

**TOWN OF NORTHUMBERLAND
TOWN BOARD MEETING
MAY 7, 2009**

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 Daniel Gale, Councilman George Hodgson and Councilwoman Patricia Bryant. Also attending were Clerk Denise Murphy, Highway Sup't Neil Petteys and Town Attorney Douglas Ward.

PUBLIC PARTICIPATION

Diane Metz, Community Planning Coordinator, with Saratoga P.L.A.N. did a presentation on the "Battles of Saratoga Preservation and Viewshed Protection Plan". The purpose of the Plan is to protect historic sites associated with the Battles of Saratoga within the municipalities of the Old Saratoga Region, beyond the Saratoga National Historical Park's borders, and to preserve the viewshed and cultural landscape of this significant area while fostering economically sustainable development. The Plan is a catalog of resources and tools that each municipality can use as a reference or starting point in planning or implementing its own protection strategy by identifying local priorities, to identify tools that would be useful and acceptable locally, to incorporate the priorities and tools in their own planning processes and to identify potential partners and possible funding sources to accomplish preservation goals. The Plan is not an inflexible tool that tells a municipality what it must protect and how it must be protected. Some of the historical sites in the Town of Northumberland are on the Lock 5 Island and the Hudson Crossing area, Stark's Knob and the historic landscape and viewshed – Morgan's Line. This Plan can be used to grease the wheels to disseminate all zoning, subdivision and planning documents as widely as possible. Create and historic and/or open preservation committees. Access the County PDR Program and consider a locally controlled program. Mrs. Metz left the "Battles of Saratoga Preservation and Viewshed Protection Plan" and associated maps for the public to review.

Brian Myers, Fire Chief with Schuyler Hose Fire Department gave a brief report on the first quarter of 2009. The Fire Department responded to a total of 51 calls in the first quarter of 2009, 12 of the responses was in the Town of Northumberland. There are 39 active members in the fire department, 8 of the members reside in the Town of Northumberland. The Fire Department is financially sound. There is roughly \$77,000 budgeted for equipment/training/maintenance expenditures, \$63,000 was budgeted for apparatus payment. In 2008 there were a total of 214 calls of which 61 were in the Town of Northumberland.

Steven VanGuilder, President, and Stephen Olshefsky, Financial Secretary with Moreau Emergency Squad gave an overview of the first quarter expenses.

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Kyle Wescott, with Troop 9, gave an overview of his proposed Eagle Scout Project. Mr. Wescott stated he will be working on his Eagle Project in the Northumberland Town Park. He will be raising money to place brick pavers down and plant a bush. Mr. Wescott will be removing the grass in front of the Monument and replace it with paver brick 8' x 10' area, a bush will be planted on the back side. The benches will be moved and placed to fit in location of the bricks. Mr. Wescott stated he needs to raise \$1,200 for the project of material and brick. He will be doing a bottle drive for his fundraising. A lengthy discussion followed regarding what information will be printed on the bricks. The consensus of the Town Board is they would like the veteran's name, branch they served in, date of service and rank. Councilman George Hodgson and Councilman Paul Bolesh will be the liaison between the Town Board and Kyle Wescott. Councilman George Hodgson made a motion to approve Kyle Westcott's Eagle Scout Leadership Service Project as presented. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

Kristine O'Rourke and Jack Sullivan presented the Town Board with a Thank You card for all their hard work in obtaining the roads in Virginia Place Subdivision. They also thanked the Highway Department for keeping their road clean and safe this winter.

APPROVE MINUTES

1. Councilman Daniel Gale made a motion to approve minutes of the April 9, 2009 Town Board Meeting. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.

