

**Town of Northumberland
Town Board Meeting
May 9, 2019**

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 George Hodgson and Councilwoman Patricia Bryant. Councilman John DeLisle and Town Attorney David Brennan were absent. Also attending were Clerk Denise Murphy and Building and Zoning Administrator Richard Colozza.

PUBLIC PARTICIPATION

John Navarra, Virginia Place, came before the Town Board with an Eagle Scout Service Project Proposal. Mr. Navarra is proposing to restore the Nevins Cemetery, located on West River Road, to presentable condition. This will include cleaning, straightening, aligning and repositioning gravesite markers as needed. The project will also include repairing weather damage to stone memorials as best possible. Mr. Navarra is also proposing to work with the Town to obtain a NYS Historic Marker for the site to commemorate Col. Sidney Berry. Mr. Navarra is proposing to begin the project in June 2019 and have it complete by the end of October 2019. Mr. Navarra stated that he will need some basic landscaping tools such as shovels, rakes, a weed wacker, brush cutter and a lawn mower. Mr. Navarra is also requesting \$200 from the Town of Northumberland to purchase D/2 Biological Solution which is recommended cleaning fluid for gravestones. Councilman Paul Bolesh made a motion authorizing John Navarra's Eagle Scout Service Project Proposal to restore the Nevins Cemetery, located on West River Road. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried. Supervisor Willard Peck stated that he personally would like to donate the \$200 needed since he felt this was an outstanding project. John Navarra thanked the Town Board for their support.

Ken Brownell, Route 32N, came before the Town Board regarding the truck traffic. Mr. Brownell stated that the number of trucks has dropped some since he was here last month. Mr. Brownell stated that his main complaint is the speed of the trucks on Route 32N heading east from the hamlet. These trucks are forced to use their engine brakes as they come down the hill west of his property. Mr. Brownell would like the Town Board to request a speed reduction for this area and to possibly see about having a "No Engine Brake" sign for this area

**Town of Northumberland
Town Board Meeting
May 9, 2019**

as in the Town of Fort Edward. Councilman Paul Bolesh made a motion to request New York State Department of Transportation to establish a lower maximum speed at which vehicles can travel on State Route 32N between State Route 50 and Stonebridge Road, a Town Road. Councilman George Hodgson seconded the motion. All in favor, motion carried.

Walter Smead, Sole Assessor, came before the Town Board regarding his appointment. Mr. Smead stated that his term as Sole Assessor expires September 30, 2019. Mr. Smead gave a brief overview of some of the changes regarding STAR. Mr. Smead wishes to be reappointed to another 6 year term.

Councilwoman Patricia Bryant introduced Resolution #43 of 2019 –

WHEREAS, Walter D. Smead’s term as Sole Assessor expires on September 30, 2019 and

WHEREAS, Walter D. Smead has asked to be reappointed as Sole Assessor, and

WHEREAS, pursuant to Real Property Tax Law § 310, the appointed assessor has a six year term of officer, therefore be it

RESOLVED, the Northumberland Town Board reappoints Walter D. Smead as Sole Assessor with a term that begins October 1, 2019 and ends September 30, 2025, and be it further

RESOLVED, the Town Clerk will file the reappointment of Walter D. Smead with New York State Department of Taxation and Finance/Office of Real Property Tax Service.

Councilman George Hodgson seconded the introduction of Resolution # 43 of 2019.

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh – “Aye”

Councilman George Hodgson – “Aye”

Councilwoman Patricia Bryant – “Aye”

Resolution #43 of 2019

Adopted

APPROVAL OF MINUTES

**Town of Northumberland
Town Board Meeting
May 9, 2019**

1. Councilman George Hodgson made a motion to approve minutes of the April 11, 2019 Regular Monthly Meeting. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

CORRESPONDENCE

1. Dog Control Officers Report: Edward Cross submitted his Dog Control Report for April 2019. Mr. Cross answered 2 complaints, brought 1 dog to the shelter and issued 1 warning.

