

**Town of Northumberland**  
**March 1, 2007**

The Regular Monthly Meeting of the Northumberland Town Board was called to order @ 7:30 PM by Supervisor Peck. 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 and Town Attorney Douglas Ward. Highway Sup't Neil Petteys was absent.

**APPROVE MINUTES**

1. Councilman Paul Bolesh made a motion to approve minutes of the February 1, 2007 Regular Monthly Meeting. Councilman Harold Vance Jr. seconded the motion. All in favor, motion carried.

**PUBLIC PARTICIPATION**

Tracey Clothier with the LA Group did a presentation on "Joint Open Space and Recreation Plan" Town of Saratoga and Town of Northumberland – Executive Summary. Supervisor Peck stated that at the end of the presentation the floor will be open for comments and questions and anyone can submit written comments.

"What is an open space and recreation plan" "Open Space" represents the land that is not developed for residential, commercial, industrial or institutional use. These lands collectively make up the "green infrastructure" of the community and include all undeveloped lands that have recreation or conservation interest to the community. The towns of Saratoga and Northumberland joined together to write a successful application for grants funds from the New York State Department of State's Quality Communities Demonstration Program. This project inventories, assess and assigns the best land use to the remaining open space resources. It identifies their network of green infrastructure and outlines the various parks, trails and other projects. This Plan will focus on the development and implementation of strategies for farmland retention; explore new opportunities for open space including trails, the development of logical trail connections between neighborhoods, parks and regional rail and trail resources.

Plan Approach – The approach to developing this plan is to work with the communities to accommodate open space all elements of development through effective conservation subdivision design and the integration of open space initiatives in all project design. This approach minimizes the displacement of open space through other land uses, promotes public appreciation of open space through the set aside of green space to offset the built environment, and keeps land on the tax rolls. The towns will continue to encourage the

private sector to utilize conservation easements, purchase of development rights and Transfer of Development Rights for projects where the preservation of open space is appropriate. Open space will be greatly enhanced through the expansion of a variety of recreational facilities. In every circumstance where it makes sense, green space will be preserved through the development of needed recreational facilities as outlined in this plan. This plan will be consistent with the following local and regional initiatives:

- Town of Saratoga's 2002 Comprehensive Land Use Plan
- Town of Northumberland's 2003 Comprehensive Land Use Plan
- Old Saratoga Intermunicipal Local Waterfront Revitalization Program (NYS DOS)
- Saratoga County Riverscape Project (County Board of Supervisors)
- Old Saratoga on the Hudson (Saratoga PLAN)
- Hudson Crossing Master Plan (Hudson Crossing, Inc.)
- Erie Canalway National Heritage Corridor 2000 (NYS Canal Corps)
- Saratoga County Green Infrastructure Plan (Saratoga County)
- Victory Woods Interpretive Area (SNHP)

Tracey Clothier also gave the public a snapshot of the communities in 20 years, recommended parks, trails and water projects, townwide open space and recreation opportunities map, Old Saratoga open space & recreation opportunities map, along with regulatory & programmatic recommendations. A copy of the complete summary will be available on the town's web site.

Allen Wood asked if the trails depicted on the map, are they biking or walking trails. Ms. Clothier stated at this point the trails are conceptual. Every project will go through a development process, and the public will be involved in this process. Mr. Wood felt people from outside the area will take advantage of these trails versus local residents. Supervisor Peck stated again these are conceptual. Mr. Wood asked about the snow mobile trails that cut across his property. Ms. Clothier stated this was a portion of the County snow mobile trail systems, it was off their map. Allen Wood stated he never gave anyone permission to ride across his property; it is posted. Supervisor Peck stated Mr. Wood should contact Mike Valentine at County Planning; he handles the snow mobile trails in Saratoga County. Supervisor Peck stated this document is an open space vision which will be used for grant money. A plan must be in place to receive grant money. Councilman George Hodgson stated currently Hudson Crossing is looking for funds to upgrade Dix Bridge.

