

The July 7, 2010 regular meeting of the Town Board of the Town of Halfmoon was called to order at 7:00 pm by Supervisor Wormuth in the A. James Bold Meeting Room at the New Town Hall, 2 Halfmoon Town Plaza 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  
Mary J. Pearson, Town Clerk  
Lyn A. Murphy, Town Attorney

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.

#### RESOLUTION NO. 139

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

**WHEREAS,** Joseph W. Dalton, Jr., “Joe”, has served as President of the Saratoga County Chamber of Commerce and the citizens of Saratoga County for more than forty (40) years; and

**WHEREAS,** Joe arrived in Saratoga Springs in 1970 to assume the position of Executive Vice President with a staff of himself and one full time and one part time employee and a total of three hundred and thirty members and is leaving having increased membership to two thousand eight hundred firms; and

**WHEREAS,** Joe has been an instructor in management at five nationally recognized universities, and has been a coordinator of strategic planning sessions for Chambers, governments and non-profit organizations across the state as well as in Saratoga County. The U.S. Chamber has recognized the Saratoga County Chamber as one of the most effective Chambers in the nation in meeting true community and member needs; and

**WHEREAS,** Joe, one of three founders of the Saratoga Economic Development Corporation, which has brought thousands of new good paying jobs to the County. He was one of the two founders of the Saratoga Springs Plan of Action, which revitalized the Saratoga Springs downtown. His skills were also integral to the initial construction of the City Center and its present expansion; and

**WHEREAS,** Joe organized the effort to protect the quality of Thoroughbred racing for which Saratoga is famous. Earlier in his career, Joe mounted the successful effort to save spring and fall Thoroughbred training at Saratoga's Oklahoma Track; Recently he initiated the greeter program at the Saratoga Race Course; and

**WHEREAS,** Joe presently serves on the Luther Forest Economic Development Board which sold the 220-plus acre site to Global Foundries and controls an additional 500 acres of developable high tech property; and

**WHEREAS,** Joe has been a member of the Board of Directors of the Saratoga Convention & Tourism Bureau since its inception, and has led or been a part of numerous fund raising efforts for non-profits in the county, including the annual NYRA Open Houses, Saratoga Hospital, the Saratoga Performing Arts Center, the YMCA of Saratoga, Saratoga Central Catholic, Saratoga Bridges, United Way, St. Clement's Saratoga Horse Show and the NYS Military Museum;and

**WHEREAS,** during his tenure at the Chamber, Dalton initiated the Bartenders Ball which has raised over \$300,000 for twelve charities in the county, Leadership Saratoga, the re-opening of Alpine Meadows Ski Slope, the opening of the Saratoga Music Hall, the hosting of the Medal of Honor recipients, and the Community of Respite Program in response to 9/11. Recent initiatives by Joe have been to convince existing and new residents to become involved as volunteers in their hometowns. A volunteer recruitment video and non-profit volunteer directory were produced, as well as a series of essays on how volunteers were able to turn a depressed city (Saratoga Springs) into the urban jewel it is today.

**WHEREAS,** Joe has showed exemplary service to our community, through his work at the Saratoga County Chamber together with his constant dedication to volunteerism; and

**WHEREAS,** although we are sad to see Joe retire, we wish him continued success in his future endeavors.

#### **NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. That the Town Board of the Town of Halfmoon recognizes and commends Joseph W. Dalton, Jr. for his years of service to the County of Saratoga and the community; and it is further
2. That a framed copy of this Resolution be presented to Joseph W. Dalton, Jr. in recognition of his dedicated service to our community.

The Supervisor opened the public hearing for the proposed Fellows Road Abandonment and Realignment at 7:05 pm.

Attorney Murphy stated the proposed abandonment and realignment is detailed in the map posted on the board. She stated there will be a portion closed off to eliminate the dangerous access site. She stated the Town has received a sign-off from two of the neighbors and they are in negotiations with the third and forth neighbors. She stated the realignment is being proposed for safety reasons and the traffic study determined the road has a dangerous site distance and the Town has no choice but to proceed with real amicable

Supervisor Wormuth stated this road has been a concern to the Town prior to the recent development; Attorney Murphy stated from day one there have been concerns with the rock cut.

Robin Ryan indicated on the map that her property is the first property and asked about the barriers and signage.

Mike Bianchino indicated the intent for signage and barriers and a temporary sign that would indicate a private drive

Supervisor Wormuth stated a flashing light with the road barrels would help so people will be aware there is a change.

Jerry Baker, 88 Fellows Road, stated there are concerns that a portion of the property in the triangle is contaminated from when there was oil and tar dumped there and asked if the Town would check on that to determine if it is contaminated ground.

