

**Town of Northumberland  
Town Board Meeting  
November 12, 2015**

The Regular Monthly Meeting of the Northumberland Town Board was called to order @ 7:00 PM by Supervisor Willard Peck. Following the salute to the flag, roll call was taken. 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; Building and Zoning Administrator Richard Colozza; Town Attorney Douglas Ward and Special Council Justin Grassi with Miller, Mannix, Schachner & Hafner. Also attending was Jared Lusk, Esq with Nixon Peabody LLP and Special Council for Verizon Wireless; and Sara Colman with Verizon Wireless.

**PUBLIC PARTICIPATION**

Supervisor Willard Peck stated that he attended, along with all Town Board Members, a joint Public Hearing regarding the application from Celco Partnership d/b/a Verizon Wireless for a project including an amendment of the Zoning Map of the Town to establish a Telecommunications Development District (TDD) and installation of an unmanned telecommunications facility within the TDD. The Planning Board would then do a Site Plan Review. Attorney Justin Grassi stated that the Northumberland Planning Board referred this Application – Site Plan Review – Cello/Verizon Partnership to create a TDD for the Placement of a 120’ monopole for the cellular service and 10’ x 10’ equipment shelter to Saratoga County Planning Board for their review. . This proposed site is located within the NYS Consolidated Agricultural District #1 and is adjacent to Saratoga County Forestland. The Northumberland Planning Board received confirmation that the Saratoga County Planning Board received this application on September 28, 2015 and they did a formal review on October 15, 2015. Saratoga County Planning Board determined that there was no Significant County Wide or Inter Community Impact. Attorney Grassi stated that the applicant has prepared a Full Environmental Assessment Form/Part 1 – Project and Setting. At this point, Attorney Grassi along with the Town Board prepared Part 2 – Identification of Potential Project Impacts. After finishing Part 2 the Northumberland Town Board prepared Part 3 – Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance.

Councilman George Hodgson introduced Resolution # 76 of 2015 – A Resolution Approving SEQRA Negative Declaration for Verizon Wireless Project.

**WHEREAS**, the Town received an application from Cello Partnership d/b/a Verizon Wireless (the “Applicant”) for a project including amendment of the Zoning Map of the Town to establish a Telecommunications Development District (TDD) and installation of an unmanned telecommunications facility within the TDD (the “Project”); and

**WHEREAS**, the application was accompanied by Part 1 of a State Environmental Quality Review Act (“SEQRA”) Full Environmental Assessment form (“FEAF”) and other supporting documents and information; and

**WHEREAS**, the Town Board has determined that the project is a Type 1 Action under SEQRA and has conducted a coordinated SEQRA review of the Project; and

**Town of Northumberland  
Town Board Meeting  
November 12, 2015**

**WHEREAS**, the Town Planning Board is the only other SEQRA Involved Agency and has agreed to the Town Board acting as Lead Agency for SEQRA review of the Project; and

**WHEREAS**, the Town Board, as Lead Agency, has reviewed and fully considered the proposed Project and Part 1 of the FEA, and has completed Part 2 of FEA by checking “No or small impact may occur” for all of the questions in Part 2; and

**WHEREAS**, the Town Board has taken a hard look at the potential environmental impacts of the Project by carefully considering them and thoroughly evaluating their potential significance; and

**WHEREAS**, the Town Board has determined that the Project will not result in any large or important impacts and, therefore, is one which will not have significant adverse impact on the environment, and has indicated this determination by checking the appropriate box on Part 3 of the FEA; now therefore be it

**RESOLVED**, that the Town Board hereby finds that the Project will not have any significant adverse impact on the environment and authorizes the filing of Part 3 of the completed FEA as its SEQRA Negative Declaration for the Project.

Councilwoman Patricia Bryant seconded the introduction of Resolution # 76 of 2015.

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

Resolution # 76 of 2015 – Adopted

Supervisor Willard Peck stated that the Planning Board requested that the Town Board review and make their recommendation to the Planning Board regarding the insurance and indemnification requirements as outlined in Section V(3)(u) of the TDD Local Law. Attorney Grassi stated that Section VIII (5) of the Town of Northumberland Siting of Telecommunications Towers, Antenna and Related Facilities, Local Law #2 of 2010 gives the Planning Board the authority to waive provisions or requirements of the section when such waiver advances the goals and purposes of the law or where particular provisions would impose a material adverse financial impact upon an applicant. The Town Board does not have the authority to waive the provision but does have the authority to provide a recommendation to the Planning Board as required. Attorney Justin Grassi prepared Local Law #1 Of 2015 – Establishing Verizon Wireless Telecommunications Development District for the Town Board’s review and adoption.

