

## **Town of Northumberland**

**February 1, 2007**

The regular monthly meeting of the Northumberland Town Board was called to order @ 7:00 PM. Following the salute to the flag, roll call was taken. Those attending included Supervisor Willard Peck, Councilman Paul Bolesh, Councilman Harold Vance Jr., Councilman George Hodgson and Councilman Daniel Gale. Also attending were Clerk Denise Murphy, Highway Sup't Neil Petteys and Town Attorney Douglas Ward.

### **APPROVE MINUTES**

1. Councilman Daniel Gale made a motion to approve minutes of the January 8, 2007 regular monthly meeting. Councilman George Hodgson seconded the motion. All in favor, motion carried.

### **PUBLIC PARTICIPATION**

Daryl Dumas, Route 4 & 32 wanted to thank the Town Board, especially Councilman George Hodgson for their continuous support of the Hudson Crossing Park and Knox Trail Pocket Park. Mr. Dumas stated he has roughly 1,000 + hours volunteering since the year 2000 working at Hudson Crossing, Starks Knob, and the Knox Trail Pocket Park. Mr. Dumas stated his concern is with all the junk cars at Starks Knob on private property. Mr. Dumas stated the Town Board needs to get them out of there they are an eye sore. Also, he asked if there is a grandfather farm rule for junk cars. Also Mr. Dumas would like to see a 6 - 7 ton weight limit posted on Starks Knob Road. Mr. Dumas provided pictures of the large number of junk cars directly behind Starks Knob. Supervisor Peck thanked Mr. Dumas for the pictures and informed him that Code Enforcement Officer Richard Colozza will add them to his collection. Supervisor Peck stated the town is taking action, but he was unable to give specifics since it may involve litigation.

Mark Boldt, Starks Knob Road, would like to thank the Town Board for their common sense approach to the issue his neighbor brought up regarding the width of Starks Knob Road, his stone wall and tree limbs. Mr. Boldt wanted to assure the Town Board the Highway Department at no time helped him with the construction of his stone wall, which his neighbor alleged. Mr. Boldt met with Highway Sup't Neil Petteys prior to construction to find the best location for his stone fence. Mr. Boldt stated his neighbor has been driving in the ditches on upper end of Starks Knob Road making that area extremely muddy. Mr. Boldt fears he is trying to make Starks Knob Road 30' wide at the upper end then try to establish the entire road width 30 ' not 20'. Mr. Boldt stated the junk cars are an eye sore and would like to see them removed. Right now scrap metal is up which means each of those junk cars are worth roughly \$200 at a scrap yard.

Supervisor Peck stated he knows the cars are an eye sore. The property owner was sent a letter stating the junk cars needed to be removed by the end of January. That has come and gone. Now the Town is working with the Town Attorney regarding the next course of action that will be taken. Supervisor Peck stated he thinks it is sad when a neighbor doesn't get along with his fellow neighbors. Supervisor Peck appreciated their patience.

### **APPOINTMENTS**

Town Clerk Denise Murphy presented the following appointments: Christina Kilburn, Deputy Town Clerk and Cindi Heidorf, Clerk @ \$10.30 per hour. Councilman George Hodgson made a motion to approve Town Clerk Denise Murphy's recommendation of Christina Kilburn, Deputy Town Clerk and Cindi Heidorf as Clerk @ \$10.30 per hour. Councilman Harold Vance Jr. seconded the motion. All in favor, motion carried.

### **CORRESPONDENCE**

1. The Town Board received a letter from the Planning Board regarding their recommendations for Chairperson and Vice Chairperson for 2007. The Planning Board is recommending Patricia Bryant as Chairperson and Brit Basinger as Vice Chairperson for 2007. Councilman Daniel Gale made a motion to appoint Patricia Bryant as Chairperson and Brit Basinger as Vice Chairperson of the Planning Board for 2007. Councilman Paul Bolesh seconded the motion. All in favor, motion carried. The Planning Board would like to recommend to the Town Board that an additional alternate to the Planning Board be appointed. Kevin Gifford is serving on military duty and has not attended Planning Board Meetings in 2006. The Town Clerk will fax Supervisor Peck a copy of the Town's Local Law authorizing alternates for both the Planning and Zoning Board to see if there is a limit in the number of alternates that can be appointed to serve on either Board. Councilman Daniel Gale made a motion authorizing the Town Clerk to advertise openings on the Planning Board. Councilman Harold Vance Jr. seconded the motion. All in favor, motion carried. The Planning Board would like to be able to notify the Town Board if a member of the Planning Board misses more than three monthly meetings in a row and have the Town Board follow up to be sure that the reason a member is absent from the past meetings is a reasonable one. The Planning Board member upon receiving a letter would be instructed to contact the Town Clerk with why they have missed and/or if they are still willing to serve on the Planning Board for the duration of their term. Supervisor Peck stated he will discuss this with the Planning Board Chairperson and Town Attorney to see legally what can be done, and draft a policy accordingly.