Hugo Leone, 109 West River Road, stated he saw in February's minutes from Schuyler Hose regarding their recommendation to 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 Village of Schuylerville and the Schuyler Hose Fire Department. Hugo Leone asked who will pay for it if the town goes along with it. Supervisor Peck stated this is a little premature since he has not had an opportunity to talk with the fire department. Hugo Leone stated the residents within the fire protection

district would have to pay for it. Hugo Leone stated the Gansevoort Fire Department could be placed on automatic mutual aid that would eliminate the need for another house. Mr. Leone asked why put money into something we don't need. Supervisor Peck stated the town has not had any discussion with the fire department, these are good points. Hugo Leone stated if the Town Board should sit down and have a meeting with Schuyler Hose, they should be open to the public.

Clinton Barber, 967 Route 32N, stated he did not understand why he could not vote in both fire districts when he owned land in both. Mr. Barber stated his home was in the Schuylerville District, but he owns more land in the Gansevoort District. Clinton Barber also asked why the fire taxable assessment does not honor Agricultural Exemption, it is vacant land. Supervisor Peck stated he will look into this.

Allen Wood, 329 Goof Road, asked about Cell Tower placement in the Town of Northumberland. Mr. Wood stated he saw no mention in our Zoning Book for the installation of cell towers, does that mean they are not allowed. Councilman George Hodgson stated they can be placed in the Industrial Zone or an Industrial PUD both by Special Use Permit. The Town Board would be the ones to approve an Industrial PUD. Allen Wood has been approached about a Cell Tower on his Starks Knob Road in the Town of Saratoga. Allen Wood asked if the town would review the town's process for the siting of a cellular tower, he would rather see the Town of Northumberland make the money for the siting of a cellular tower than the Town of Saratoga.

Allen Wood asked the Town Board what was the width of Starks Knob Road. Dale Cox stated he was told the highway was 10' from center of the road by use. Supervisor Peck stated there are a lot of variables; he'll have to get the answer from the Highway Sup't and get back to him. Allen Wood asked what does the highway department do with the wood when they cut trees along the highway, do they offer it to the landowner. Supervisor Peck stated he will discuss this with Neil.

Allen Wood stated that he does not want Northumberland Taxpayers money used to upgrade our parks when the taxpayers are not going to use it.

Dale Cox, 238 Starks Knob Road, stated he received a letter from the Town Attorney stating that Starks Knob Road was 10' right of use. Mr. Cox stated when the town cleared Starks Knob Road fifteen (15) years ago he was told the town has a 25' right of way. Mr. Cox stated at the time Allen Wood wouldn't let them clear the road on his side of Starks Knob Road so now the road has shifted 4 – 5' onto his property. Now he feels information provided by the town attorney regarding 10' right of way is incorrect. Mr. Cox stated he is looking for clarification. Mr. Cox, after reading minutes, neighbors of his asked the town to place a year round weight limit on Starks Knob Road. Mr. Cox stated Highway Sup't Neil Petteys asked him not to use Grange Hall Road if possible with his tractor trailer due to the cost of repairs. Mr. Cox stated the town can not post Starks Knob Road since he lives on the road and his business is on Starks Knob Road. Mr. Cox stated the minutes referenced that he asked the town to widen Starks Knob Road. Mr. Cox stated he never asked the town to widen the road, he only asked for

clarification on the width of the road. Mr. Cox stated there was also an issue of junk cars. Mr. Cox stated he has been working on that. He has already brought a truck load of scrap metal to a crusher. The snow has slowed him down. Mr. Cox states he has a letter from the Town Attorney from 5 years ago stating the town and his family has come to an agreement that those cars could stay there. Councilman George Hodgson stated those junk cars have moved, they are now overhanging the Knox Trail Pocket Park. Mr. Cox stated some of them were, and they are not within the town's 25 ' right of way. Councilman Hodgson stated they are in violation of the Zoning Regulations. Mr. Cox stated he already has an agreement with the town, they were grandfathered in.