**1. INTENT; AUTHORITY-** This Local Law shall be known as Local Law No. 1 of 2015 and amends the Town of Northumberland Zoning Ordinance and Zoning Map to provide for the creation of “Telecommunications Development District No. 1, Verizon Wireless TDD”. It is adopted pursuant to

**Town of Northumberland  
Town Board Meeting  
November 12, 2015**

Municipal Home Rule Law Section 10 and Town of Northumberland Local Law No. 2 of 2010 / Zoning Ordinance Article V-A (the "TDD Local Law").

- 2. AMENDMENT TO ZONING ORDINANCE AND MAP-** The Town of Northumberland Zoning Ordinance and Zoning Map are hereby amended by establishing a Telecommunications development District to be known as described as "Telecommunications Development District No. 1, Verizon Wireless TDD" encompassing the area described in Exhibit A located in the R-3 residential district.
  
- 3. TDD BOUNDARIES –** The area of the telecommunications Development District consists of an approximately 100' x 100' area located on a portion of property located at 5 Blue Heron Terrace, Town of Northumberland, Saratoga County, New York, described as set forth in the property description attached hereto as Appendix A, subject to submission of a survey of the property by a licensed surveyor.
  
- 4. PERMITTED USES WITHIN THE TDD-** The property within the Telecommunications Development District shall be used only for purposes permitted pursuant to the TDD Local Law.
  
- 5. TOWN PLANNING BOARD APPROVAL-** In accordance with Section IV of the TDD Local Law, written Planning Board approval for a Telecommunications Siting Permit is required in order to own, site, construct or operate telecommunications towers and related facilities within the TDD.
  
- 6. COMPLIANCE WITH TDD LOCAL LAW-** Prior to the issuance of any Building Permit for construction within the TDD, the applicant shall comply with the requirements of the TDD Local Law.
  
- 7. VIOLATIONS-** Any violations of the provisions of this Local Law shall constitute a violation of the Zoning Ordinance and the provisions hereof shall be enforceable pursuant to the enforcement provisions of the Zoning Ordinance. The Town may also seek any other remedies as allowed under law.
  
- 8. EFFECTIVE DATE-** This local Law shall take effect upon filing by the New York State Secretary of State.

Councilman George Hodgson introduced Resolution # 77 of 2015 –

**RESOLUTION ADOPTING LOCAL LAW NO. 1 OF 2015  
AMENDING ZONING ORDINANCE AND MAP TO CREATE  
VERIZON WIRELESS TELECOMMUNICATIONS DEVELOPMENT DISTRICT**

**WHEREAS**, the Town received an application from Cello Partnership d/b/a Verizon Wireless (the "Applicant") for a project including amendment of the Zoning map of the Town to establish a Telecommunications Development District ("TDD") and installation of an unmanned telecommunications facility within the TDD (the "Project"); and

**Town of Northumberland  
Town Board Meeting  
November 12, 2015**

**WHEREAS**, the application was accompanied by Part 1 of a State Environmental Quality Review (“SEQRA”) Full Environmental Assessment Form (“FEAF”) and other supporting documents and information; and

**WHEREAS**, the Town Board referred the application to the Town Planning Board and the Planning Board recommended approval of the proposed TDD; and

**WHEREAS**, the Town Board was established as Lead Agency for environmental review of the proposed Project and adopted a SEQRA Negative Declaration for the Project; and

**WHEREAS**, pursuant to general Municipal Law Section 239-m the application was referred to the Saratoga County Planning Board, which has reviewed the application and found that there is no County impact; and

**WHEREAS**, the Town Board duly held a public hearing on the proposed Project on November 9, 2015 and heard all interested persons; and

**WHEREAS**, the Town Board has reviewed the proposal and has considered the standards and factors set forth in Sections III (2) and VI of the TDD Local Law and the recommendation of the Town Planning Board; **NOW, THEREFORE, BE IT**

**RESOLVED**, that the Board hereby adopts Local Law No. 1 of 2015 amending the Town Zoning Map to create Telecommunications Development District No. 1: Verizon Wireless TDD subject to the following condition:

1. Prior to the issuance of any permits for construction within the TDD the Town shall be reimbursed in full for the actual costs of the town’s consulting engineer, attorney and any other consultants or experts who provided professional services in connection with the application; and be it

**FURTHER RESOLVED**, that the Board hereby recommends to the Planning Board that the insurance and indemnification requirements imposed on the applicant by Section V (3) (u) of the TDD Local Law be waived; and be it

**FURTHER RESOLVED**, that the Board hereby authorizes and directs the Town Clerk to file the Local Law with the New York Department of State in accordance with the provisions of the Municipal Home Rule Law and acknowledges that the Local Law will take effect upon filing by the Department of State; and be it

**FURTHER RESOLVED**, that the Town Supervisor is hereby authorized to execute and deliver such documents and to take such other actions as may be needed to accomplish the purposes of this Resolution.

**Town of Northumberland  
Town Board Meeting  
November 12, 2015**

Councilman John DeLisle seconded the introduction of Resolution # 77 of 2015.

Supervisor Willard Peck – “Aye”  
Councilman Paul Bolesh – “Aye”  
Councilman John DeLisle – “Aye”  
Councilman George Hodgson – “Aye”  
Councilwoman Patricia Bryant – “Aye”    Resolution # 77 of 2015 Adopted

At this point Special Council Justin stepped down from the Town Board table and Town Attorney Douglas Ward took his place.

Marlene Bissell, with Hudson Crossing Park, came before the Town Board and thanked them for their years of support. Mrs. Bissell introduced Kim Smithgall and Darryl Dumas who volunteer with the Hudson Crossing Park. Mrs. Bissell stated that the use at Hudson Crossing Park has grown to such a degree that they need year round paid staffing. Mrs. Bissell stated that she is looking for a “Letter of Support” from the Northumberland Town Board which they can use to go out into the business community and solicit funds. Mrs. Bissell stated that through the Hudson Crossing Park Committee they have been instrumental in receiving 4.7 million dollars for improvements. Mrs. Bissell stated that the only funds they receive is through events like the Hudson Crossing Triathlon, cardboard boat race and rental of the pavilion. The pavilion was rented every weekend throughout the summer. Mrs. Bissell stated they received a small amount of funds and they were able to hire Cindy Wiam for roughly 7 months to coordinate the site. Mrs. Bissell stated that she is also seeking a small financial support from the town’s that are affiliated with Hudson Crossing Park. Mrs. Bissell stated that her goal is to go out into the business community and let them know that the local governments support their efforts. Mrs. Bissell stated at this point there is three (3) options available. Option #1 – Continue to fund with only volunteers. Mrs. Bissell stated to continue they would need to pull back some. Their goal has been to expand the foot print into Washington County, they would not be able to. Option #2 – Raise \$100,000 in corporate donations for the next three years which would allow them to hire a full time Executive Director and possibly 2 part time people. Option #3 – would be to have a facility and full time employee. Mrs. Bissell stated that they are seeking a CFA Grant in Washington County to purchase the Adirondack School. Mrs. Bissell stated that would be huge.

Supervisor Willard Peck stated that he will have Town Attorney Douglas Ward verify with the New York State Association of Towns if the Town of Northumberland can make a donation to Hudson Crossing Park since it is a 501c(3) for an employee.

Councilman George Hodgson made a motion to draft a letter for Hudson Crossing Park in support for continued strengthening of the Hudson Crossing Park and authorize Supervisor Peck to sign the letter on behalf of the Northumberland Town Board. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

**Town of Northumberland  
Town Board Meeting  
November 12, 2015**

**APPROVAL OF MINUTES**

1. Councilman Paul Bolesh made a motion to approve the minutes of the October 8, 2015 Regular Monthly Meeting as presented. Councilman John DeLisle seconded the motion.

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

**CORRESPONDENCE**

1. Ed Cross, Dog Control Officer submitted his report for October 2015. Mr. Cross answered 6 complaints; brought 2 dogs to the Saratoga County Animal Shelter; and issued 3 warnings.
  
2. Moreau Emergency Squad: The Northumberland Town Board received the call list for the month of October. Moreau Emergency Squad responded to 12 calls.

