

**Town of Northumberland  
September 6, 2018  
Town Board Meeting**

The Regular Monthly Meeting of the Northumberland Town Board was called to order @ 7:10 PM by Supervisor Willard Peck. Those attending included Supervisor Willard Peck; Councilman Paul Bolesh; Councilman John DeLisle; Councilman George Hodgson and Councilwoman Patricia Bryant. Also attending were Clerk Denise Murphy; Town Attorney Douglas Ward and Building and Zoning Administrator Richard Colozza.

**PUBLIC PARTICIPATION**

David Meager, Account Executive with AMSURE, came before the Town Board to give them a summary overview of the town's insurance premium for 2018/2019. The insurance premium is roughly 18% lower than last year.

**APPROVAL OF MINUTES**

1. Councilwoman Patricia Bryant made a motion to approve the minutes of the August 9, 2018 Regular Monthly Meeting. Councilman John DeLisle seconded the motion. All in favor, motion carried.

**CORRESPONDENCE**

1. Dog Control Officer's Report: Edward Cross, Dog Control Officer submitted his Dog Report for August 2018. Mr. Cross answered 3 complaints; issued 2 warnings and had 1 dog bite case.

**OLD BUSINESS**

1. Local Law #2 of 2018: Supervisor Willard Peck reported that the Town Board held a Public Hearing on proposed Local Law #2 of 2018 earlier tonight. Supervisor Willard Peck asked if the Town Board would like to take action. Councilman George Hodgson introduced Resolution # 68 of 2018 –

**WHEREAS**, the Northumberland Town Board held a Public Hearing on proposed Local Law #2 of 2018 on September 6, 2018 @ 7:00 PM, be it

**RESOLVED**, the Northumberland Town Board adopts Local Law #2 of 2018 - A local law repealing Local Law #2 of 1975 and providing new language No Civil Action Shall be taken against the Town of Northumberland or Highway Supt regarding roads.

Be it enacted by the Town Board of the Town of Northumberland as follows:

Section 1: It is the intention of the Town Board to protect the health and safety of the community by requiring actual written notice of defective and hazardous conditions existing on town-owned or maintained properties. The receipt of actual notice will enhance the town's ability to remedy dangerous

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conditions on all properties under the management and care of town personnel in an expeditious and safe manner.

Section II: Be it enacted by the Town Board of that no civil action shall be maintained against the town or town superintendent of highways for damages or injuries to person or property sustained by reason of any highway, bridge or culvert being defective, out of repair, unsafe, dangerous or obstructed unless written notice of such defective, unsafe, dangerous or obstructed condition of such highway, bridge or culvert was actually given to the town clerk or town superintendent of highways, and that there was a failure or neglect within reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction complained of, nor such action shall be maintained for damages or injuries to, person or property sustained solely in consequence of the existence of snow or ice upon any highway, bridge or culvert, unless written notice thereof, specifying the particular place, was actually given to be removed, or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

Section III: No civil action shall be maintained against the town or town superintendent of highways for damages or injuries to person or property sustained by reason of any defect in its sidewalks or in consequence of the existence of snow or ice upon any of its sidewalks, unless such sidewalks have been constructed or are maintained by the town or the superintendent of highways, and there was a failure or neglect to cause such defect to be remedied, such snow, ice to be removed, or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

Section IV: The town superintendent of highways shall transmit in writing to the town clerk within ten days after receipt thereof all written notices received by him pursuant to this section.

Section V: The town clerk of the town shall keep an indexed record, in a separate book, of all written notices which her/she shall receive of the existence of a defective, unsafe, dangerous or obstructed condition in or upon, or of an accumulation of ice or snow upon any town highway, bridge, culvert or sidewalk, which records shall state the date of receipt of the notice, the nature and location of the condition stated exist, and the name and address of the person from whom notice is received. All such written notices shall be indexed according to the location of accumulated snow or ice. The record of each notice shall be preserved for a period of five years after the date it is received.

Section VI: It is the intent of the Town Board pursuant to the Municipal Home Rule Law of the State of New York, to supersede such portions of §65-a of the Town Law of the State of New York. This Local Law shall supersede in its application NYS Town Law §65-a, sections 1 and 4.

Section VII: This local law shall take effect immediately upon its filing in the office of the Secretary of State.

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Councilman Paul Bolesh seconded the introduction of Resolution # 68 of 2018.

Supervisor Willard Peck – “Aye”  
Councilman Paul Bolesh – “Aye”  
Councilman John DeLisle – “Aye”  
Councilwoman Patricia Bryant – “Aye”                      Resolution #68 of 2018 Adopted

**NEW BUSINESS**

1. October’s Town Board Meeting: Supervisor Willard Peck informed the Town Board that the date of October’s Town Board Meeting needs to be changed. Councilman Paul Bolesh introduced Resolution #69 of 2018

**BE IT RESOVLED**, that October’s Town Board Meeting be changed to the third Thursday in October which is October 18, 2018 @ 7:00 PM.

