

Town of Northumberland
March 6, 2008

Supervisor Willard Peck called the Meeting to order @ 7:30 PM. Following the salute to the flag, roll call was taken. Those attending included Supervisor Willard Peck, Councilman Paul Bolesh, Councilman George Hodgson and Councilman Patricia Bryant. Councilman Daniel Gale was absent. Also attending were Clerk Denise Murphy and Highway Sup't Neil Petteys.

Councilman George Hodgson made a motion to approve minutes of the February 7, 2008 monthly meeting with the following change: Page 3/#3 should be Bonocio Construction. Councilman Patricia Bryant seconded the motion. All in favor, motion carried.

PUBLIC PARTICIPATION

Heidi Marsh, Hickory Circle, came before the Town Board regarding the horrible road conditions on Hickory Circle. Mrs. Harsh stated she knows it is a private road but she noticed there was a discussion in June 2007 about these private roads and what would be needed to take them over. Mrs. Marsh stated she has not received mail for 1 ½ months due to the unsafe conditions. Mrs. Marsh submitted pictures of the road, which were taken March 5 & March 6, 2008. Supervisor Peck gave Mrs. Marsh some background information regarding this subdivision. Supervisor Peck stated he will discuss this issue with the Town Attorney.

Skip Harsha, owner of 16 Leonard Street, came before the Town Board regarding his recent survey. The Town Board members were provided a copy of the survey. Mr. Harsha stated he purchased this property in 2007 with the hope of opening a business. After obtaining a survey all the property lines shifted to the left which now causes a hardship for parking should he open a business. Supervisor Peck stated the town had been approached by his adjoining property owner, Thomas & Barbara Roberts, regarding abandoning the portion of Hill Street between State Route 32 and the railroad tracks. Highway Sup't Neil Petteys had reviewed the status of Hill Street and recommends that it be abandoned by the Town Board pursuant to Highway Law § 205. Section 205 states, "A highway that has not been opened or worked within six (6) years from the time it was dedicated to the use of the public or laid out shall cease to be a highway." The Town of Northumberland has not maintained this part of Hill Street in over ten (10) years, closer to fifty (50) years. Highway Sup't Neil Petteys stated that he does not see a need to continue it as a town highway. This section of Hill Street does not show up on the Town Annual Highway Inventory. Highway Sup't Neil Petteys provided pictures of where this road would lie. Both parcels have chain link fences which are located within that portion of Hill Street. Supervisor Willard Peck stated he would recommend splitting this section of Hill Street evenly and conveying it each portion to the adjoining property owners. Supervisor Peck made a motion to abandon the portion of Hill Street, between State

Route 32 and the railroad tracks and divide it evenly between the adjoining property owners as portrayed on Mr. Harsha's survey map, and pending any legal status the Town Attorney has to follow. Councilman George Hodgson seconded the motion. All in favor, motion carried. The Town Clerk was asked to forward this information to the ZBA, Planning Board and the Building Inspector.

CORRESPONDENCE

1. Supervisor Willard Peck stated he received a Memorandum from Daniel Miller, Emergency Service Specialist with Saratoga County Office of Emergency Services. The Town was provided a user name and password for the reverse 9-1-1 System, which will allow the town to create our own message and notification list in case of a town wide emergency.
2. The Town received a letter from NYS Department of Transportation regarding - The Safe, Accountable, Flexible, Efficient Transportation Equity Act known as "SAFTEA-LU". This letter constitutes NYSDOT's invitation to the Town of Northumberland to develop and forward project proposals for the second round of funding.
3. The Town received notification that additional funding is being made available to the Home Energy Assistance Program.
4. The Town received an invitation from Assemblyman Roy McDonald for the town to attend the "Autism Awareness" forum on April 5 in Malta.
5. The Town received notification from New York State Office of Real Property Service that the Town's residential Assessment ration has dropped to 90.28%.
6. The Town received notification from Time Warner Cable regarding possible changes in channels or programming services for Time Warner.
7. The Town Board received a letter from Assemblyman James Tedisco asking Town/County Legislators to pass a Resolution endorsing the New York State Property Tax Payers Protection Act. The Town Board passed a similar Resolution in 2007. Councilman George Hodgson stated he would like the Saratoga County Board of Supervisors to consider adopting a similar Resolution.
8. The Town Board received a letter from Saratoga County Attorney, Mark Rider, regarding the upcoming foreclosure of 2006 taxes of parcel 103.-1-24.21. This parcel is a cul-de-sac road off Cedar Run(known as Lindel Lane), in a development done by Alpine Cedar Homes. This information will be forwarded to Town Attorney Douglas Ward.
9. Supervisor Peck received a letter from New York State Department of Environmental Conservation regarding Flood Map Modernization Program for Saratoga County. NYS DEC stated that they send a letter on September 2007 on the same topic and requested that our community confirm its flood mapping priorities by October 31, 2007. They state