2. The Town Board received a letter from Engineering America regarding letter of credit reduction regarding Brampton Woods. Supervisor Peck stated this has been handed over to the Town Attorney Douglas Ward for his review.

3. A letter was received from Assemblyman James Tedisco regarding the Resolution Petitioning the State of New York to adopt legislation to provide for property tax reform. He has forwarded the Resolution to his legal staff for their review.
4. The Town Board received a copy of the Town of Milton's Resolution passed on January 24, 2007 Petitioning the State of New York to adopt legislation to provide for property tax reform.
5. The Town Board received a letter from the Association of Towns acknowledging receipt of the town's Resolution Petitioning the State of New York to adopt legislation to provide for property tax reform.
6. The Town Board was provided material on Security options for town courts which was newly adopted by the state. Supervisor Peck stated he will talk with the town justices regarding their needs in relationship to the state requirements.
7. The Town Board received a letter from Attorney Edwin M Adeson regarding an abandoned town road, connecting tax map # 116.7 – 1 – 8 to Route 50. This information has been turned over to the Town Attorney for his review.
8. The Town Board received a letter from Schuyler Hose regarding the appointment of an exploratory committee for the investigation into the feasibility of constructing a second fire station, which would be located in the Town of Northumberland. The project would be a joint venture between the Northumberland Town Board, the Schuyler Hose Fire Department and the Village of Schuylerville.
9. The Town Board received informational brochures from "The Center for Problem Gambling". The Town Clerk will post these brochures for the public.
10. The Town Board received a letter from National Grid regarding their policy for attachments to National Grid poles for lighting or decorations.
11. The Town received information from the Village of Ballston Spa regarding the 2007 Bi Centennial Parade on Saturday, August 18. There will be an Old Fashion Family Fun Day after the parade at the Saratoga County Fairgrounds with fireworks after dark.
12. The Town Board received a letter from I Love NY regarding the extension of the I Love NY learn to Ski 1 – 2 – 3 Program.
13. Supervisor Peck had a copy of a letter from Marlene Bissel, Hudson Crossing President to Garret O'Connor, NYS Canal Corp. The Hudson Crossing Play Garden Committee requests permission from Canal Corp to utilize for storage the gravel area to the south of the main road at Lock C-5. Secondly, the Committee is formally requesting Canal Corp to place signs at the Lock C-5 site prohibiting firearms, motorcycles and all-terrain vehicles on the Island. On a recent weekend, Hudson Crossing again had reports

that people were on the Island firing guns. Anywhere that shooting is directed on the Island is hazardous, as the trails are on the perimeter of the Island.

14. Supervisor Peck stated he will be drafting a letter on behalf of the Town Board to both the Gansevoort and Schuyler Hose Fire Department thanking them for the outstanding job they performed during January's ice storm. Councilman Gale stated Gansevoort Fire Department received 36 calls over the 3 day period and Schuylerville received 40 calls during the same time frame. The fireman were busy checking on the elderly, making sure generators worked for many residents with special needs and dropping off gas for these generators. The Fire Houses were kept open for residents to stop in, get warm get something warm to eat and anything else they may have required. The Gansevoort Fire Department went door to door in one of our senior housing developments to make sure anyone with special needs may have been over looked. Supervisor Peck stated he would also like to thank the Highway Department for the outstanding job they did keeping the roads open and safe. Supervisor Peck was out driving during the night assessing the town's conditions and was extremely happy with the condition of the town's roads. Supervisor Peck stated the Town Board will be sending out a "Special Needs" form to all the residents to identify individuals who have special needs such as oxygen in case of another storm which involves a wide spread power outage. Kurt Haas II, Saratoga County Dispatcher and Gansevoort Fireman, stated the Town of Wilton had just sent out a similar form to their residents and he will try and obtain a copy of their form.

15. Supervisor Willard Peck stated he received a memo from Saratoga County Public Works regarding road stripping for 2007. Highway Sup't Neil Petteys stated he received a copy of this memo.

16. Supervisor Peck stated Mayor Valerie Keehn will hold her State of the City Address on February 4, 2007 @ 1:00 PM at the Saratoga Springs City Center.

17. Supervisor Peck received a Thank You for speaking at the Upper Hudson Agricultural Leadership Forum I regarding Local Government Issues on January 24, 2007.

