

**Town of Northumberland**  
**April 5, 2007**

Supervisor Willard Peck called the regular monthly meeting of the Northumberland Town Board 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 Harold Vance Jr., Councilman George Hodgson and Councilman Daniel Gale. Also attending were Clerk Denise Murphy, Highway Sup't Neil Petteys and Town Attorney Douglas Ward.

**APPROVE MINUTES**

Councilman Paul Bolesh made a motion to approve minutes of the March 1, 2007 Regular Monthly Meeting. Councilman Harold Vance Jr. seconded the motion. All in favor, motion carried.

**PUBLIC PARTICIPATION**

Allen Wood, 329 Goff Road, stated he did not receive a copy of the March 1, 2007 Regular Monthly Meeting and wanted to ask the outcome of Executive Session.

Supervisor Peck stated the Town Board goes into Executive Session to discuss litigation. No action is taken during this period. The Town Board reconvenes the Regular Monthly Meeting and at that point takes any action that is needed. At March's Town Board Meeting following the Executive Session, the Town Board made a motion authorizing the signing of a Settlement Agreement in reference to the Henry Moak Matter. Both sides agreed to certain terms. The case is now settled. The Judge still needs to sign the "So Order" Agreement. Supervisor Peck stated he has executed his signature on the agreement. The Town Board also discussed the Finch Pruyn/Scott Paper modification request to their DEC Permit. No action was taken. Mr. Wood asked if Mr. Moak will now be allowed to use the scales for business. Supervisor Peck stated the settlement will allow Mr. Moak to apply for a Building Permit to place a cover over these scales.

**APPOINTMENTS**

1. ZBA term expires 05/31/2007 (Rebecca Hodgson). Councilman Daniel Gale made a motion to solicit letters of interest for the opening on the ZBA through a press release. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

## CORRESPONDENCE

1. The Town received listings of career opportunities throughout Saratoga County
2. The Town received notification that rates are going up with Time Warner Cable. The Town signed a 10 year Franchise Agreement in Time Warner in 2003.
3. The Town received a letter from Juvenile Diabetes Research Founding regarding the “Pedal to Cure Diabetes” bike race scheduled for September 9, 2007. The riders will be going through the tri-county area.
4. The Town received a letter from Byron Peregrim – Parade Chairman for the Turning Point Parade. It will be Sunday, August 5. The Town will make a \$500.00 contribution to the parade to off set costs.
5. The Town received information from the US Department of Interior regarding an “Erie Canalway National Heritage Corridor” Grant. Supervisor Peck turned the information over to Councilman George Hodgson.
6. The Town received information from Capital District Regional Planning Commission regarding the May 7<sup>th</sup> Local Government Planning and Zoning Workshop. The Town Clerk will send the information to the Planning and Zoning Members and inform them that the town will pay the \$30.00 filing fee.
7. The Town received information from New York State DEC regarding stream crossing. Supervisor Peck transferred the information to the Building/Zoning Administrator Richard Colozza.
8. The Town received information from Cornell Cooperative Extension regarding the 33<sup>rd</sup> Annual 4-H Walkathon on April 28, 2007.
9. The Town received a pamphlet from the Secretary of State – “Your Right to Know”, New York State’s Open Government Laws.
10. The Town received a pamphlet from Saratoga County – “Economic Impacts of Thoroughbred Racing in Saratoga County and Upstate New York”.
11. The Town received notification that the 21<sup>st</sup> Annual Children’s Fishing Tournament will be May 5, 2007 at the 4-H Training Center. The Town Clerk will post.
12. The Town Board received a letter from Julye Spinelli, Broadway Banner & Flag County regarding the Youth Park on Kobor Road. Ms. Spinelli states that it has come to her attention that the Old Saratoga Athletic Association will be running organized programs this Spring in the Youth Park, adjacent to her property. She expressed concern that the Town has not provided adequate parking spaces for that activity. Ms. Spinelli