2. The Town Board received an email from Mary Beth McGarrahan regarding an interest in serving on either the Planning Board or Zoning Board of Appeals. The Town Board asked the Town Clerk to send Mrs. McGarrahan a small outline of what is involved with serving on either of these Boards and invite her to attend next month's meeting.

3. Saratoga County Fair: The Town Board received a letter from Kevin Veitch, Executive Director, Saratoga County Fair. The 2019 Saratoga County Fair is July 23 – 28. Mr. Veitch is asking permission to install a sign to help publicize the annual Fair. The sign would be installed the week of June 24th, and would be removed the week of July 29th. Councilman George Hodgson made a motion to authorize Fair staff to install a Saratoga County Fair sign the week of June 24th and remove the week of July 29th. The sign should be located at the intersection of Stump Street and Route 50. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.

NEW BUSINESS

1. BAN for New Town Hall: Supervisor Willard Peck stated that the Bond Anticipation Note for the New Town Hall matures May 16, 2019. The balance is \$600,000.00. Supervisor Peck stated that he is proposing paying \$200,000.00 of the principal owed on the note together with the interest. The interest on the note is 2.70%. Councilman George Hodgson introduced Resolution #44 of 2019 -

A RESOLUTION AUTHORIZING THE RENEWAL OF A BOND ANTICIPATION NOTE OR NOTES OF THE TOWN OF NORTHUMBERLAND, NEW YORK, IN THE AMOUNT OF \$400,000.00 IN ANTICIPATION OF THE SALE OF \$1,000,000.00 SERIAL BONDS TO PAY FOR THE CONSTRUCTUION OF A NEW TOWN HALL.

**Town of Northumberland
Town Board Meeting
May 9, 2019**

WHEREAS, pursuant to the bond resolution adopted May 19, 2015, the Town Board of the Town of Northumberland, New York, issued a Bond Anticipation Note dated May 20, 2015 in the amount of \$1,000,000.00, to mature May 19, 2016 to pay for the construction of a new town hall.

WHEREAS, pursuant to a Bond Anticipation Renewal Note Resolution adopted May 12, 2016, the Town Board renewed the note, in part, by issuing an \$850,000.00 Bond Anticipation Renewal Note dated May 19, 2016, to mature on May 18, 2017, and paying \$150,000.00 of the principal owed on the note together with accrued interest on May 19, 2016; and

WHEREAS, pursuant to a Bond Anticipation Renewal Note Resolution adopted May 11, 2017, the Town Board renewed the note, in part, by issuing an \$750,000.00 Bond Anticipation Renewal Note dated May 18, 2017 to mature on May 17, 2018, and paying \$100,000.00 of the principal owed on the note together with accrued interest on May 18, 2017; and

WHEREAS, pursuant to a Bond Anticipation Renewal Note Resolution adopted May 10, 2018, the Town Board renewed the note, in part, by issuing an \$600,000.00 Bond Anticipation Renewal Note dated May 17, 2018 to mature on May 16, 2019, and paying \$150,000.00 of the principal owed on the note together with accrued interest on May 16, 2019; and

WHEREAS, the Town Board desires to provide for the renewal, in part, of the prior note with a portion of said prior note to be paid on or about May 16, 2019 in the amount of \$200,000.00 together with accrued interest and a new renewal note to be dated May 16, 2019 and issued in the amount of \$400,000.00 to mature no later than May 15, 2020;

BE IT RESOLVED this 9th day of May, 2019, by the Town Board of The Town of Northumberland, New York, as follows:

Section 1. There are hereby authorized to be issued pursuant to the Local Finance Law of the State of New York Bond Anticipation Renewal Note or Notes for the purpose of constructing a new town hall and in anticipation of the sale of serial bonds of the Town of Northumberland, New York, as authorized in a resolution adopted May 19, 2015, entitled

**Town of Northumberland
Town Board Meeting
May 9, 2019**

"A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$1,000,000.00 SERIAL BONDS OF THE TOWN OF NORTHUMBERLAND, NEW YORK TO PAY FOR THE CONSTRUCTION OF A NEW TOWN HALL."

Section 2. The amount of Bonds to be issued for the aforesaid purpose is \$400,000.00. The amount of said Bond Anticipation Renewal Note or Notes shall not exceed \$400,000.00.

