

**Town of Northumberland  
Town Board Meeting  
April 14, 2016**

The Regular Monthly Meeting of the Northumberland Town Board was called to order @ 7:40 PM by Supervisor Willard Peck. Those attending included Supervisor Willard Peck; Councilman Paul Bolesh; Councilman Paul Bolesh; Councilman George Hodgson and Councilwoman Patricia Bryant. Also attending were Clerk Denise Murphy; Town Attorney Douglas Ward; Building and Zoning Administrator Richard Colozza and Highway Sup't Harold Vance Jr.

**PUBLIC PARTICIPATION**

James Fisk, 4647 Route 50, came before the Town Board regarding a complaint of a neighbor. Mr. Fisk stated that the gentleman owns a business and has vehicles in and out at all times of the day and night, parking junk vehicles for months. The gentleman has junk furniture piled up along with a stock aid fence that he tore down and threw in a pile. The gentleman also moved Mr. Fisk's survey pins. Town Attorney Douglas Ward stated that property line disputes are a civil matter and he should contact a lawyer. John Peterson, 4649 Route 50, stated that the mess is horrible. Both Mr. Fisk and Mr. Peterson's property sit behind the property in question. Mr. Peterson stated that he walks out his front door and looks at the mess. Councilwoman Patricia Bryant was contacted by Mr. Fisk and invited to come to his home and see what he is talking about. Councilwoman Bryant stated that Mr. Fisk and Mr. Peterson both have legitimate concerns. Building and Zoning Administrator Richard Colozza will look into the matter.

Jeff Backus, 4962 Route 50, stated that he also has a neighbor that has been in court twice before for junk vehicles, bags of garbage, furniture, etc. Mr. Backus stated that the property owner does not live in town, this is a tenant. The tenant also has 6 – 8 dogs that he has chained to junk vehicles. Mr. Backus stated that after court, the place gets picked up for a few months, than right back storing junk. Attorney Douglas Ward stated the property owner has been sent a letter to appear again in Court. Mr. Backus stated that the property at the corner of Stump Street and Pettis Road is horrible. There is junk everywhere and it has been like that for years and nothing gets done to force the property owner to pick up. Building and Zoning Administrator Richard Colozza stated that he will look into it.

**APPROVAL OF MINUTES**

1. Councilman Paul Bolesh made a motion to approve the minutes of the March 3, 2016 Regular Monthly Meeting. Councilman George Hodgson seconded the motion. All in favor, motion carried.
2. Councilman George Hodgson made a motion to approve the minutes of the March 22, 2016 Special Town Board Meeting. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

**CORRESPONDENCE**

1. Dog Control Officer: Ed Cross submitted his Dog Control Report for March 2016. Mr. Cross answered 4 complaints and issued 3 warnings.

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2. The Town of Northumberland received a letter from New York State Department of Transportation regarding the start of construction for the replacement of Route 29 Bridge over Fish Creek in the Town of Saratoga
3. The Town of Northumberland received a copy of a letter from South Glens Falls School District to Saratoga County Board of Election regarding the use of their Optical Scan Voting Machines for the May 17, 2016 School District Budget Vote.
4. The Town of Northumberland received a letter from Saratoga County Agricultural Society regarding the 175<sup>th</sup> Anniversary of the Saratoga County Fair. Jeff Townsend, General Manager, is asking permission to place a 32 sq. ft. billboard promoting the 175<sup>th</sup> Anniversary of the Saratoga County Fair in the Town. The Town Clerk will send a letter stating that the Northumberland Town Board approves the placement of a billboard promoting the Saratoga County Fair at the intersection of State Route 50 and State Route 32.
5. The Town of Northumberland received a "Run Breakdown by area served in 2015" from Moreau Emergency squad.
6. The Town of Northumberland received a letter of resignation from David Gougler, ZBA. The Zoning Board of Appeals is recommending that Gary Applegate be moved from an Alternate to a Regular Member to fill out Mr. Gougler's term. Councilman George Hodgson made a motion to appoint Gary Applegate to fill David Gougler's term on the ZBA. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

**OLD BUSINESS**

1. Local Law #1 of 2016: Supervisor Willard Peck stated that they held a Public Hearing tonight and heard comments from the public and now they must decide if they are going to adopt Local Law #1 of 2016. Councilman John DeLisle made a motion to *Adopt Local Law #1 of 2016 – A Local Establishing a temporary moratorium on the further consideration or approval by the Northumberland Town Planning Board of any proposed construction of large scale Solar Arrays and free Standing Solar Arrays*

*Section 1.*

*The Town of Northumberland is considering its Comprehensive Plan with the intention of subsequently enacting revisions to its existing Zoning Ordinance. Among considerations regarding development in the Town are the protection of the community's agricultural character, open space, aesthetic and other resources. Large scale solar arrays, free standing solar arrays or similar structures could adversely affect these important resources if they are not property located and sited in the Town.*

*Section 2.*

*There is enacted a temporary moratorium on the further consideration or approval by the Northumberland Town Board or Building and Zoning Administrator of any proposed construction of large scale solar arrays or free standing solar arrays within the Town. This moratorium shall continue for a period of eight (8) months from the effective date of this local law.*

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*Section 3.*

*This Local Law shall take effect immediately.*

Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.