Attorney Murphy stated that Attorney Chauvin is handling this and she will provide him with this information.

Meredith Fellows, 82 Fellows Road, asked why the Town keeps changing their mind on everything regarding this road for many years.

Attorney Murphy stated some of the changes to the plan have been requested by the neighbors and changes and alterations made in the past are not going to be changed. She stated from the engineering studies it has been determined that this proposed change is the best way to do it for site distance and safety.

Mr. Fellows stated he has been told different stories about changes to the road from this town and he wasn't properly notified of the change.

#### RESOLUTION NO. 140

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

RESOLVED, that the Town Board adjourns this hearing and schedules another public hearing for the next Town Board meeting, July 21, 2010.

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

Councilman Polak reported on the Clifton Park Household Hazardous Waste Day, which will be on Saturday, September 25 from 8 am to 4 pm at the Ray Road site near the Town of Clifton Park transfer station. He stated the forms are available in the Town Clerk's office and is offered to Halfmoon residents

Councilwoman Parker reported on the free Saratoga County Animal Shelter rabies clinics for dogs and cats at the 4-H Training Center that will be held July 20<sup>th</sup>, August 3 & 17, September 14 & 28, October 19 and November 16<sup>th</sup>.

Supervisor Wormuth 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 - 387 Total fees remitted to the Supervisor - \$48,916  
*Filed.*

2. Town Justice Tollisen			
Total cases	-	363	Total fees remitted to the Supervisor - \$39,853
<i>Filed.</i>			
3. Building			
Total permits	-	91	Total fees remitted to the Supervisor - \$15,187
<i>Filed.</i>			
4. Fire Code			
Total permits	-	17	Total fees remitted to the Supervisor- \$ 1,824
<i>Filed.</i>			

## CORRESPONDENCE

1. Received resolutions from Town Planning Board approving the following: Bethel lot line adjustment for minor subdivision; approving preliminary layout of the Glen Meadows PDD Residential subdivision at Upper Newtown Road; approving Tanski mixed-use development commercial site plan and special use permit at 325 Route 146.  
*Received and Filed.*

2. Received from Town of Clifton Park Environmental Specialist notification of Household Hazardous Waste Day September 25<sup>th</sup> from 8 am to 4 pm at 22 Ray Road, near Clifton Park Transfer Station, registration forms are available in the Town Clerk's office.  
*Received and Filed.*

3. Received from State of New York Department of State notification of receipt and filing of Local Law #2-2010, Plant Road PDD.  
*Received and Filed.*

4. Received request from W.K. Mansfield Hose Company to shut down Firehouse Road between Crescent & Andrea's on July 17<sup>th</sup> from 9:30 am to 7:00 pm for a Block Party in celebration of their 75<sup>th</sup> Anniversary (will be open to local traffic and they will provide cones and necessary manpower).  
*Received and Filed.*

5. Received from Town Senior Planner Planning Board resolutions approving the following: positive recommendation for the amendment to Arlington Heights PDD known as Arlington Heights Phase II; addition to commercial site plan for Pai's Academy, 1580 Route 9; sign application for St. Luke's Church, 40 McBride Road.  
*Received and Filed.*

6. Received from Town Senior Planner Planning Board resolution regarding decision to pass a negative recommendation for the proposed Bilinski PDD  
*Received and Filed.*

7. Received from State of New York Department of Transportation notification of receipt of speed limit study request for Tabor and Cary Roads.  
*Received and Filed.*

## NEW BUSINESS

### RESOLUTION NO. 141

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

RESOLVED, that the Town Board approves and orders paid all vouchers for all funds listed on Abstract dated July 7, 2010, totaling \$559,443.22.

### RESOLUTION NO. 142

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

RESOLVED, that the Town Board authorizes entering into agreement with the County of Saratoga for Youth Week 2010 Activity Reimbursement in the amount of \$2,220 and further

RESOLVED, to authorize the Supervisor to execute said agreement.

RESOLUTION NO. 143

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

RESOLVED, that the Town Board approves minutes of Town Board meeting of June 2, 2010 as presented by the Town Clerk.

Supervisor Wormuth stated, relative to the next resolution that the amendment to the sign ordinance is to correct typos for clarification in one section.

RESOLUTION NO. 144

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

RESOLVED, that the Town Board sets a public hearing for Amendment to Article 10, Sign Ordinance, for July 21, 2010 at 7:00 pm.

RESOLUTION NO. 145

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

RESOLVED, that the Town Board approves June 2010 Water Report for water usage as submitted by the Director of Water.

