

**Town of Northumberland  
September 13, 2007  
Town Board Meeting**

The Regular Monthly Meeting of the Northumberland Town Board was called to order @ 7:30 PM by Supervisor Willard Peck. Following the salute to the flag, roll call was taken. Those attending were Councilman Paul Bolesh, Councilman Harold Vance Jr., Councilman George Hodgson and Councilman Daniel Gale. Also attending were Clerk Denise Murphy and Town Attorney Douglas Ward.

**APPROVE MINUTES**

1. Councilman Paul Bolesh made a motion to approve minutes of the August 2, 2007 Regular Monthly Meeting. Councilman Harold Vance Jr. seconded the motion.

Supervisor Willard Peck – “Aye”  
Councilman Paul Bolesh – “Aye”  
Councilman Harold Vance Jr. – “Aye”  
Councilman George Hodgson – “Aye”  
Councilman Daniel Gale – “Abstain”                      Motion Carried

2. Councilman George Hodgson made a motion to approve minutes of the August 10, 2007 Special Town Board Meeting. Councilman Paul Bolesh seconded the motion.

Supervisor Willard Peck – “Aye”  
Councilman Paul Bolesh – “Aye”  
Councilman Harold Vance Jr. – “Abstain”  
Councilman George Hodgson – “Aye”  
Councilman Daniel Gale – “Abstain”                      Motion Carried

**PUBLIC PARTICIPATION**

Supervisor Peck stated there will be a free concert saluting our veterans “The United States Army Field Band & Soldiers Chorus” sponsored by the Saratoga County Board of Supervisors on Friday, September 21 @ 7:00 PM at SPAC. Immediately following the event there will be fireworks. The Town Clerk has tickets for the public.

Clinton Barber, Route 32N, asked the Town Board if they’ve done anything regarding honoring the Agricultural Exemption on the fire district tax. Mr. Barber stated he brought it up in Supervisor’s Peck first term. Supervisor Peck stated he will need to check on this. Mr. Barber also asked if what he read in the paper was true, Finch Pruyn was going to give the Town \$270,000 for parks. Willard Peck stated that was accurate, it

was going to be spread over three payments. Clinton Barber asked who determined the whole amount went to parks, Finch Pruyn or the Town Board. Supervisor Peck gave the public some of the history. Initially Finch Pruyn had sought a permit alteration from New York State Dept of Environmental Conservation to raise their landfill by 31 ft. Apparently in 2001 Finch Pruyn was approved to raise their landfill by an additional 10 ft. The Town Board was not aware of it at the time. The 31 ft. alteration was requested in the spring the town received notice and the Town Board objected. The Town Board let NYS DEC know the town had problems with it and wanted additional information. The Town Board hired Special Counsel, Attorney Mark Schachner to represent the town Finch Pruyn Landfill Expansion Partnership. The Town Attorney Douglas Ward excused himself since his Law Firm has represent Finch Pruyn in the past. Supervisor Peck explained that the Town Board legally objected to the alteration. In 1990 the project was under the IDA and was exempt from Zoning. After the fact, New York State changed the law and projects are no longer exempt from local Zoning. The Town Board took the stand that Finch Pruyn would need to come before the Town Board regarding Zoning. New York State DEC felt this was a permit alteration and not a substantial alteration which would be more involved. Supervisor Peck sat down with New York State DEC and Finch Pruyn and discuss it. Finch Pruyn prides themselves as Stewarts of the land and questioned possible projects/open space.

The Town Board negotiated 15 ft permit alteration and a \$270,000 payment to be paid in three installments, to be used for parks (Hudson Crossing, Joint Park in Town of Saratoga and Terrel Hills). These are some of the areas the Town Board is looking at. If the Town had fought, it would be a test case and could be extremely costly to taxpayers since it could end up in the Court of Appeals. Supervisor Peck felt this was middle ground and a win/win outcome.

Allen Wood, 329 Goff Road, asked about the height of the cell. He thought originally it could not be in sight of the Saratoga Monument. In 1990 the agreement was it can not be seen from the Monument. Supervisor Peck stated he would need to review the stipulation with New York State DEC he was unaware of any height agreement in reference to the Monument. Councilman Hodgson stated he did not believe it was a permit condition. Mr. Wood stated maybe not with NYD DEC but with the Federal Government. Mr. Wood also stated that as far as these parks, who is going to maintain them. What happens when these grant monies run out? Supervisor Peck stated that Hudson Crossing Locke 5 park will be administered by a not for profit organization. The grant monies we received from both Canal Corp and Sweeney Grant had to be awarded to a Municipality. Mr. Wood stated he thought the Town Board should talk to the taxpayers to see if these new parks are what the taxpayers want. Mr. Wood stated the people at the south east end of town are not happy about tax payer's money going into a joint park. If families have two or three kids and they want to play baseball, let them pay a membership fee. The Town Board needs to think of the tax payers, not these families on welfare that do not pay any taxes.