CORRESPONDENCE

1. Highway Sup't Neil Petteys received a letter from New York State Department of Transportation reporting that the approved State Budget includes a \$363.1 million Consolidated Local Street and Highway Improvement Program (CHIPS) for SFY 09-10, the same level of CHIPS funding authorized for SFY 08-09. The Town of Northumberland has a total CHIPS Capital balance of \$93,021.32.
2. The Town Board received a letter from New York State Canal Corporation regarding the kick off of the 184th consecutive navigation season on the New York State Canal System. Canal Corp will also be a major partner in several events planned for the 2009 Hudson-Fulton-Champlain Quadricentennial Celebration
3. The Town Board received a letter from Byron Peregrim, Chairman of the Turning Point Parade to be held on Sunday, August 2nd starting at 1:00 PM. The Committee is hoping the Town of Northumberland will send a check for \$500 to help with the cost of the parade. Councilman George Hodgson made a motion authorizing the Town of Northumberland to send a check to the Turning Point Parade in the amount of \$500.00 to help with the cost associated with the parade. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

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4. The Town Board received a letter from Tim Grant, Site Acquisition Specialist with Independent Towers, LLC regarding construction of a telecommunication facility located off of Peters Road at the old town dump (Tax Map # 104. – 1 – 21). Independent Towers would like to offer \$6,000.00 per year to be paid monthly. Supervisor Willard Peck stated he also received a letter from Benjamin Montross, Esq, regarding Independent Towers is proposing to construct and operate a wireless communication facility at the Saratoga Landfill located on Hayes Road in the Town of Saratoga. The facility is intended and designed for up to four (4) wireless services providers which desire or need to locate in this area of the town. The Town Board also received a “Notice of Application for New Telecommunications Facility – Application of Cellco Partnership d/b/a Verizon Wireless”. Cellco Partnership d/b/a Verizon Wireless proposes the construction of an unmanned public utility/personal wireless service facility on a 10,000+ sq. ft. portion of lands located at County Route 46 in the Town of Fort Edward, in an Agricultural/Residential Zoning District. The Town Board discussed placing a Moratorium on Cell Towers in the Town until the Town Board can review the Zoning Regulations regarding the placing of Cell Towers in the Town of Northumberland. Councilman Daniel Gale made a motion to hold a Public Hearing on June 4, 2009 @ 7:00 PM on proposed Local Law #2 of 2009 - A Local Law establishing a Temporary Moratorium on the further consideration or approval by the Northumberland Town Planning Board of any proposed construction of cell towers, communication towers or radio antennas. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.
5. Supervisor Willard Peck received copies of the Saratoga County Animal Shelter contract for 2009. Councilman George Hodgson made a motion authorizing Supervisor Willard Peck to sign the Agreement with Saratoga County Animal Shelter and Saratoga County in the amount of \$809.04 for 2009. Councilman Daniel Gale seconded the motion. All in favor, motion carried.
6. Supervisor Willard Peck informed the Town Board that he received an Agreement, for the Town Board’s consideration, from South Glens Falls Central School for the use of one 65-passenger school bus for purposes of its Northumberland Youth and Recreation Program between July 7, 2009 and August 13, 2009. Councilman George Hodgson made a motion authorizing Supervisor Willard Peck to enter into an Agreement with South Glens Falls Central School for the use of a 65 passenger school bus for the Summer Youth Program. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.
7. Supervisor Willard Peck received the “2009 Saratoga County Farmland and Open Space Grant Application package” from Saratoga County Planning Board. The application period began Friday, May 1, 2009 and closes Thursday, July 30, 2009. There is \$750,000 available for these projects. The application is also posted on the Saratoga County website.
8. The Town received information from Saratoga County Public Health Services regarding the current outbreak of swine flu infection. Saratoga County, in conjunction with NYS Department of Health, has begun a heightened surveillance for the disease. Public Health Department staff is working closely with Saratoga Hospital, urgent care facilities, health care providers and schools in the county to monitor for increases in respiratory illness. The Town Board was also

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provided a copy for the Centers for Disease Control and Prevention – “*Swine Flu Questions and Answers*”; and New York State Department of Health – “*Swine Flu Call Center Script*”.

