

The August 03, 2011 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
Regina C. Parker, Councilwoman
Paul L. Hotaling, Councilman
Craig A. Hayner, Councilman
Lynda A. Bryan, Town Clerk
Matthew J. Chauvin, Deputy Attorney

Not present: Lyn A. Murphy, Town Attorney

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.

Supervisor Wormuth welcomed the “Clown” friends who were present for the reading of the Proclamation for Clown Week, which we have done for several years in town and are always honored to do so. This has been a tradition since prior to her being Supervisor. The Clowns come in and they work with our Summer Rec. Program and they visit our Nursing Homes. They spend a lot of time with people in the community in need. She has a resolution that she will read tonight, but before she does, she would like to say that it is an honor and privilege to have so many colorful characters here with us this evening. It seems each year it grows and grows and grows! She invited the Clowns to come forward as she read the proclamation and for pictures.

The Supervisor read the following proclamation:

WHEREAS, the people of the Town of Halfmoon recognize the importance of laughter in their lives; and

WHEREAS, Clowning encourages laughter in people from young to old, rich to poor; and

WHEREAS, Clowns can dissolve thoughts of prejudice, and intolerance of others, and,

WHEREAS, Clowns can make people forget their pain, sadness, illness, and distress,

NOW, THEREFORE, I, Mindy A. Wormuth, Supervisor of the Town of Halfmoon, do hereby proclaim the week of August 1 through 7, 2011 as:

CLOWN WEEK
in the Town of Halfmoon, New York

Sparky the Clown introduced her friends Sprinkles, Daisy, and Patty Cake and they posed for pictures with Supervisor Wormuth.

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Councilman Polak had 1 item this evening. Household Hazardless Day is September 10th, but you must register by September 7th. You can register on-line and there are forms in the Town Clerk’s Office that you can pick up.

Councilman Hotaling wanted to thank the Supervisor for the fast actions in the water plant. Waterford was in need of water and everyone pulled together and helped them out. He said that it is great, the way they helped other communities.

He also stated that this Friday at dusk there will be a movie in the Town Park and next Wednesday August 10th there is a Concert in the Park on the new stage featuring Renee Lussier and Branchwater. There will be a firework display after the concert.

Supervisor Wormuth invited everyone to join us stating that it always an exciting time when we have fireworks. She has heard wonderful reviews on the band. She hopes that all can join us on Wednesday the 10th.

Councilwoman Parker said that the seniors are planning more trips for the fall. You can get the information for these trips on both our web site, and on theirs.

Councilman Hayner wanted to commend the Recreational staff for all of their hard work this summer. This week marks the end of the 6-week program and they have done a terrific job. Every day it is a lot of moving parts and he is very grateful for all of the work that they have done.

He would also like to thank Supervisor Wormuth and Councilwoman Parker for attending the meeting down in Colonie last week and advocating for the residents of the Town of Halfmoon, he really appreciates it.

Supervisor Wormuth said that her report this evening is brief in nature, but does touch on what Councilman Hayner said. The Board did develop a letter that was submitted to the Town of Colonie on behalf of the residents of the Town of Halfmoon. It had concerns about changing the ownership of the dump, whether it expands or not, we still have a concern over the general management of it. Over the years it has been a concern. We submitted the letter, and attended the meetings. There were other meetings that we had senior level staff representing the town. We feel the Town of Colonie was very receptive to our concerns. They have agreed to a meeting in order to come up with mitigation plans. We will continue to move forward with that. While it was not our intention to interfere with their ability to make revenue for their town, we felt it necessary to protect the quality of life for the residents of our town. So that was our main goal for being there, and I think that it was well received. We will continue down that path in order to increase that relationship and try to prosper in that area for our residents, especially those along the river and Churchill Road who are greatly affected by this.

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

DEPARTMENT REPORTS - month of July

1. **Senior Express Dispatch**

Total # Meals – 370 Total # Riders - 302

2. **Town Justice Wormuth**

Total Cases – 320 Total Fees Submitted to Supervisor \$31,045.00

3. **Building**

Total permits – 85 Total Fees Submitted to Supervisor \$19,100.00

4. **Fire Code**

Total permits – 19 Total Fees Submitted to Supervisor \$870.00

CORRESPONDENCE

1. **Received** from the Town Planning Board resolutions approving the following: sign applications for New Country Porsche located at 205 Route 146 and for Ideal Personal Training Studio located at 381 Hudson River Road, Change of Tenant at 1426 Crescent Vischer Ferry Road, at 1516 Crescent Vischer Ferry Road, for Find Your Dreams at 21 Corporate Drive and for Empire State Chassis & Fabrication

located at 7 Kennedy Lane and regarding the Ruchlicki Subdivision & Special Use Permit.