RESOLUTION NO. 146

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

**WHEREAS**, the Hudson River Valley Greenway administers the Small Grant Program, and

**WHEREAS**, grants are available for interpretive signage for Hudson River Parks and Marinas, and

**WHEREAS**, the Town of Halfmoon seeks to inform residents and visitors regarding the Halfmoon Hudson Riverfront Park and its association with other Hudson River Parks and Amenities,

**THEREFORE BE IT RESOLVED**, the Town of Board authorizes the Supervisor to apply for a Hudson River Valley Greenway Small Grant Program in the amount of \$5,000 to design, fabricate and install interpretive signage at the Halfmoon Hudson Riverfront Park.

RESOLUTION NO. 147

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

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) has awarded a Recreational Trails Program grant to the Town of Halfmoon for construction of the Champlain Canal Trail, and

WHEREAS, all applicable laws, including specifically General Municipal Law §103 and §104-b, and all other regulations governing public contracts for service, labor, and construction involving more than \$35,000 have been adhered to,

THEREFORE BE IT RESOLVED that upon the recommendation of the Town Engineer the Town Board authorizes the Town Supervisor, with review and approval from the Town Attorney, to negotiate and execute the contract for the construction of the Champlain Canal Trail with Casale Excavating, Inc.

RESOLUTION NO. 148

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

RESOLVED, that the Town Board approves Change Order No. 1, Contract No. 1, R. DeVincentis Construction, Brookwood Road Water Storage Tank Rehabilitation for filling of pits for 200 square feet area inside tank in the increase amount of \$8,947.97

RESOLUTION NO. 149

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

Standard Work Day and Reporting Resolution

WHEREAS, the Town Board of the Town of Halfmoon is dedicated to open government and fiscal responsibility to ensure that Town funds are utilized in an efficient and effective manner; and

WHEREAS, elected and appointed officials work for the citizens of the Town of Halfmoon and are accountable to those same citizens; and

WHEREAS, regulation 315.4 of the New York State Comptroller’s office requires that the Town Board of the Town of Halfmoon re-establish standard work day for elected and appointed officials after reviewing the detailed accounting of hours worked documented by elected and appointed officials for three consecutive months; and

BE IT RESOLVED, that the Town of Halfmoon hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based upon the record of activities maintained and submitted by these officials to the clerk of the of such original.

RESOLUTION NO. 150

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

RESOLVED, that the Town Board authorizes the Supervisor to make the following 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	\$2,797.00
	Subsidiary:	25-4-2189 Home & Community Services	\$2,797.00
Credit:	Appropriations	25-960	\$2,797.00
	Subsidiary:	25-5-1440.40 Engineering Contractors Inspections	\$2,797.00

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
Bast Hatfield-Insp	\$133.00
Moorings of Halfmoon	\$1,547.00
Howland PDD	134.00
Glen Meadows	654.00
Abele PDD-Sheldon Hills	329.00
TOTAL	\$2,797.00

A resolution is needed to appropriate the contributions from Halfmoon Laser Wash & Coin Laundry made to the Character Counts Program to be put toward the purchase of a defibrillator as follows:

DEBIT:	Estimated Revenues	10-510	\$1,000
	Subsidiary:	Community Gift Contributions	10-4-2705 - \$1,000
CREDIT:	Appropriations	10-960	\$1,000
	Subsidiary:	Character Counts – Contractual	10-5-7989.2 - \$1,000

Transfers between Appropriations:

From Account	To Account	Amount	Reason
10-5-1990.40 Contingency	10-5-1110.20 Justice Equipment	\$50	Additional appropriations needed to cover shredder purchased with grant funds
10-5-1990.40 Contingency	10-5-1111.20 Justice Equipment	\$50	Additional appropriations needed to cover shredder purchased with grant funds
30-5-8320.41 Source of Supply, Power &	30-5-8310.42 Administration	\$12,740	Transfer of appropriations needed to cover legal fees for water administration

Pumping Electric	Contractual Legal Fees		
---------------------	---------------------------	--	--

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

Marilyn Sawyer, Fellow's Road stated there is an increase in traffic on Fellows Road and especially at the intersection of Route 146 and Route 236 and asked if a sign, stating "no thru traffic" could be installed.

Supervisor Wormuth stated she will consult with the Highway Superintendent and would be happy to discuss this with him,

Ms. Sawyer asked where Halfmoon Hudson Riverfront Park is located as she has not found it.

Nelson Ronswalle stated it is at 597 Hudson River Road at the bottom of Brookwood Road adjacent to Brookwood Manor. He stated it is under development now and doesn't exist yet but they will let out bids for construction very soon.

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

Respectfully submitted,

Mary J. Pearson  
Town Clerk

7-7-2010