### **OLD BUSINESS**

1. Hudson Crossing: Councilman George Hodgson gave an update on the project. Councilman Hodgson stated everything is moving ahead and very smoothly. Carmella Mantello, Director of NYS Canal Corp will be visiting the Island on March 7, 2007. Councilman Hodgson provided Board Members with a list from Hudson Crossing Inc. regarding – Proposed Plan for Demonstration Signs. All signs will be made of resin/stainless vandal screws needed. Total cost estimated at \$5,307.00. Councilman Hodgson stated Cindy Wian project manager for the Play Garden is on board and submitted a Hudson Crossing Work Log. This was submitted with Hudson Crossing Voucher. It looks to be a very busy but productive year. Hudson Crossing received a \$15,000 private donation toward the project.

2. Emergency Service Plan Update: Councilman Daniel Gale stated Glenn Stevens; Emergency Service Coordinator has put together *Draft I* of the Town's Comprehensive Emergency Response Plan for the Town Board's review. Mr. Stevens would like to have a Meeting with the Town Board to review the draft to make changes and suggestions. Once that is completed Councilman Gale and Glenn Stevens will meet with the local fire departments, emergency squads and highway department for their input. Councilman Gale will discuss dates that are suitable for Glenn Stevens to meet with the Town Board.

3. Planning/Zoning Clerk: The Town Board has advertised and received resumes for a part time Planning/Zoning Clerk. The Town Board has to review the resumes and set up appointments to interview the candidates for sometime next week. Supervisor Peck stated he wanted to have someone on board for the next Planning Board Meeting scheduled for February 20, 2007.

### **NEW BUSINESS**

1. Fuel Bids: The Town Board received the following bid for regular and diesel for 2007:

John Ray & Sons: Diesel fuel \$2.019 per gal.  
Regular Gas \$1.689 per gal.

Saratoga County opened their diesel and regular gas yesterday and has not yet awarded their contract for 2007. The Town of Northumberland is not entitled to the counties bid for regular gas since we do not meet the threshold for usage. Councilman Harold Vance Jr. made a motion to reject John Ray's bid for unleaded and regular since it did not meet specifications regarding "firm differential" and to readvertise the fuel bid. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

2. Sewer Bids for 2007: The following bid was receiving for pumping of sewers in Sewer District #1:

Stone Septic Service: \$135.00 per 1,000 gallons  
(no extra hose charge for any of the septic tank services)

Councilman George Hodgson made a motion to accept Stone Septic Service's bid of \$135.00 per 1,000 gallon with no extra hose charge for any of the septic tank services. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

3. Moreau Emergency Squad Contract for 2007: Councilman Daniel Gale made a motion authorizing Supervisor Peck to sign the contract with Moreau Emergency Squad in the amount of \$60,000 for 2007. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

4. General Schuyler Emergency Squad Contract for 2007: Councilman Paul Bolesh made a motion authorizing Supervisor Peck to sign the contract with General Schuyler

Emergency Squad in the amount of \$82,285.00. Councilman Daniel Gale seconded the motion. All in favor, motion carried.

5. Bacon Hill Fire Protection District: Councilman Daniel Gale made a motion authorizing Supervisor Peck to sign an agreement with Schuyler Hose Fire Department and the Village of Schuylerville for Fire Protection in the amount of \$107,282.77 (to be known as the Bacon Hill Fire Protection District). Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

6. A Local Law Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Codes. Attorney Douglas Ward stated this Local Law has to be adopted. The Town Clerk pulled the most recent model of this Local Law off the Department of States web site. The Town Attorney stated he will review the proposed model local law and put together one for our town and present it at the March 1, 2007 Town Board Meeting. If everything is in line, the Town Board can establish a Public Hearing date.

7. Youth & Recreation: Councilman Daniel Gale stated Tasha Brown has resigned as Assistant Director of the Youth Program due to obtaining another full time job. Recreation Assistant Erin LaBarron resigned due to family commitments. A help wanted add will be posted. Councilman Daniel Gale will draft a letter thanking Tasha Brown and Erin LaBarron for their work and dedication.

The following terms expire in 2007

Rebecca Hodgson – ZBA 05/31/2007  
Walter Smead – Sole Assessor 09/30/2007  
Ellen Bongard – Board of Assessment Review 09/30/3007  
Patricia Bryant – Planning Board 11/30/2007

## **COMMITTEES**

Highway – Highway Sup't Neil Petteys gave an overview of the work involved, with the Highway Department, with cleaning up after the ice storm.