states that her Insurance underwriter has advised her NOT to grant parking permission for this activity. Ms. Spinelli stated that she does not grant any permission to the Town or any other organization to use her property for parking and any vehicle left on her property may be towed and/or ticketed at the owner's expense. Ms. Spinelli states the Town should consider installing proper signage on the Park fence and various locations on Kobor Road and along the grain tracks to indicate to drivers where parking is prohibited and permitted. Ms. Spinelli also states the fence along the park was also damaged this past winter when the Town of Northumberland's road crew removed the snow from her property without her permission and dumped it over and on the Youth Park fence, which she hopes is slated for repairs. Ms. Spinelli stated she is looking forward to hearing from the Town Board regarding the Town's plans to resolve these issues. The Town Board will respond. Allen Wood stated that when he was on the Zoning Board of Appeals, the Spinelli's came before the ZBA and one of the things they offered to the town was when they were not in operation, the parking area adjacent to the Town Park could be used. Supervisor Peck asked Building/Zoning Administrator to check the old minutes. Councilman Daniel Gale stated he will work with Highway Sup't Neil Petteys to address parking for individuals wishing to use the park.

### **OLD BUSINESS**

1. Councilman Paul Bolesh reminded the public that the Town Wide Clean-Up Day will be held on April 21, 2007 with a rain date of April 28, 2007. Councilman Daniel Gale put together a Newsletter to be mailed out reminding residents to keep that date open.
2. Mosquito Dunks: Councilman George Hodgson reported the Town ordered a pallet of Mosquito dunks. There will be a Mosquito Dunk Workshop on April 18 @ 7:00 PM. Councilman Hodgson stated he will provide a brief instructional summary of how to identify mosquito larva and how to apply dunks. At the conclusion of the workshop, the town will provide dunks to town residents at no charge.
3. Highway Sup't Neil Petteys received two letters from James Mitchell, P.E. the Town Engineer. Mr. Mitchell states that pursuant to their discussion of March 29, 2007 it is his recommendation that the Town consider certain modifications to the Standard Highway Cross Section. The Town specification requires 1.5 inches of asphalt base course and 1 inch of asphalt top course. Based on his experience over the past 30 years he is recommending that these specifications be revised to require a minimum of 2.5 inches of base course and 1.5 inches of top course asphalt. Mr. Mitchell also sent a letter to Highway Sup't Neil Petteys stating the Developer of Brampton Woods has requested approval to modify the roadway cross section as follows: substitute 9 inches of crushed stone in lieu of 12 inches of item 4 gravel and install 1.5 inch asphalt top course in lieu of 1 inch top course. Mr. Mitchell states he reviewed his request and it is his opinion that the changes he is proposing will result in a superior roadway. Nine inches of crushed stone is structurally equivalent to 12 inches of crushed gravel (Item 4) and 1.5 inches of asphalt top course is unquestionably superior to 1 inch. Because the proposed section differs from the Town's Standard Roadway, it will be necessary to have the Town

Board's approval before authorizing the change. The Town Board is in favor of the suggested changes and will pursue modifying the roadway cross section.

4. The Town Board received a letter from Attorney Edwin Adeson regarding the abandoned Town Road connecting Tax Map 116.7 – 1 – 8 to Route 50. Attorney Adeson stated that it was his understanding that this parcel borders a road that the Town of Northumberland abandoned which is the only access Mr. Gilligan would have to Route 50. If he does not have access to this abandoned road, then the parcel that he is purchasing would be landlocked. Currently there is a barrier blocking the road denying access due to the road being closed and abandoned. Town Attorney Douglas Ward stated that he has researched this matter and has determined that there is no record to indicate that there was ever a town road, let alone the town abandoning a town road. Mr. Gilligan, who was present, stated he has done a title search and agrees with Attorney Douglas Ward's statement. Mr. Peter Marshall, an adjacent property owner has indicated that he can access his property across his. Mr. Gilligan asked if Town Attorney Douglas Ward could send him a letter stating his findings. Attorney Ward stated that would be no problem.