if the Town has not forwarded our response, then based on the information gathered at the scoping meetings held on August 29 and 30, 2007 it is their understanding that the Town's flood mapping is adequate. This letter will be forwarded to the Building Inspector.

10. The Town received a letter from NYS Emergency Management Office regarding the NYS Emergency Management Single Audit Certification. Town Bookkeeper Judy Taylor will confirm the status of any FEMA Funds for 2007.

OLD BUSINESS

1. Schuyler Park: Councilman Daniel Gale submitted a report summarizing the progress and actions that have taken place since the Town's January Meeting. Each Town has reviewed the Municipal Agreement independently. However, due to numerous scheduling conflicts all parties have not been able to yet meet. The final method of land transfer has not been finalized with Saratoga Builders. There is still a debate over how that will happen, whether through a conservation easement or an actual deed. Thanks to Quaker Springs Fire Department for burning the piles of debris from the barns that were taken down in December. Dave Miller and his associates at the LA Group are continuing their diligent work on the Committee's behalf. They have received responses from Creighton Manning regarding the traffic study, the NYS Department of Environmental Conservation Heritage Program regarding endangered species, and the NYS Office of Parks and Historic Preservation regarding historical significance. Creighton Manning found that the intersection sight distances and stopping sight distances along Route 29 are more than adequate. When construction begins, the committee will need to get a curb cut permit from DOT and they stated that "as the project process progresses, NYSDOT may require additional traffic volume information to use in their review of the site access". While a second entrance along Route 29 is desirable and the committee will continue to look at that opinion, this study did not consider that. An additional study will need to be conducted if a second access is pursued. CM also reviewed the small site frontage onto Loudon Road and determined that "the available sight distance would fall short of the AASHTO guidelines for the posted 45-mph speed limit" and that "due to the vertical curves along Loudon Road it would be difficult to provide a site access". The DEC indicated that there may be some endangered species or significant habitats on our site that will require further study. Richard Futyma of the LA Group has been in contact with the DEC and they are currently in the process of trying to determine exactly what may need to be done and what the process will be come spring. At this point we know that the Committee will most likely have to conduct some sort of additional environmental study for possible endangered species, but they do not have details. The OPRPH determined that "there is an archeological site in or adjacent to this project area – a Phase I archeological survey is warranted". This has become a standard process for virtually any project in the Town of Saratoga. What it means is that a Phase I, or research review has to be conducted and most likely Phase II study, which will involve some digging. This also is a new determination and the exact details and processes have not been determined. There appears to be a grant opportunity for this and the Committee is looking into this. In short, what all this means is time and money. Unfortunately, they are a part of the

process and they will continue to forge ahead and work through it all as efficiently and effectively as they possibly can. They are hopeful that the majority of all the above can and will be concluded this spring.

2. Local Law #1 of 2008 – A Local Law Amending Town of Northumberland Subdivision Regulations and Design and Construction Standards. Supervisor Peck informed the public that a Public Hearing was held earlier tonight and there were no comments from the public. Councilman George Hodgson made a motion to adopt **Local Law #1 of 2008 – A Local Law Amending Town of Northumberland Subdivision Regulations and Design and Constructions Standards.** Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.

