hayner and seconded by Councilman Polak, the meeting was adjourned at 7:12 pm.

**Respectfully Submitted,**

**Lynda A. Bryan  
Town Clerk**