9. Councilman George Hodgson provided the Town Board Members with a list of events planned at Hudson Crossing Park:

June 16, 2009 – Champlain Canal Lock 5 Island – Canal Way Trails Day (10 – 11 am)

- Unveiling of six new children’s interpretive signs
- Groundbreaking ceremony for the Riverwalk Trail Kayak Launch
- (11 – 4 pm) Spring planting; work on children’s play garden

June 30, 2009 – Champlain Canal Lock 5 Island – Great International Steamboat Flotilla

- Open to the public for afternoon & evening viewing. Food and Live music
5 – 7 pm

OLD BUSINESS

1. Councilman Daniel Gale reported that the Schuyler Park Committee met on April 28th and opened and reviewed four bids for the well drilling the park site. Rosick Well Drilling, LLC was the low bidder. Councilman Daniel Gale stated that he is hoping they will only need to drill one well. They need to have at least 50 gallons of water a minute. Kenneth Martin, PE, Town Engineer for the Town of Saratoga, reviewed the bids and recommends that we award the bid to the low bidder that being Rosick Well Drilling. Town Attorney Douglas Ward reviewed the contracts and found them to be acceptable. If the Schuyler Park Committee should make any determinations or provide any instruction pursuant to Article 4 of the Agreement, make sure they are in writing and let the Town Attorney review such written determinations/instructions before transmitting them to the well contractor. Councilman George Hodgson made a motion to accept the Rosick Well Drilling bid at the Schuyler Park for the following items:
- The drilling of an irrigation well or wells at the Schuyler Park Site at 893 NYS Route 29
 - The well(s) shall produce a minimum of 50 gallons per minute
 - The development of the irrigation well
 - The chlorination of the well, Coliform, and Turbidity testing and reports
 - The well shall be installed and developed by June 15, 2009
 - The cost is not to exceed \$7,000 per well

Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

Councilman Gale stated once the water is established then they can put in the power and continue with the site construction. The soil is very sandy and irrigation will be needed. They are waiting for Tommell & Associates to survey and then they can finish the erosion control on the retention pond and back slope. They will also continue with the soil improvements,

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driveway and access parking, fencing, irrigation and the field planting in the fall. The Friends of Schuyler Park received a \$25,000.00 donation. The Committee will be hearing sometime next week regarding a donation from Adirondack Trust.

2. Councilman George Hodgson stated he is having problems with Canal Corporation regarding the Town's Use & Occupancy Permit being revised, which is holding up the reimbursement Voucher that was submitted to Canal Corp. Canal Corp had a check list of items on the Island that needed to be resolved before funds will be released. Councilman Hodgson stated he is trying to tie up loose ends so the project can move forward. Councilman Hodgson, Supervisor Peck and Town Attorney Douglas Ward will meet with Carmella Mantello, Director of Canal Corp and her staff on Tuesday, May 12, 2009 in Albany to hopefully resolve some of these issues.

3. Town Attorney Douglas Ward stated that he has reviewed the Asphalt Paving Bid from the Town of Ballston. Town Attorney Douglas Ward stated he has incorporated some of the wording, specifically the section dealing with Asphalt Price Adjustment and the total allowable petroleum % for #3 binder and #6 top into the Town's paving bid. Town Attorney Douglas Ward stated that he would like Town Engineer Jim Mitchell to review the bid. Highway Sup't Neil Petteys stated he is looking at paving the following town roads:

<u>Streets to be paved</u>	<u>estimated length</u>	<u>depth</u>	<u>est. ton</u>	<u>Type</u>
Stonebridge	5,280 x 20	2	1,320	3
Stonebridge	400 x 20	1 ½	50	6
Schuyler Way No	1,156 x 20	1 ½	217	6
Stark Trail	578 x 20	1 ½	109	6
Gates Avenue	1,584 x 25	1 ½	297	6
Baker Drive	1,584 x 25	1 ½	372	6
Terrel Way	1,784 x 25	1 ½	419	6
Yandell	528 x 25	1 ½	124	6
Cook Circle	1,884 x 25	1 ½	442	6