Section 3. Immediately, upon issuance of the Bond Anticipation Renewal Note authorized herein, the Bond Anticipation Note dated May 17, 2018 issued in anticipation of the aforesaid bonds will be paid and there will be no Bond Anticipation Notes outstanding which have been previously issued by the Town of Northumberland in anticipation of the sale of the aforesaid bonds.

Section 4. The Bond Anticipation Renewal Notes authorized herein are renewal notes. By resolution dated May 19, 2015, the Town Board of the Town of Northumberland authorized the issuance of \$1,000,000.00 of serial bonds and Bond Anticipation Notes to pay for the construction of a new town hall. Thereafter, on May 19, 2016, the Town issued a Bond Anticipation Renewal Note in the amount of \$850,000.00 and paid \$150,000.00 of the principal owed on the original note together with accrued interest. Thereafter, on May 18, 2017, the Town issued a Bond Anticipation Renewal Note in the amount of \$750,000.00 and paid \$100,000.00 of the principal owed on the renewal note together with accrued interest. Thereafter, on May 17, 2018, the Town issued a Bond Anticipation Renewal Note in the amount of \$600,000.00 and paid \$150,000.00 of the principal owed on the renewal note together with accrued interest. On or about May 16, 2019, the Town will issue Bond Anticipation Renewal Notes in the amount of \$400,000.00 and pay \$200,000.00 of the principal owed on the prior notes together with accrued interest. The Bond Anticipation Renewal Notes authorized herein are a renewal of the \$600,000.00 balance of the notes previously issued to pay for the construction of the new town hall. Said notes shall be renewed at the Glens Falls National Bank at an interest rate of 2.70%. The Bond Anticipation Renewal Notes authorized herein shall provide that they cannot be converted to registered notes.

Section 5. The Bond Anticipation Renewal Notes authorized herein shall mature within one year of the date of their issue.

**Town of Northumberland
Town Board Meeting
May 9, 2019**

Section 6. The Bond Anticipation Renewal Notes authorized herein are not issued in anticipation of bonds for an assessable improvement.

Section 7. The Town Clerk is hereby authorized to sell at private sale the original bond anticipation renewal notes herein authorized to be issued. Such notes may be sold and delivered at one time or from time to time and if sold at different times they shall be dated as of the respective dates of issue. The place of payment, rate of interest, denominations and all other terms, details and contents of said notes, including provisions for redemption if deemed desirable, shall be determined by the Supervisor of the Town of Northumberland.

Section 8. The Supervisor of the Town of Northumberland is hereby authorized to designate these notes as qualified tax-exempt obligations pursuant to section 265 (b) (3) of the Internal Revenue Code of 1986. The Town of Northumberland does not reasonably expect to issue in excess of Ten Million Dollars (\$10,000,000.00) of its general obligations in a calendar year ending December 31, 2018. The Town Board covenants that it will take any necessary action to all things and not take any prohibited action to insure that the interest on the notes will be exempt from federal taxation at all times.

Section 9. Such bond anticipation notes shall be signed by the Supervisor of the Town of Northumberland and shall have the corporate seal of the Town of Northumberland affixed thereto and attested by the Town Clerk.

Section 10. The faith and credit of said Town of Northumberland, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such notes as the same respectively become due and payable. The bond anticipation notes shall be paid from the aforesaid revenues or may be redeemed as provided by the Local Finance Law of the State of New York.

Section 11. This resolution shall take effect immediately.

Councilwoman Patricia Bryant seconded the introduction of Resolution #44 of 2019.

**Town of Northumberland
Town Board Meeting
May 9, 2019**

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

Resolution #44 of 2019 Adopted

2. Authorize Supervisor Willard Peck to sign the Agreement between South Glens Falls Central School District and the Town of Northumberland: Supervisor Willard Peck stated that there was an agreement in front of them for his signature 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 July 9, 2019. Councilman Paul Bolesh introduced Resolution #45 of 2019 – Authorizing Supervisor Willard Peck to sign the following Agreement between the Town of Northumberland and the South Glens Falls Central School District:

THIS AGREEMENT, made on March 27, 2019 between the **Town of Northumberland**, with offices located at 17 Catherine Street, Gansevoort, New York, and the **South Glens Falls Central School District**, with offices located at 6 Bluebird Road, South Glens Falls, New York.