5. The Town Board previously received information from National Grid regarding the policy for attachments to national grids poles for lighting and/or decorations. Supervisor Peck stated he will review the policy since Broadway Banner and Flag Company has attached flags to poles in the hamlet.

6. Synthesis – Hudson Crossing Amendment to Contract. Councilman George Hodgson stated he would like to table this.

7. The Town Board received a letter from Thomas Wood, Supervisor with the Town of Saratoga. The Town of Saratoga Town Board has determined that the Type I action for the Joint Open Space and Recreation Plan for the Towns of Northumberland and Saratoga is subject to SEQR and involves the Town of Northumberland as an involved agency. The Town of Saratoga intends to declare itself as the lead agency for the environmental review of this action. The Town of Saratoga requests that the Town of Northumberland take action at tonight's regular scheduled meeting declaring that they concur with the Town of Saratoga and support them as being the lead agency for this project. Town Attorney Douglas Ward stated SEQR is suppose to be done as early in the process as possible. Dale Cox stated the town has to stop giving up control. Councilman Hodgson stated the plan is a philosophy on how the town would like to see how open space is addressed in the future. Supervisor Peck stated the town needs to look at the best way to adopt this document. The Town of Saratoga is looking at adopting by Local Law. Councilman George Hodgson made a motion to notify the Town of Saratoga that the Town of Northumberland concurs and supports the Town of Saratoga being lead agency for the environmental review regarding the "Joint Open Space and Recreation Plan for the Town of Saratoga and Northumberland". The Town of Northumberland also agrees that the Town is an involved agency for SEQR purposes for this project. Councilman Harold Vance Jr. seconded the motion. All in favor, motion carried.

## **NEW BUSINESS**

1. Councilman Daniel Gale made a motion to adopt Local Law #1 of 2007 – A Local Law Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.
2. Councilman Daniel Gale introduced Resolution #25 of 2007

### **A Resolution Honoring Clifford “Skeeter” Pollock**

**WHEREAS**, Clifford Pollock was born March 4, 1912 in the Town of Greenwich to Elmer D and Sarah (Bain) Pollock, and

**WHEREAS**, Clifford Pollock married Iona Mallory Pollock, they celebrated 66 years in September, 2006 and are the proud parents of three beautiful daughters, Dorothy, Alice and Joyce, and

**WHEREAS**, Clifford worked a full time job up to the age of 83. He retired from Northway Exchange in 1995. In 1992, Clifford Pollock was declared the only employee at the auction to have recorded perfect attendance.

**WHEREAS**, Clifford Pollock was a member of the Gansevoort Volunteer Fire Department since March 5, 1947, served as Chief for over 12 years, and became a life member in 1980, and

**WHEREAS**, Clifford Pollock became a Mason joining in 1949, serving his lodge 22 years, and

**WHEREAS**, Clifford Pollock was a proud member of Saratoga County Sheriffs’ Association. In 1956 he received a Completion Certificate “Basic In-Service School in Law Enforcement” training sponsored by the FBI, NY State Association of Police and NYS Sheriffs Association and served as a Special Saratoga County Deputy Sheriff from 1963 –1975, and

**WHEREAS**, Clifford Pollock was appointed Town Constable in 1975 and served 31 years until 2006. Over the years, he ran many errands on behalf of the Town of Northumberland, and

**WHEREAS**, Clifford Pollock passed away on Friday, March 23, 2007 at Eden Park Nursing Home surrounded by friends and family, now, therefore be it

**RESOLVED**, that the Northumberland Town Board by this resolution hereby honors Clifford “Skeeter” Pollock for his integrity, loyalty and untiring dedication to the Town

of Northumberland, and his friends. His life was one of service to others. Clifford never hesitated to help a neighbor or serve his town. The Town of Northumberland especially appreciated Clifford Pollock's sacrifices over the years which took him away from those he so dearly loved, to address the needs of the Town. Rest in Peace, Dear Friend!