Received & Filed

2. **Received** from the Town Planning Board resolutions denying an addition to a commercial site plan application for the New Country Porsche Dealership located at 205 Route 146 and sign application for New Country Porsche located at 205 Route 146.

Received & Filed

3. **Received** from the Town Planning Board resolutions regarding a positive recommendation for the Halfmoon Village & Yacht Club Planned Development District, and amendment to the Falcon Trace Planned Development District and schedule a Public Hearing.

Supervisor Wormuth stated that in order to schedule a Public Hearing that they will take these 2 items separately, because there are 2 things listed and does not want to cause any confusion. There is a request to schedule a Public Hearing for the amendment to Falcon Trace at our next meeting at 7:00 pm.

RESOLUTION NO. 168

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

RESOLVED, that the Town Board schedules a Public Hearing for Falcon Trace Planned Development District at the August 17, 2011 Town Board Meeting.

As a separate point, is the Halfmoon Village & Yacht Club, which has received a positive recommendation from the Planning Board. She requests that the Town Board receives and files that and then they will move forward with developing the local law that will represent that. At the time that the local law is available, we will then present that to the public, through the appropriate forum. So there is not a resolution needed for that, but that would be the next step for the project, as long as the Board is willing to acquiesce to having received the comments from the Planning Board. If anyone hasn't received them, the Clerk will certainly provide them.

4. **Received** from Nicholas V. Cristo 37 Covington Drive, a letter to the NY State Dept. of Transportation inquiring about the progress of the installation of a traffic light at the intersection of Route 146 & Vosburg Road

Received, Filed & Print for the Board.

Supervisor Wormuth stated that this is an ongoing issue that we have dealt with. Covington Drive is part of the Sheldon Hills neighborhood. She has met with Mr. Cristo on several occasions. We have also met with our Planning Staff and DOT regarding that, and continue to work on looking at a light at that intersection. The figures for the traffic studies do not warrant a light at this time. That's basically been the response back, both to the Town and to Mr. Cristo from Mary Ivy at the New York State Department of Transportation as well as Mr. Kennedy.

5. **Received** from Carm Basile, Chief Executive Officer from CDTA, a letter giving notice that the Clifton Park/Saratoga Shuttle, Route 409 bus service, last day of service will be September 02, 2011, due to low rider ship.

Received, Filed & Print on Bulletin Boards and distribute to the Senior Center in case any of our seniors do utilize that route so that they are aware ahead of time that there may be an impact.

6. **Received**, from Matt's Cape House, located 1663 Route 9, notification of intent to renew their liquor license
Received & Filed

7. **Received** from Halfmoon Fire District #1, their Annual Financial Report for fiscal year ending December 31, 2010.
Received, Filed & Print and page for Board. If anyone wishes the full documentation, it will be available in the Clerk's Office and in the Finance Office.

8. **Received** from EBS-RMSCO, Inc. Employee Benefit Solutions, a summary of Material modification and amendment to the plan document for the Town of Halfmoon Benefit Conversion Plan.
Received & Filed

NEW BUSINESS

RESOLUTION NO. 169

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

RESOLVED, that the Town Board approves and order paid all vouchers for all funds listed on Abstract dated August 03, 2011 totaling \$187,084.17.

RESOLUTION NO. 170

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

RESOLVED, that the Town Board approves the minutes of Town Board meeting of July 20, 2011 as presented.

RESOLUTION NO. 171

Offered by Councilwoman Parker, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Wormuth Hotaling, Parker, Hayner,

RESOLVED, that the Town Board authorizes the Supervisor to accept the Town of Halfmoon's share of 2011 sales tax revenue in cash from Saratoga County Real Property Tax Services.

Supervisor Wormuth wanted to clarify that one (1) of the options we have is to receive this as a credit against bills that we owe to the County, or receive it as they call cash which is actually a check that is mailed, not a bag full of cash, and deposited into our accounts. This is just a procedural format because different towns choose to deal with it in different ways depending on their relationship of revenue to debt services with our county.