Highway Sup't Neil Petteys stated due to the anticipated cost, he will be paving roughly 3 miles this year versus 5 miles in the past. Councilman George Hodgson made a motion to authorize the release of the bid for asphalt paving project for 2009 contingent upon the approval of the Town Engineer and Town Attorney of the bid specifications. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

4. Bid for the purchase of a Tandem Dump Truck: Highway Sup't Neil Petteys presented Tandem Truck Specification that he would like the Town Board to consider when soliciting bids for the purchase of the truck. Councilman Daniel Gale made a motion authorizing the Town Clerk to

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post the bid for the purchase of a tandem dump truck contingent upon the Town Attorney reviewing the specification and approving as written. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.

5. Supervisor Willard Peck stated he has not had an opportunity to talk with Ed Cross, Dog Control Officer in the Town of Saratoga and covering Northumberland. Supervisor Peck wanted Mr. Cross's ideas on the applicants that sent a letter of interest for Dog Control Officer in the Town of Northumberland.

NEW BUSINESS

1. Drainage problem in Terrel Hills: Highway Supt Neil Petteys reported that he received a call regarding a sink hole in the drainage area between 29 & 31 Cramer Path. Highway Sup't Neil Petteys provided Board Members with a copy of the pictures he took of the area. He has met on the site with the Town Engineer Jim Mitchell. The sink hole is in the Town of Northumberland's drainage area. There is a catch basin out on Cramer Path and runs between these two lots. Town Engineer Jim Mitchell suggested cleaning out the drainage area, leaving the vegetation in place near the outflow. Highway Sup't stated he is working with Mr. Mitchell to get this resolved. It was the consensus of the Town Board that Highway Sup't Neil Petteys first verify that the Town has a drainage easement at this site and that Jim Mitchell check's with the Army Corp of Engineers to make sure we are not draining into a designated wet land or a protected stream.

DESIGNATION

1. Councilman George Hodgson made a motion to approve the following transfers:

To: A1220.2 \$2,169.00
A1220.4 \$2,500.00
A1410.2 \$ 744.00
A1420.4 \$2,798.00
A5010.2 \$1,944.00

From: A1990.4 \$10,155.00

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

2. Councilman Daniel Gale made a motion to approve vouchers for payment as presented. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.

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COMMITTEES

Youth – Councilman Daniel Gale informed the Town Board that again this summer the Northumberland Youth and Recreation Program is offering a free of cost 6 week, 2 days per week travel summer program for children ages 5 – 13 (*12 total trips). The bus will leave the Town Hall at 10:00 AM and will return at 3:00 PM. Tuesday's and Thursday's July 7th – August 13th. Sign up and information is available at the drop-in program on Thursday and Friday evenings 5:00 – 7:00 PM beginning May 14th through June 26th. The Summer Program is limited to 50 youth. Dee Cogan asked if hourly wage could be increase for the summer youth employees who are returning after 2 + years to \$8.50 per hour; and new or returning employees under 2 years increased to \$8.00 per hour. Councilman Daniel Gale made a motion to increase the summer youth employees as follows: 2 + years of employment with the Youth Recreation Program be increased to \$8.50 per hour and new and those under 2 years of employment with the Youth Recreation Program be increased to \$8.00 per hour. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

Highway – Highway Sup't Neil Petteys reported that he has received notification from FEMA regarding the December ice storm. The dates have been extended from December 12th – December 16th to include until the end of December 2008. The clean up that was done in the spring of 2009 regarding these ice storms is also covered. The damage to one of the plow trucks during this period will also be covered. FEMA indicated the Town of Northumberland will receive reimbursement for roughly \$78,000.

Councilman Paul Bolesh made a motion @ 9:45 PM to adjourn the Regular Monthly Meeting. Councilman Daniel Gale seconded the motion. All in favor, motion carried.

Respectfully submitted,

Denise Murphy
Town Clerk