**OLD BUSINESS**

1. 2016 Town Budget: Supervisor Peck stated that the Town Board held their Public Hearing on the proposed 2016 Town Budget on November 5, 2015, and listened to comments from the community. Councilwoman Patricia Bryant introduced Resolution 78 of 2015 –

**WHEREAS**, the Northumberland Town Board having, on November 5, 2015 at 7:00 p.m., duly held a Public Hearing on the proposed town budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2016, and having heard all persons desiring to be heard in the matter, and the matter of the budget for this Town for such fiscal year having been fully discussed and considered, it is

**RESOLVED**, that said proposed town budget approved and filed as aforesaid, is hereby adopted and established as the annual budget as so adopted is detailed in the minutes of the proceedings of this Town Board, and be it further

**RESOLVED**, that the Town Clerk of this Town shall prepare and certify as provide by law, duplicate copies of said annual budget hereby adopted, and deliver one of such copies to the Supervisor of the Town, and that he shall present such copy to the Board of Legislators of the County as required by law. **The 2016 Annual budget, in its entirety, is in the official minute book at the town clerk’s office and on the website, townofnorthumberland.org.**

Councilman John DeLisle seconded the introduction of Resolution # 78 of 2014.

**Town of Northumberland  
Town Board Meeting  
November 12, 2015**

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

Resolution # 78 of 2015 Adopted

**NEW BUSINESS**

1. Highway Sup't Harold Vance Jr. provided quotes for road sand for the Town Board's consideration.

Cranesville - \$6.25 per Ton (at source)  
Friedman - \$4.55 per Ton (at source)  
Greenfield/Ballston Spa Pit - \$3.38 per Ton (at source)

Councilman John DeLisle introduced Resolution # 79 of 2015 –

**WHEREAS**, three faxed quotes were received for road sand as required by the Town's Procurement Policy, therefore be it

**RESOLVED**, The Town of Northumberland Town Board accepts the quote from Greenfield/Ballston Spa for \$3.38 per ton.

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

Resolution # 79 of 2015 - Adopted

**DESIGNATIONS**

1. Approval of Vouchers: Councilman Paul Bolesh introduced Resolution # 80 of 2015 –

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

A (General Fund) Vouchers - # 319 - # 356 Total: \$ 98,126.72  
DA (Highway Fund) Vouchers - # 271 - # 288 Total: \$ 95,324.00  
SS (Gansevoort Sewer District) Voucher # 10 - 11 Total: \$ 1,906.66  
HA (Capital Project-Building) Vouchers # 50 - # 58 Total: \$ 143,450.72

Councilwoman Patricia Bryant seconded the introduction of Resolution # 80 of 2015

**Town of Northumberland  
Town Board Meeting  
November 12, 2015**

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

Resolution # 80 of 2015 Adopted

**REPORTS**

Town Hall: Building and Zoning Administrator Richard Colozza stated that he received two quotes from moving companies regarding the new town hall. The following quotes were received:

American Van Service: \$4,030.00 (move contents of basement and file cabinets from 1<sup>st</sup>. floor; move desks, computers, and contents of office)

Mabey's: \$2,965.00 (move contents of town hall)

Councilwoman Patricia Bryant gave Mr. Colozza the name of a moving company – “Moving Made E-Z”. Building and Zoning Administrator Richard Colozza stated that he will contact them for a quote.

Building and Zoning Administrator Richard Colozza stated that he received a phone system quote from Tech II. The quote includes the cost of provisioning and installation of an NEC phone system. This system is equipped with enhanced voice mail and calling features as well. Enhanced features include voice mail delivery to email, , cascading message notification and more. Building and Zoning Administrator stated that he estimated 9 phones. The quote is \$4,908.22 which provide, install and program an SL1100 phone system equipped for four incoming lines.

Councilman John DeLisle made a motion to accept the quote from Tech II in the amount of \$4,908.22 to provide, install and program an SL 1100 phone system for four incoming lines, nine 12-button display phones contingent upon additional phones could be added at a later date. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.

Building and Zoning Administrator Richard Colozza received a quote from Mahoney Notify for fire alarm system at the new town hall. Installation will be \$650.00 and the monthly monitoring fee is \$28.50. Councilwoman Patricia Bryant made a motion to accept the quote from Mahoney Notify. Councilman John DeLisle seconded the motion. All in favor, motion carried.

Councilman Paul Bolesh made a motion to adjourn the Regular Monthly Meeting @ 9:10 PM. Councilman George Hodgson seconded the motion. All in favor, motion carried.

Respectfully submitted,

Denise Murphy  
Town Clerk

**Town of Northumberland  
Town Board Meeting  
November 12, 2015**