**NEW BUSINESS**

1. Honoring a Deceased Veteran: Supervisor Willard Peck stated that Saratoga County will be honoring a Town of Northumberland Deceased Veteran on April 19<sup>th</sup> in Ballston Spa.

Supervisor Willard Peck introduced Resolution #37 of 2016 - **A Resolution Honoring Deceased Veteran Hugo Joseph Leone**

**WHEREAS**, Hugo Joseph Leone was born February 1, 1930 in Glens Falls, New York to the late John and Emilia (Furano) Leone, and

**WHEREAS**, Hugo Joseph Leone graduated from St. Mary's Academy in Glens Falls in 1948 and on July 24, 1948 enlisted into the U.S. Navy from 1948 - 1951, and

**WHEREAS**, Hugo Joseph Leone served aboard the USS Princeton Air Craft Carrier as an Aircraft Engine Mechanic and served in support of the Combat Air operations in Korea from December 1950 – August 1951 and was awarded the Korean Service medal with 1 service star and the Navy Occupation Service Medal with Asia Clasp, and

**WHEREAS**, Hugo Joseph Leone was a member of the Naval Reserve serving with the Seabee's from 1965 – 1968, and

**WHEREAS**, Hugo Joseph Leone married Dorothy Ann Stumph on July 13, 1952 at St. Mary's Church in Glens Falls, NY then having four children, Teresa, Michael, Emilia and Peter, and

**WHEREAS**, Hugo Joseph Leone worked at Hudson Pulp and Paper in Thomson until retirement and was a part time Patrol Officer for the Hudson Falls Police Department for two years, and

**WHEREAS**, Hugo Joseph Leone was a 40 year member of the Schuyler Hose Fire Department and a communicant of Notre Dame-Visitation Church in Schuylerville, and

**WHEREAS**, Hugo Joseph Leone served 21 + years on the Town of Northumberland's Zoning Board of Appeals and as a Town of Northumberland Election Inspector, and

**WHEREAS**, Hugo Joseph Leone passed away on June 30, 2015 at Mary's Haven in Saratoga Springs, NY Therefore be it

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**RESOLVED**, that the Town of Northumberland hereby honors Hugo Joseph Leone for his valiant service to our country and his endless service to the Town of Northumberland and be it further

**RESOLVED**, the Northumberland Town Board hereby declares April 19, 2016 as Hugo Joseph Leone Day in honor of his many contributions made to our Nation and the Town of Northumberland.

Councilwoman Patricia Bryant seconded the introduction of Resolution #37 of 2016.

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh – “Aye”

Councilman John DeLisle – “Aye”

Councilman George Hodgson – “Aye”

Councilwoman Patricia Bryant – “Aye”

Resolution # 37 Adopted

2. Maintenance Agreement on Generator: Cummins Northeast submitted a quote for the maintenance of the town’s generator. The quote was for \$954.19 per year. The Town Board took no action at this time.

3. Asbestos Removal and Tearing down of the Old Town Hall: Town Attorney Douglas Ward has been working with Mike Sawyer, Senior Industrial Hygienist with CT Male regarding Specifications for the Asbestos Abatement and Building removal. CT Male has put together detailed documents which were shared with Town Board Members. CT Male also applied for a Variance with New York State Department of Labor for interior cleanup of friable debris and removal of friable ACM in the crawlspace, and it was accepted subject to certain conditions that were noted in the document. Town Attorney Douglas Ward will work with both Town Engineer James Mitchell and Mike Sawyer, with CT Male to come up with a formal bid document which will be returnable to the Town Board. The bid package will allow companies to bid on the Asbestos Abatement or Building Removal or bid both components together. Councilman John DeLisle made a motion to allow the release of the RFP for both the Asbestos Abatement and Building removal with a returnable date to be determined. Councilman George Hodgson seconded the motion. All in favor, motion carried.

4. Installation of the automatic door opener: Town Attorney Douglas Ward stated that he is waiting to hear back from Town Engineer James Mitchell regarding a possible change order.

5. The Town of Northumberland received a quote from Andrew Castrantas with Storedtech to provide a centralized back-up solution along with Monthly Managed Services for \$2,344.14 per year. No action was taken.