WHEREAS, the Town of Northumberland has requested permission from the School for the use of **one 65 – passenger school bus** for purposes of its Northumberland Youth and Recreation Program for six consecutive Tuesdays and Thursdays, beginning Tuesday, July 9, 2019 and ending Thursday, August 15, 2019 during the hours of 10:00 a.m. to 3:00 p.m. with the specific dates and times of July 9, 2019 to be scheduled between the responsible individuals for each party, and

WHEREAS, as each party has reviewed anticipated costs and expenses incurred or expected to be incurred as a result of the shared arrangement (see attachment),

NOW, THEREFORE, it is mutually agreed:

1. The South Glens Falls Central School District grants permission to the Town of Northumberland the use of **one 65-passenger bus** for use in the Northumberland Youth and recreation Program between the dates of July 9, 2019 and August 15, 2019, 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:

**Town of Northumberland
Town Board Meeting
May 9, 2019**

**Tuesday, July 9, 2019
Thursday, July 11, 2019
Tuesday, July 16, 2019
Thursday, July 18, 2019
Tuesday, July 23, 2019
Thursday, July 25, 2019
Tuesday, July 30, 2019
Thursday, August 1, 2019
Tuesday, August 6, 2019
Thursday, August 8, 2019
Tuesday, August 13, 2019
Thursday, August 15, 2019**

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 Central 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 South Glens Falls Central School District will provide a Certificate of Liability to the Town of Northumberland listing the Town of Northumberland as additional insured. The Town of Northumberland shall provide the South Glens Falls Central School District with evidence of coverage confirming the Town of Northumberland carries collision and liability and has added such 65-passanger school bus as an additional insured designated on its General Liability and Automotive Policies.

**Town of Northumberland
Town Board Meeting
May 9, 2019**

4. The Town of Northumberland shall be responsible for applicable costs in the use of 65-passanger 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 9, 2019 and August 15, 2019 by 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 15, 2019.

Councilman George Hodgson seconded the introduction of Resolution # 45 of 2019.

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

Resolution #45 of 2019 Adopted

3. Historic Hudson-Hoosic Rivers Partnership Stewardship Plan: Supervisor Willard Peck informed the Town Board Members that the Historic Hudson-Hoosic Rivers Partnership has requested a letter of support for the Town of Greenwich's application to update the Historic Hudson-Hoosic Rivers Partnership Steward Plan. The Stewardship Plan provides a framework through which state agencies, municipalities and non-profit organizations initiate local projects that foster stewardship of the Reserve's rich natural and cultural heritage, as well as providing for sustainable economic growth. The Town of Northumberland is a member of the Partnership and the town has benefited from the 2010 Stewardship Plan. Supervisor Peck presented a

“Letter of Support” for the Town Board's approval. Councilman George Hodgson made a motion authorizing Supervisor Willard Peck to sign the Letter of Support for the Town of Greenwich's application to update the Historic Hudson-Hoosic Rivers Partnership Stewardship Plan. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.

**Town of Northumberland
Town Board Meeting
May 9, 2019**

4. Resolution in support of Historic Hudson-Hoosic Rivers Partnership: Supervisor Willard Peck presented a Resolution for the Town Board’s consideration. Councilman Paul Bolesh introduced Resolution # 46 of 2019 –

WHEREAS, the Historic Hudson-Hoosic Rivers Partnership is an entity formed of local municipalities, county, state, and federal agencies and not-for-profit community organizations which was created by New York State Legislation in 2006 and 2009 which evolved into a nonprofit organization;

WHEREAS, the mission of the Historic Hudson-Hoosic Rivers Partnership is to preserve, enhance, and develop the historic, agricultural, scenic, natural and recreational resources and the significant waterways within the Partnership region;

WHEREAS, the Partnership advances collaborate projects with non-profit and governmental entities with an emphases on both agricultural and open space protection, economic and tourism development, and the protection and interpretation of our natural and cultural heritage;