Councilwoman Patricia Bryant seconded the introduction of Resolution # 69 of 2018.

Supervisor Willard Peck – “Aye”  
Councilman Paul Bolesh – “Aye”  
Councilman John DeLisle – “Aye”  
Councilwoman Patricia Bryant – “Aye”                      Resolution #69 of 2018 Adopted

2. Grant request from the Justice Court: The Town Board received a letter from Town Justice James Evans requesting authorization to apply for a grant from the Justice Court Assistant Program (JCAP) for the following:

2 Office Chairs @ \$219.99  
Office Shredder \$418.19  
CYMO Label Writer Printer \$115.09  
Total of request: \$937.25

Councilman John DeLisle introduced Resolution #70 of 2018 –

**WHEREAS**, the Northumberland Town Court has a total budget for 2018 in the amount of \$55,390.00 to cover all costs associated with the Northumberland Court System, and

**WHEREAS**, the Northumberland Town Court is in need of funds for two (2) Office Chairs @ \$219.99, one (1) office shredder @ \$418.19 and a DYMO label writer printer @ \$115.09,

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**THEREFORE BE IT RESOLVED**, the Northumberland Town Board authorizes the Justice Court to apply for a grant in the amount of \$937.25 from Justice Court Assistance Program (JCAP).

Councilman George Hodgson seconded the introduction of Resolution #70 of 2018.

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh – “Aye”

Councilman John DeLisle – “Aye”

Councilwoman Patricia Bryant – “Aye”

Resolution # 70 of 2018 Adopted

**DESIGNATIONS**

1. Transfer: Supervisor Willard Peck presented the following transfer for the Town Board’s consideration:

From: DA2655 \$6,322.00

To: DA5130.4 \$6,322.00

This transfer is for the purchase of a Loader. The amount paid was \$36,322.00 for the first year’s payment. Supervisor Peck stated that the Highway Department had sold some used equipment and those funds will be used.

Councilwoman Patricia Bryant introduced Resolution # 71 of 2018

**BE IT RESOLVED**, the Northumberland Town Board approves the transfer in the amount of \$6,322.00 from DA2655 to DA5120.4

Councilman Paul Bolesh seconds the introduction of Resolution #71 of 2018.

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh – “Aye”

Councilman John DeLisle – “Aye”

Councilwoman Patricia Bryant – “Aye”

Resolution # 71 of 2018 Adopted

2. Approve Vouchers for Payment: Councilman George Hodgson introduced Resolution # 72 of 2018

**BE IT RESOLVED**, the following Vouchers to be paid as presented:

A (General Fund) Vouchers # 245 - # 272 Total: \$ 20,655.53

DA (Highway Fund) Vouchers # 171 - # 185 Total: \$ 45,949.36

SS (Sewer Fund) Voucher # 8: \$ 29.14

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Councilman John DeLisle seconded the introduction of Resolution # 72 of 2018

Supervisor Willard Peck – “Aye”  
Councilman Paul Bolesh – “Aye”  
Councilman George Hodgson – “Aye”  
Councilman John DeLisle – “Aye”  
Councilwoman Patricia Bryant – “Aye”

Resolution # 72 of 2018 Adopted

3. Supervisor Financial Report: Supervisor Willard Peck submitted his July, 2018 Financial Report for the Town Board’s consideration. Councilman George Hodgson introduced Resolution # 73 of 2018 –

**BE IT RESOLVED**, pursuant to Section 125 of the Town Law, Supervisor Willard Peck rendered the following detailed statement of all money received and disbursed during July 2018:

**GENERAL**

Balance as of 06/30/2018	\$	1,000,148.55
Increases	\$	132,876.65
Decreases	\$	67,101.91
Balance as of 07/31/2018	\$	1,065,923.29

**HIGHWAY**

Balance as of 06/30/2018	\$	384,612.27
Increases	\$	120.59
Decreases	\$	44,614.25
Balance as of 07/31/2018	\$	340,118.61

**SEWER DISTRICT #1**

Balance as of 06/30/2018	\$	44,399.22
Increases	\$	9.42
Decreases	\$	26.51
Balance as of 07/31/2018	\$	44,382.13

**CAPITAL PROJECT – BUILDING**

Balance as of 06/30/2018	\$	8.07
Increases	\$	9,610.54
Decreases	\$	9,606.50
Balance as of 06/30/2018	\$	12.11

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**BE IT RESOLVED**, the Town Board has reviewed and approved July 2018 Monthly Report by Supervisor Willard Peck as presented.

Councilwoman Patricia Bryant seconded the introduction of Resolution # 73 of 2018

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh – “Aye”

Councilman George Hodgson – “Aye”

Councilman John DeLisle – “Aye”

Councilwoman Patricia Bryant – “Aye”

Resolution # 73 of 2018 Adopted

Councilman Paul Bolesh made a motion @ 8:15 PM to adjourn the Regular Monthly Meeting.  
Councilman John DeLisle seconded the motion. All in favor, motion carried.

Respectfully submitted,

Denise Murphy  
Town Clerk