6. The Town of Northumberland received an agreement for the use of one 65-passenger school bus for the Summer Youth Program beginning July 12, 2016 and ending August 18, 2016. Town Attorney Douglas Ward stated that after reviewing the Agreement he would like to add a section that the South Glens Falls School District will provide the Town of Northumberland with additional insured designation on its General Liability and Automobile Policies. Councilwoman Patricia Bryant introduced Resolution

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#38 of 2016 – Agreement with South Glens Falls School District and the Summer Youth Program/Town of Northumberland

**WHEREAS**, the Town of Northumberland has requested permission from the School for the use of one 65-passenger school bus for the purposes of its Northumberland Youth and Recreation Program for six consecutive Tuesdays and Thursdays, beginning Tuesday, July 12, 2016 and ending Thursday, August 18, 2016 during the hours of 10:00 a.m. to 3:00 p.m. with the specific dates and times of July 12, 2016 through August 18, 2016 to be scheduled between responsible individuals for each party, and

**WHEREAS**, each party has reviewed anticipated costs and expenses incurred or expected to incurred as a result of this shared agreement,

**NOW, THEREFORE, it is mutually agreed:**

1. The South Glens Falls School District grants permission to the Town of Northumberland the use of one 65-passenger school bus for use in the Northumberland Youth and Recreation Program between the dates of July 12, 2016 and August 18, 2016, two times per week during the hours of 10:00 a.m. to 3:00 p.m. as mutually determined by the parties; specifically dates as follows: July 12 & 14, 2016; July 19 & 21, 2016; July 26 & 28, 2016; August 2 & 4, 2016; August 9 & 11, 2016 and August 16 & 18, 2016

2. The Town of Northumberland indemnifies and holds the South Glens Falls Central School District harmless against “any and all” claims for damage made against the South Glens Falls Central School District by reason of any act by the Town of Northumberland in its use of said property and holds the South Glens Falls School District harmless for “any” expenses in connection therewith and shall cause the South Glens Falls Central School District to be named as additional insured under the Town of Northumberland’s General Liability and Automobile Policies.

3. The Town of Northumberland shall provide the South Glens Falls Central School District with evidence of such coverage confirming the South Glens Falls Central School District and Town of Northumberland carry collision and liability and has added such 65-passenger school bus as an additional insured designated on its General Liability and Automobile Policies.

4. The Town of Northumberland shall be responsible for applicable costs in the use of 65-passenger school bus on noted dates, inclusive of driver’s time and fuel.

5. The parties shall review weekly the aforementioned schedule and costs incurred by each party to confirm the benefits provided to and received by party (Town of Northumberland) to this Agreement are in fact reasonable and acceptable.

6. This Agreement may be terminated by either party at any time between the dates of July 12, 2016 and August 18, 2016 be written notice. In the event no termination notice is received, such Agreement shall continue for stipulated time period and sunset end of the workday August 18, 2016,

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**And be it further resolved,** the Town Board authorizes the signature of the Town Supervisor to sign the Agreement contingent upon the Town Attorney approval of the wording and content that the Town of Northumberland be named as additional insurer. Councilman John DeLisle seconded the introduction of Resolution # 38 of 2016.

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

Resolution # 38 of 2016 Adopted

**DESIGNATIONS**

1. Councilman George Hodgson introduced Resolution # 39 of 2016

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

A (General Fund) Vouchers - # 105 - # 143 Total: \$ 38,985.54  
DA (Highway Fund) Vouchers - # 89 - # 115 Total: \$ 49,239.75  
SS (Gansevoort Sewer District) Voucher #3 Total: \$ 35.03

Councilwoman Patricia Bryant seconded the introduction of Resolution # 39 of 2016.

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

Resolution # 39 of 2016 Adopted

2. Supervisor’s Financial Report: The Town Board Member were provided a copy of March’s Financial Report along with Bank Statements for their review and approval at next month’s Town Board Meeting.

**COMMITTEE**

Highway: Highway Sup’t Harold Vance Jr stated that he would like the Town Board’s approval to purchase a bucket truck. Highway Sup’t Vance stated that it would be extremely helpful for both limb trimming and even changing lights at the Highway Garage. Highway Sup’t Vance presented the following quotes:

Upstate Sales Inc., 2003 International 4700 - \$13,565.00  
Port Chester: 2003 International 4400 - \$17,500.00  
Myerstown: 2002 International 4700 - \$14,900.00  
Bluffton: 2000 International 4700 - \$29,900.00

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Supervisor Willard Peck made a motion authorizing Highway Sup't Harold Vance Jr. to purchase the 2003 International 4700 from Upstate Sales Inc. for \$13,565.00 and to be paid from DA5130.2 and to authorize the Bookkeeper to add this charge to the April 2016 Highway Abstract as an add on. Councilman John DeLisle seconded the motion. All in favor, motion carried.

Highway Sup't Vance Jr. informed the Town Board that he will be attending the Highway Sup't School in Ithaca June 5 -8. Highway Sup't Vance stated that he will be splitting the cost of his room with Town of Saratoga Highway Sup't Donald Ormsby.

Highway Sup't Vance Jr. stated that Anthony Woodcock, MEO, has put in his notice. Mr. Woodcock has taken a new job.

Councilman Paul Bolesh made a motion @ 9:20 PM to go into Executive Session to discuss personnel issues. Councilman George Hodgson seconded the motion. All in favor, motion carried.

Councilman George Hodgson made a motion @ 9:30 PM to reconvene the Regular Monthly Meeting. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried. Supervisor Willard Peck stated that no action was taken.

Councilman Paul Bolesh made a motion @ 9:35 PM to adjourn the Regular Monthly Meeting. Councilman George Hodgson seconded the motion. All in favor, motion carried.

Respectfully submitted,

Denise Murphy, Town Clerk