### **CORRESPONDENCE**

1. The Town Board Members were provided a "Summary of Building Permits issued by Year".
2. The Town Board received a letter from Time Warner Cable regarding new rules regarding local cable franchising.
3. The Town Board received a copy of a Resolution from Town of Saratoga Petitioning the State of New York to adopt Legislation to provide for Property Tax Reform.
4. The Town Board received a letter from Off Site Backup – Protect your data- Protect your business.
5. The Town Board received an Invitation from the Saratoga Convention & Tourism Bureau.
6. The Town Board received a letter from Farm Bureau regarding the Rural Urban Dinner.
7. The Town Board received a letter from the American Red Cross regarding training.
8. The Town Board received a copy of a Resolution from the Town of Stillwater Petitioning the State of New York to adopt Legislation to provide for Property Tax Reform.
9. The Town Board received a copy of the final Draft Old Saratoga on the Hudson \ Waterfront Revitalization Plan.
10. The Town Board received a copy of a letter regarding the annual Safe Spring Student Leadership Conference.

### **OLD BUSINESS**

1. Hudson Crossing: Councilman George Hodgson reported to the Town Board that they will need to amend, for approximately an additional \$31,000, to the existing contract with Synthesis for additional grant design for the Canal Corp Grant. As soon as Attorney Douglas Ward has an opportunity to review the wording of the amendment to the Contract with Synthesis, the Town Board will be able to take action.

2. Northumberland Emergency Management Draft Plan – Councilman Daniel Gale informed the Town Board that Glenn Stevens, a representative from Moreau Emergency Squad, General Schuyler Emergency Squad, Gansevoort Fire Department, Schuyler Hose Fire Department and himself will be holding a workshop on Monday, March 12, 2007 @ 7:00 PM at the Town Hall to review the Northumberland Emergency Management Draft

Plan. They will make suggestions and changes. Once that is completed, Councilman Daniel Gale stated he will provide Board Members with a Draft “2” for their review.

3. Planning/Zoning Clerk: Supervisor Peck stated the town received numerous applications for the Planning/Zoning Clerk position. After interviewing candidates, Supervisor Peck stated the town offered Christina Kilburn the job as Planning/Zoning Clerk. Supervisor Willard Peck made a motion to appoint Christina Kilburn Planning/Zoning Clerk @ \$10.30 per hour. Councilman Daniel Gale seconded the motion. All in favor, motion carried.

4. Fuel Bids: Supervisor Peck informed the Board that at last month’s meeting the town received one fuel bid and it was rejected since it did not meet the fuel specifications. The Town rebid both unleaded and diesel fuel for 2007. The following bids were received:

***Shaw Fuel Oil***

Unleaded gas: \$.40 over journal of commerce price  
Diesel: \$.40 over journal of commerce price  
Winter Mix Diesel: \$.40 over journal of commerce price

***John Ray & Sons***

Unleaded gas: \$.253 over journal of commerce price  
Diesel: \$.10 over journal of commerce price

The County awarded their bid for diesel (under 6,500 gallons) to GA Bove with a markup of \$.1950/gal. The Town of Northumberland is not eligible for the County award for unleaded gas. Councilman Harold Vance Jr. made a motion to award the unleaded gas, \$.253 over journal of commerce price and diesel, \$.10 over journal of commerce price to John Ray & Sons for 2007. Councilman George Hodgson seconded the motion. All in favor, motion carried.

5. Councilman Daniel Gale informed the Board Members and public that Tasha Brown and Erin LaBarron are no longer available to work with the Youth Program. The town advertised both positions and had a huge amount of people respond. Councilman Gale will meet with Dee Cogan, Youth Director and Councilman Paul Bolesh to review the applications, and then interviews will be set up.

6. Veteran’s Memorial: Councilman Paul Bolesh reported that he has spoken to Jake Robair regarding his Eagle Scout Project. Mr. Robair stated he will be starting the expansion of the Veteran’s Memorial in April/May.