NEW BUSINESS

1. SAFETEA-LU Transportation Enhancement Grant Program (Dix Bridge). Supervisor Peck stated he gave Councilman Hodgson information tonight regarding Grant Application information. Councilman Hodgson stated these grant application requests come out periodically. These grants also are 80% federal with 20% local match. Councilman Hodgson stated the Dix Bridge involves both Washington County and Saratoga County. Councilman Hodgson has talked with Assemblyman Roy McDonald to see if there were any line item funds available to help with this bridge. Saratoga County previously indicated they could financially help, Washington County is not able. The bridge would be open for pedestrian traffic only. Councilman Hodgson and Supervisor Peck will sit down with Assemblyman McDonald. Councilman Hodgson stated the estimated cost to bring up the Dix Bridge for pedestrian traffic only is \$3,000,000. The 20% local share would be around \$600,000. Dix Bridge is on the national historic register, the bridge was built by the Dix family.

2. National Scenic Byway Grant Program: Councilman Hodgson stated he would like to submit a small grant \$50,000/\$10,000 local share. Councilman Hodgson displayed a map from the Master Plan regarding the need for a right of way. Councilman Hodgson stated \$20,000 would be used for an evaluation and study and \$30,000 would be used for the acquisition of the right of way. Councilman Hodgson introduced Resolution # 22 of 2008 – **Authorizing the Town of Northumberland to submit a 2008 Scenic Byways Grant Application to conduct a ROW Feasibility and Acquisition Project for Hudson Crossing Park Connection to Lakes to Locks Passage Scenic Byway**

WHEREAS, Hudson Crossing Park is located in close proximity to the Lakes to Locks Passage Scenic Byway, and fulfills the Lake to Locks Passage Scenic Byway Corridor Management Plan’s vision and goals and objectives, and

WHEREAS, the Town of Northumberland has made a commitment to the construction of Hudson Crossing Park having received Erie Canal Greenway grant funding from NYS as well as federal FHWA grant funding to enable the construction of Hudson Crossing Park,

WHEREAS, scenic byways grant awards were provided in 2002 to assess and construct a series of nearby Pocket Parks and in 2003 to prepare a master plan for Hudson Crossing **WHEREAS**, the Hudson Crossing Park Master Plan recommended that alternate access be provided from the Park to allow the public to reach Lakes to Locks Passage Scenic Byway and its nearby amenities, and

WHEREAS, alternate access will enable park visitors to cross Champlain Canal to the Lakes to Locks Passage Scenic Byway and visit the nearby important Byway resources of Knox Trail Pocket Park, and Stark’s Knob, and

WHEREAS, there is a need to complete a ROW feasibility and acquisition project for sections of an abandoned railroad right of way to facilitate the aforementioned access to Hudson Crossing Park from the Lakes to Locks Passage Scenic Byway, now, therefore be it

RESOLVED, that the Northumberland Town Board hereby authorizes the Town of Northumberland to submit a Scenic Byways Grant application to the Federal Highway Administration to conduct the aforementioned Hudson Crossing Park ROW feasibility and acquisition project, and be it further

RESOLVED, that the Town of Northumberland is hereby authorized to provide \$10,000 as the local match for the aforementioned Scenic Byways Grant.

Councilwoman Patricia Bryant seconded the introduction of Resolution #22 of 2008

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh – “Aye”

Councilman George Hodgson – “Aye”

Councilman Patricia Bryant – “Aye” Resolution #22 of 2008 – Adopted

3. Town Wide Clean-Up Day: Councilman Paul Bolesh stated he will be holding the Town Wide Clean-Up Day on April 26 with a rain date of May 3.

4. Mosquito Dunks: Councilman George Hodgson stated he will decide on a date to show the public how to apply the dunks.

5. Town Wide Newsletter: Councilman Daniel Gale left word that he would like to get the Town Wide Newsletter out around April 1. Anyone wishing to submit an article should email them to Councilman Gale’s home.