RESOLUTION NO. 172

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

RESOLVED, that the Town Board accepts for dedication as Town roads, roads in the Rolling Hills PDD – Phase II, a portion of Ridgewood Drive, the rest of Rolling Hills Drive, Green Fields Drive and Sunny Hill Court, as they have satisfied the standards set by the Town of Halfmoon Roadway Dedication Procedure.

RESOLUTION NO. 173

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

RESOLVED, that the Town Board approves change order no. 1 for Jersen Construction Group in the amount of \$2,519 to provide two variable message boards for one week prior to road closure for the Woodin Road Culvert Replacement project

Supervisor Wormuth stated that this amount is included in the project amount that was budgeted for it and again was approved for not only the convenience of our residents, but for safety issues so that as people are traveling to and from places, they are aware that there is going to be a portion of the road that is closed. In anticipation of that, we wanted them to be able to prepare for it and felt for the safety of our residents, because the budget allowed it that this was a good way to inform them that there would be upcoming closures.

RESOLUTION NO. 174

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

RESOLVED, that the Town Board authorizes the Supervisor to grant an easement and right of way to Niagara Mohawk Power Corporation, a New York corporation at 300 Ere Boulevard West, Syracuse, NY and Verizon New York Inc. of 140 West Street, New York, NY, for the consideration of One Dollar (\$1.00).

RESOLUTION NO. 175

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

RESOLVED, that the Town Board appoints Steffen Buck, provisional Director of Code Enforcement, Grade 9 Step 7 effective August 1, 2011.

Supervisor Wormuth said that she was asked by Steffan Buck to apologize for his absence here this evening as he is actually in court doing his Code Enforcement duties, so he could not be here this evening to accept this promotion. He certainly wanted to thank the Board for their continued support and appreciation of his hard work.

RESOLUTION NO. 176

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

RESOLVED, that the Town Board authorizes the Supervisor to waive the building permit fee for the Hillcrest Fire Department for their 12x14 storage shed.

RESOLUTION NO. 177

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

RESOLVED, that the Town Board appoints Nelson Ronsvalle, Provisional Director of Finance, for the purpose of training and facilitating the transition to Director of Finance, Grade 10 Base Pay, effective August 03, 2011 through August 30, 2011.

Supervisor Wormuth stated that much to our dismay that our Director of Finance, who has been with us for a long time, has decided to retire. We look forward to having our Grant Writer who is also qualified and talented enough to become our

Director of Finance make this transition for us. It will benefit the town by combining the two positions and saving a large amount of money in our budget, that we will recognize as we move into next years budget.

As we will miss Miss Temple and all of her dedicated years to the town, I know myself, as the budget officer, I am sure the rest of this Board look forward to working with Nelson, as we move forward through this years budget process which will certainly be challenging.

Supervisor Wormuth congratulated Nelson.

RESOLUTION NO. 178

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

RESOLVED, that the Town Board appoints Nelson Ronsvalle, Director of Finance, Grade 10 Base Pay, effective August 31, 2011.

RESOLUTION NO. 179

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

RESOLVED, to authorize the Supervisor to make the Transfer between Appropriations and Creation 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	\$13,937.40
	Subsidiary: 25-4-2189 Home & Community Services	\$13,937.40

Credit:	Appropriations	25-960	\$13,937.40
	Subsidiary: 25-5-1440.40 Engineering		
	Contractors Inspections		\$13,937.40

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

NAME	AMOUNT
Inglewood PDD	\$1,447.00
RGH Enterprises	\$1,863.34
Pipino/Vosburgh Subd	\$1,141.00
Halfmoon Pipino/Werner Subd	\$9,486.06
Total	\$13,937.40

A resolution is needed to appropriate the contributions from Town of Halfmoon 50/50 raffle made to the Character Counts Program for the summer recreation program for youths to attend summer camp as follows:

DEBIT: Estimated Revenues 10-510 \$272
 Subsidiary: Community Gift Contributions
 10-4-2705 - \$272

CREDIT:	Appropriations	10-960	\$272
	Subsidiary: Character Counts – Contractual		

10-5-7989.4 - \$272

Transfers between Appropriations:

From Account	To Account	Amount	Reason
20-5-5110.40 Highway General Repairs Contractual	20-5-9950.90 Transfer to Capital Funds Project	\$150,000	Transfer of appropriations within own budget to cover capital project for Woodin Road Culvert

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

There being no further business to discuss or resolve, on motion by Councilman Hayner and seconded by Councilwoman Parker the meeting was adjourned at 7:25 pm.

Respectfully Submitted,

Lynda A. Bryan,
Town Clerk