**NEW BUSINESS**

1. Councilman George Hodgson introduced Resolution #24 of 2007

**A Resolution regarding appointment to the Historic Saratoga-Washington on the Hudson Partnership of the Supervisor of the Town of Northumberland**

**WHEREAS**, article 42 of the NYS Environmental Conservation Law establishes the Historic Saratoga-Washington on the Hudson Partnership as body corporate and public and invites the Supervisor of the Town of Northumberland to become a member of the Partnership, and

**WHEREAS**, The local legislative body of the Town finds that participation in the Partnership with other Hudson Riverfront municipalities with regard to matters of common interests including management of historic, natural, scenic and recreation resources and economic development will be in the public interest of the Town, and now,

**THEREFORE**, The Town of Northumberland hereby resolves that the Supervisor of the Town of Northumberland is hereby authorized to become a member of the Historic Saratoga-Washington on the Hudson Partnership

Councilman Paul Bolesh seconded the introduction of Resolution # 24 of 2007.

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh – “Aye”

Councilman Harold Vance Jr. – “Aye”

Councilman George Hodgson – “Aye”

Councilman Daniel Gale – “Aye”

Resolution #24 of 2007 – Adopted

2. Supervisor Peck informed the Town Board that Attorney Douglas Ward has been working on finalizing the proposed draft of Local Law #1 of 2007 – A LOCAL LAW PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE. Attorney Douglas Ward stated the Department of State is requiring the new proposed local law to enforce the new Uniform Building Codes and Energy Codes. Attorney Douglas stated he will also incorporate the enforcement of the town’s Zoning Ordinance and Planning Board Regulations in the proposed Local Law. Councilman George Hodgson made a motion to hold a public hearing on proposed Local Law #1 of 2007 on Thursday, April 5, 2007 @ 7:00 PM. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

3. Supervisor Peck informed the Town Board that he has not had an opportunity to talk with Patricia Bryant, Planning Board Chairperson, regarding a policy for the removal of Planning/Zoning Board Members for non attendance of three consecutive meetings without an excuse. The Town Clerk reviewed the Municipal Town Law and it states that the town can, by Local Law, establish a policy for removal of Planning/Zoning Members. The Town Clerk will forward the information from the Municipal Town Law to the Town Attorney for his review and recommendations.

4. Supervisor Peck stated that he was approached by the County Historian regarding 1838 Northumberland Record Ledger that was being auctioned off at the Washington County Fairgrounds by Cherry Tree Auctioneer. Supervisor Peck stated he was

contacted by a resident of the town who indicated that in error these records were picked up at his home when his family was clearing out junk in his attic to move, and he indicated he will attend the auction to obtain these records back for the town.

5. Town Clerk Denise Murphy wanted the Town Board Members and public to know that Clifford Pollock will be 95 on March 4, 2007. Clifford Pollock was our Constable from 1975 until 2006. The Town Board took this moment to thank Clifford Pollock for his years of dedicated service.

Councilman Paul Bolesh made a motion @ 9:15 PM to go into Executive Session to discuss legal issues. Councilman Daniel Gale seconded the motion. All in favor, motion carried.

Councilman Daniel Gale made a motion to reconvene the Regular Monthly Meeting @ 10:40 PM. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

Supervisor Peck informed the public that during Executive Session, no action was taken.

Supervisor Peck made a motion to seek authorization to execute, on behalf of the Town Board, the Stipulation & Order that was negotiated by the Town Attorney and signed by Henry Moak and will be signed by his Legal Council. Councilman Harold Vance Jr. seconded the motion.

Supervisor Willard Peck – “Aye”  
Councilman Paul Bolesh – “Aye”  
Councilman Harold Vance Jr. – “Aye”  
Councilman George Hodgson – “Nay”  
Councilman Daniel Gale – “Aye”      Motion adopted

Councilman Daniel Gale made a motion @ 10:45 PM to adjourn the Regular Monthly Meeting. Councilman Harold Vance Jr. seconded the motion. All in favor, motion carried.

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

Respectfully submitted,

Denise Murphy  
Town Clerk