6. Recycling paper at the Town Hall. Councilman Paul Bolesh stated he would like the Town to recycle paper. He will pick up the bins on Friday for recycling. South Glens Falls has a contract with SCA Paper Co.

7. The Old Saratoga Athletic Association (OSAA) is requesting a donation from the Town of Northumberland between \$4,000 and \$5,000 for a backstop. Schuylerville

School and the Town of Saratoga have donated a combination of \$9,000. The Town Board had a quote from AFSCO Fence of \$18,655 for total installation. Supervisor Peck stated he would like to table this until next month.

8. Town Clerk's Association Conference: Town Clerk Denise Murphy asked permission for herself and the Deputy Town Clerk to attend the Conference on April 28 & 29. The Conference will be held in Saratoga Springs so they will be commuting. Councilman Paul Bolesh made a motion authorizing the Town Clerk and Deputy Town Clerk to attend the Town Clerk's Association Conference on April 28 & 29. Councilman George Hodgson seconded the motion. All in favor, motion carried.

9. Councilman George Hodgson informed the Board Members that under the previous administration the town received a \$5,000 grant from Saratoga County Economic Development for signage at the Knox Trail Pocket Park. The Town of Northumberland was to match the \$5,000. Councilman Hodgson stated to the best of his knowledge the town never came up with their matching share. Hudson Crossing was hoping to erect a sculpture of General Knox at the Pocket Park. Supervisor Peck stated he would like to research first regarding what has been paid from this grant.

10. Councilman George Hodgson stated previously Councilman Gale expressed concern with liability with the floating dock at Hudson Crossing. Councilman George Hodgson talked with Michelle Sawyer with Adirondack Trust and she indicated it would be a \$500 increase on our liability policy for the dock coverage.

11. Councilwoman Patricia Bryant brought up a recent article that appeared in the Post Star regarding a veteran in Washington County unable to go to a Doctor's appointment due to lack of transportation. Councilwoman Bryant asked if there were any residents in our town that had a similar problem. Councilwoman Bryant stated she noticed a voucher from Saratoga County Office for the Aging for Transportation. Supervisor Peck stated the town has an agreement with the Office for the Aging to transport seniors to medical appointments.

12. Councilwoman Patricia Bryant asked if there was any law prohibiting the town from placing a premium on Performance Bonds for new roads to cover the cost of inflation. Supervisor Peck stated he will discuss this with the Town Attorney.

13. Councilman George Hodgson again emphasized the importance of getting the deeds for accepted roads filed with the county. The Town should not have incidents like Lindel Lane coming up on a foreclosure sale. The Town has accepted numerous roads over the years and the deeds are not being filed. If Attorney Douglas Ward is too busy then the town should consider hiring another attorney to address these deeds.

14. The Town Youth and Senior Center received a new pool table which was donated by Frank Barbera of Barbera Homes. The Town Board will extend a Thank you to Barbera Homes.

DESIGNATIONS

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

COMMITTEES

Highway: Highway Sup't Neil Petteys stated he has discussed with his Highway Committee purchasing a new F350 pickup with 8' Fisher Plow on State Contract. Van Bortel Ford has the State Contract Award. Supervisor Peck stated that \$30,000 was budgeted for a new pickup truck in the Highway Budget. Highway Sup't Neil Petteys stated that some of the additional item can be charged to the machinery line item. Supervisor Peck made a motion authorizing the Highway Sup't to purchase a new F350 pickup with 8' Fisher Plow on State Contract. Councilman George Hodgson seconded the motion. All in favor, motion carried.

Highway Sup't Neil Petteys stated that Federal Highway Administration (FHWA) standards have changed regarding road signs. As the town's signs are replaced the new standard signs will be used.

Councilman George Hodgson made a motion @ 9:25 PM to adjourn the Regular Monthly Meeting. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

Respectfully submitted,

Denise Murphy
Town Clerk