WHEREAS, Town of Northumberland shares the Partnership’s goals and supports fostering collaborative approaches to preserve a landscape supporting the historic, cultural and environmental assets of the upper Hudson Valley watershed, to protect its traditional land uses and environmental quality and to develop the economic potential of heritage and outdoor recreational tourism; and

WHEREAS, the Historic Hudson-Hoosic Rivers Partnership has invited your municipality to become a member; **NOW, THEREFORE, BE IT**

RESOLVED, that the Town of Northumberland’s Board voted in favor, at a regularly scheduled meeting held on May 9, 2019, to join the Historic-Hoosic Rivers Partnership and direct Supervisor Willard Peck to membership and Board meetings of the Partnership.

Councilwoman Patricia Bryant seconded the introduction of Resolution # 46 of 2019.

Supervisor Willard Peck – “Aye”
Councilman Paul Bolesh – “Aye”

**Town of Northumberland
Town Board Meeting
May 9, 2019**

Councilman George Hodgson – “Aye”
Councilwoman Patricia Bryant – “Aye”

Resolution #45 of 2019 Adopted

DESIGNATIONS

1. Supervisor Willard Peck reported that the Town Board has to adopt a Resolution to transfer a voucher that was charged to General Account that should have been charged to the Highway Account. Councilwoman Patricia Bryant introduced Resolution #46 of 2019 –

WHEREAS, Voucher # 121 was submitted for Town Board audit on April 11, 2019 in the amount of \$965.00 and charged to A 5010.4, and

WHEREAS, it was determined that Voucher # 121 should have been charged to DA6292.4 (Job Training and Service, therefore be it

RESOLVED, The Northumberland Town Board approves the transfer of Voucher #121 from A5010.4 to DA6292.4 in the amount of \$965.00.

Councilman George Hodgson seconded the introduction of Resolution #46 of 2019.

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

Resolution #46 of 2019 Adopted

2. Approve Vouchers for Payment: Councilwoman Patricia Bryant introduced Resolution # 47 of 2019

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

A (General Fund) Vouchers # 125 - # 157 Total: \$ 242,876.58
DA (Highway Fund) Vouchers # 99 - # 121 Total: \$ 26,664.02
SS (Sewer Fund) Voucher # 7 Total: \$ 43.70

Councilman George Hodgson seconded the introduction of Resolution # 47 of 2019

**Town of Northumberland
Town Board Meeting
May 9, 2019**

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

Resolution # 47 of 2019 Adopted

3. Supervisor Willard Peck presented the Supervisor’s Report for March, 2019 for the Town Board’s consideration. Councilwoman Patricia Bryant introduced Resolution # 48 of 2019 -

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 February 2019:

GENERAL

Balance as of 02/28/2019	\$	1,062,428.89
Increases	\$	82,550.73
Decreases	\$	56,878.29
Balance as of 03/31/2019	\$	1,088,101.33

HIGHWAY

Balance as of 02/28/2019	\$	647,552.32
Increases	\$	49.98
Decreases	\$	80,562.20
Balance as of 03/31/2019	\$	567,040.10

SEWER DISTRICT #1

Balance as of 02/28/2019	\$	20,357.02
Increases	\$	0.00
Decreases	\$	0.00
Balance as of 03/31/2019	\$	20,357.02

**Town of Northumberland
Town Board Meeting
May 9, 2019**

CAPITAL PROJECT – BUILDING

Balance as of 02/28/2019	\$	12.45
Increases	\$.00
Decreases	\$.00
Balance as of 03/31/2019	\$	12.45

BE IT RESOLVED, the Town Board has reviewed and approved March 2019 Monthly Report by Supervisor Willard Peck as presented.

Councilman Paul Bolesh seconded the introduction of Resolution # 48 of 2019

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh – “Aye”

Councilman George Hodgson – “Aye”

Councilwoman Patricia Bryant – “Aye”

Resolution # 48 of 2019 Adopted

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

Respectfully submitted,

Denise Murphy, Town Clerk
Town of Northumberland