Supervisor Peck stated that he met in Warrensburg earlier in the week with Dean Long – LA Group, Mark Schachner – Special Council, Councilman George Hodgson with representatives from New York State Department of Environmental Conservation and Finch Pruyn regarding their application for a permit modification for a 31 ft. height extension at the existing paper sludge landfill located in the Town of Northumberland. At this point Councilman Paul Bolesh made a motion @ 8:40 PM to go into Executive Session to discuss possible litigation and personnel matters. Councilman George Hodgson seconded the motion. All in favor, motion carried. Attorney Douglas Ward stated he will excuse himself from any discuss regarding Finch Pruyn, Mark Schachner, Special Council will be acting on the town's behalf.

Councilman George Hodgson made a motion to reconvene the Regular Monthly Meeting @ 9:45 PM. Councilman Daniel Gale seconded the motion. All in favor, motion carried. Supervisor Peck asked if the Town Board wished to take any action at this time. Councilman Daniel Gale made a motion to increase the spending limit to the LA Group to \$10,000 regarding visual impact studies associated with the Finch Pruyn's application for a modification to their permit. Councilman George Hodgson seconded the motion. All in favor, motion carried.

Councilman George Hodgson introduced the following Resolution:

**RESOLUTION #23 OF 2007 –  
PETITIONING THE NYS DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION TO DENY PERMIT MODIFICATION APPLICATION FROM  
FINCH PRUYN CO. INC. FOR A 31 FOOT HEIGHT EXTENSION AT THE  
EXISTING PAPER SLUDGE LANDFILL LOCATED IN THE TOWN OF  
NORTHUMBERLAND**

**WHEREAS**, the Finch Pruyn Co. Inc. obtained a permit from the NYSDEC in 1992 to construct a paper sludge landfill within the Town of Northumberland, and

**WHEREAS**, the design of the aforementioned landfill incorporated multiple cells which according to the applicant's SEQRA DEIS prepared in April of 1992 would provide for the "minimization of the proposed cell height...based on maximizing cell volumes while minimizing impacts", and

**WHEREAS**, the Finch Pruyn Co. Inc., in contradiction of its original designs and plans, requested and received a 10 foot height modification to the landfill from the NYSDEC in 2000, and

**WHEREAS**, the present landfill has been fraught with hydrogen sulfide odor problems for Town residents living nearby and is currently, with the 10 foot height extension, compromising the visual rural view shed from West River Road, US Route 4 and the Hudson River, and

**WHEREAS**, since the landfill's construction in 1992 and its height amendment in 2000, a number of open space, trail, and Hudson River state and federal designations and initiatives have occurred within the present landfill's view shed, and

**WHEREAS**, the Finch Pruyn Co. Inc. has, again in contradiction of its original design and plans, recently submitted another landfill height modification application to the NYSDEC for an additional 31 foot height extension of the landfill which will further negatively affect the view shed of the various open space, state and federal greenway and scenic byways initiatives which have been implemented along the nearby Hudson River, and

**WHEREAS**, the Finch Pruyn Co., Inc can avoid the aforementioned visual impact by simply following its original paper sludge disposal facility plans as permitted by the NYSDEC in 1992, but appears to prefer sacrificing the vital aesthetic resources of the Town of Northumberland and the surrounding Hudson River area to maximize its own financial gain, now therefore, be it

**RESOLVED**, the Town of Northumberland Town Board petitions the NYSDEC to deny the Finch Pruyn Co. Inc.'s application request for the aforementioned 31 foot height increase which will cause significant deleterious visual impacts to the Hudson River and its adjoining open space, state and federal designated greenways and scenic byways initiatives which have been implemented along this stretch of the Hudson River since 2000, and be it further

**RESOLVED**, that copies of this resolution be forwarded to the Chairman of the Saratoga County Board of Supervisors; the Chairman of the Saratoga County IDA; the Town of Moreau; the Town of Saratoga; the Town of Ft. Edward; Saratoga P.L.A.N.; the Erie Canalway National Heritage Corridor; Lakes to Locks Passage; the NYS Canal Corporation; the Erie Canal Greenway; the NYS and Federal Scenic Byways Programs; the Historic Saratoga-Washington on the Hudson Partnership; Commissioner, NYS Office of Parks, Recreation and Historic Preservation; NYSDEC Region 5 Director; NYSDEC Commissioner Designee Alexander Grannis; and Judith Enck, Deputy Secretary to the Governor for the Environment.

Councilman Daniel Gale seconded the introduction of Resolution #23 of 2007

Supervisor Peck – “Aye”

Councilman Bolesh – “Aye”

Councilman Vance – “Aye”

Councilman Hodgson – “Aye”

Councilman Gale – “Aye”

**Resolution #23 of 2007 – Adopted**

Councilman Harold Vance Jr. made a motion to approve vouchers for payment as presented. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

Councilman Daniel Gale made a motion @ 9:55 PM to adjourn the Regular Monthly Meeting. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

Respectfully submitted,

Denise Murphy  
Town Clerk