Councilman George Hodgson seconded the introduction of Resolution #25 of 2007.

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh – “Aye”

Councilman Harold Vance Jr. – “Aye”

Councilman George Hodgson – “Aye”

Councilman Daniel Gale – “Aye”

Resolution #25 of 2007 – Adopted

3. Supervisor Peck informed the Town Board Members and public that he presented US Postal Carrier for 39 years, John Hays, with the following Proclamation:

**LET IT BE KNOWN THAT JOHN HAYES, A US POSTAL CARRIER FOR THE SCHUYLerville POST OFFICE, HAS ABLY SERVED THE RESIDENTS OF THE TOWN OF NORTHUMBERLAND FOR THIRTY-NINE YEARS!**

DURING THIS PERIOD, JOHN HAS RELIABLY DELIVERED THE US MAIL THROUGH RAIN, SLEET, SNOW, AND HELLISH HIGH WATER TO THE RESIDENTS OF NORTHUMBERLAND, AND AT TIMES COULD BE HEARD MUTTERING THE WORDS.

“THE MAIL MUST GO THROUGH...”

US POSTAL CARRIER HAYES BY THIS PROCLAMATION IS NAMED AN HONORARY TOWN OF NORTHUMBERLAND SUPERINTENDENT OF HIGHWAYS FOR THE MANY “HEADS-UP” WARNINGS OF POTENTIAL ROADWAY HAZARDS HE PROVIDED TO TOWN OF NORTHUMBERLAND OFFICIALS DURING HIS THIRTY-NINE YEARS OF SERVICE DELIVERING THE US MAIL THROUGHOUT THE TOWN OF NORTHUMBERLAND!

**NOW THEREFORE LET IT BE KNOWN TO ALL, THAT BY THIS PROCLAMATION THE TOWN OF NORTHUMBERLAND HEREBY HONORS JOHN HAYES AS POSTAL DELIVERY PERSON OF THE DECADE, LAUDING HIS THIRTY-NINE FAITHFUL YEARS OF DEDICATED SERVICE, AND WISHING JOHN A LONG, HAPPY AND WELL-DESERVED RETIREMENT!**

4. Posting of Town Road: Councilman Harold Vance Jr. introduced Resolution #26 of 2007

**BE IT RESOLVED**, A Notice is hereby given that pursuant to Subdivision 11 of Section 1660 of Vehicle and Traffic Law the undersigned Town Highway Superintendent, Town of Northumberland, Saratoga County, hereby directs and orders that all Town Roads will

be temporary closed from January 1 – June 1, 2007 to all vehicles having a gross weight of over four (4) tons, and be it

Further notice is hereby given that any person or persons violating this order shall be subject to punishment as provided in Section 1800 of Vehicle and Traffic Law.

Councilman Paul Bolesh seconded the introduction of Resolution #26 of 2007-

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh – “Aye”

Councilman Harold Vance Jr. – “Aye”

Councilman George Hodgson – “Aye”

Councilman Daniel Gale – “Aye”

Resolution #26 of 2007 Adopted

5. The Town Board received a letter from Scott Congdon, Softball Commissioner with OSAAC regarding a donation to cover the cost of one of the dugouts. The cost per dugout is \$2,000. Last year the Town of Northumberland supported the Baseball Commissioners request to purchase new dugouts for all of the boy’s baseball fields. The Town’s donation covered the cost of one of those dugouts. This year the girl’s softball program has almost doubled and one of the goals is to replace the dugouts that are currently located in Fort Hardy on the softball field. Councilman George Hodgson made a motion to grant Scott Congdon’s request for a donation to cover a dugout for the girl’s softball program for the amount of \$2,000.00 to be paid out of the Recreation Fund. Councilman Daniel Gale seconded the motion. All in favor, motion carried. Councilman Daniel Gale informed the Board that the OSAA and BOCES have done a beautiful job fixing up the Bertha Smith Park. Every thing has been donated. Councilman Gale will work with Highway Sup’t Neil Petteys to work on resolving the parking issue.

6. Supervisor Willard Peck informed the Town Board that the Saratoga County Open Space and Farmland Preservation Committee, which he chairs, met. There have been changes in the Grant Application Opportunity. Supervisor Peck wanted to make sure the town’s farming community is aware. Supervisor Peck gave a brief overview of the changes. The Grant Program Applications will be available at the end of April. Submission due date is July 31, 2007, and the Town Board needs to pass a Resolution in support of any Grant Applications. Anyone interested in the specifics can contact Supervisor Peck.

## **DESIGNATIONS**

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

## COMMITTEE

Highway – Highway Sup't Neil Petteys presented the following roads for the Town Board's consider for the "Agreement to Spend Highway Funds":

Stonebridge (estimated tonnage) 1,260  
Kobor (estimated tonnage) 830  
1<sup>st</sup>, 3<sup>rd</sup> & 4<sup>th</sup> (estimated tonnage) 360  
Cook Circle (estimated tonnage) 740  
Baker Drive (estimated tonnage) 500  
Terrel Way (estimated tonnage) 360

Highway Sup't Neil Petteys estimated 4,000 tons of asphalt will be needed. Supervisor Willard Peck stated the Highway Budget for 2007 has \$240,000 budgeted for paving. It is estimated that it costs between \$40,000 and \$50,000 per mile to pave. Highway Sup't Neil Petteys stated that depending on the per ton cost, additional roads could be added. Councilman Daniel Gale made a motion authorizing the Town Board to solicit bids for the 2007 Asphalt Paving Contract. The Town has the right to reject any and all bids. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

Highway Sup't Neil Petteys stated he would like to explore purchasing a used gradall. Councilman Harold Vance Jr. made a motion authorizing Highway Sup't Neil Petteys to place a Notice to Bidders for the purchase of one 1997 or newer truck mounted gradall type excavator. The Town has the right to reject any and all bids. Councilman Daniel Gale seconded the motion. All in favor, motion carried.

Supervisor Peck stated that he has been working with the Town Attorney and the Highway Sup't regarding New York State DEC's siting the Town with Violations for not removing the town's underground storage tanks. Many quotes were received for the observation, documentation and permanent closure of three underground storage tanks and one above ground storage tank. The quotes ranged from \$6,123 to \$9,160. Supervisor Peck stated that going through the references, recommendations and experience he is recommending the Town accept the quote from Valley Petroleum Services, LLC out of Schenectady, New York in the amount of \$7,480 and he further stated he will make this into a motion. Councilman George Hodgson seconded the motion. All in favor, motion carried.

Youth – Councilman Daniel Gale provided the Town Board Members with January & February's Monthly Youth Directors Report. Councilman Gale stated that Dee Cogan, Youth Director, was instrumental in obtaining a \$500. Grant from the Stewart's Corporation for the Summer Program. Councilman Gale informed the Board that they

have interviewed and hired a Recreation Assistant and they are still interviewing for an Assistant Director.

Councilman Harold Vance Jr. made a motion @ 9:05 PM to go into Executive Session to discuss litigation. Councilman George Hodgson seconded the motion. All in favor, motion carried. Councilman Paul Bolesh made a motion @ 9:55 PM to reconvene the Regular Monthly Meeting. Councilman Harold Vance Jr. seconded the motion. All in favor, motion carried. There was no action to be taken. Councilman Daniel Gale made a motion @ 9:56 PM to adjourn the Regular Monthly Meeting. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

Respectfully submitted,

Denise Murphy  
Town Clerk