Councilman Hodgson stated he felt these parks were needed and would be a great asset to the town residents.

Jim Evans, 4 Terrel Way, stated he was happy with the Town Board's decision to use the money in developing and improving town parks, I think we need more parks; our children need to stay off the streets. I'd put my tax dollars in town parks to keep the youth in a safe environment rather than on the streets.

Christine McKnight, 3 Homestead, my kids are all grown up but I would love to have had parks like the ones the Town Board are proposing while they were growing up. I think this is a fantastic way to use the money Finch Pruyn has agreed to pay the town as Host Benefits. I think recreational space will make Northumberland more appealing to young families looking to relocate.

Mike Gulli, 9 Merchant Rd, stated that he is a coach with Old Saratoga Athletic Association (OSAA) and field space is desperately needed. We have over 350 kids playing soccer and we don't know where to put them all. I'll volunteer my time in any way needed to maintain any town park.

Beck Wysocki, 14 Merchant Road, stated she has children from 10 to college age and they have all been involved with OSAA Programs over the years. In the last 5 + years I have seen more families volunteering their time in the best interest of children. Mrs. Wysocki stated she is sure this will also be the case at any town park.

Scott Congdon, 37 Cramer Path, stated he would like to thank the Town Board in trying to develop more field space. This has been a real challenge over the last five years as the town has grown. Mr. Congdon stated over time it will increase property values as new families move in. Gavin Park, in the Town of Wilton, is one of the things that attract new families to their community.

Supervisor Peck stated a joint committee has been put together to look at a joint park involving the Town of Northumberland and the Town of Saratoga. Councilman Daniel Gale, Town of Northumberland and Lorie Griffin, Town of Saratoga are Co Chairpersons. Right now the Committee is preparing an Environmental Assessment to look at the lands. There is a belief that old oil tanks are buried on this parcel. The Committee wants to make sure it is a good safe site prior to moving forward in installing a town park.

Scott Congdon suggested that the Committee contact local business for donations. Mr. Congdon stated while working with OSAA local businesses were more than willing to give back to their community especially when children are involved.

Jeffrey Kelleher, Rugg Road, informed the Town Board that they may want to contact McGregor Prison for a crew to help with the park.

Sherry Carruthers, 102 Virginia Place, asked if the Developer has turned over the roads to the town yet in Homestead Estates. Supervisor Peck stated it is not done yet. The Town Attorney is working on it. Unfortunately it is not a quick process. Attorney Ward stated he presently is working on background history for this development. Mrs. Carruthers stated she is concerned with winter coming.

Bruce Bemis, Route 50, presented the Town Board with a Webster's Unabridged Dictionary from both him and his wife. The Town Board thanked the Bemis family.

Pat Bryant, 4662 Route 50, stated she has lived in the Town over 40 years. When she was growing up the kids went out and played in the fields across the road. They went out in the morning and never returned until supper time. Ms. Bryant stated she thinks it is important to give children a safe place to play, times have changed. The town is different now; it's a scary world out there. I think it is a great idea and you can use my tax dollars.

Richard Colozza, 115 Gurnsprings Road, stated the Town Board should be proud of getting some sort of Host Benefits. The town fought two landfills in the 1990's and virtually got it shoved down our throats and received no Host Benefits. Challenging the Alteration to Finch Pruyn's Permit with DEC and negotiating a fair resolution and getting Host Benefits says a lot about this Town Board and they should be proud.

Supervisor Peck stated his predecessor Edgar King fought the battle hard and he knows there are still hard feelings out there. Supervisor Peck stated when he read the Letter to the Editor from Barbara Weed attacking the decision to do this; he called Ms. Weed and wished she had spoken to him first so he could explain what had transpired. Supervisor Peck thanked Mrs. Weed and Farm First because of their hard work; it gave the Town a legal leg to stand on regarding Local Zoning. Mrs. Weed never returned his calls. Supervisor Peck again stated this was a win/win outcome. I truly believe that the Town Board negotiated the most favorable result possible for the resident of the Town of Northumberland.

Councilman George Hodgson wanted the public to know that the Towns of Wilton, Moreau, Saratoga and Northumberland will hold a Household Hazardous Waste Day on Saturday, October 27, 2007 from 8:30 am to 3:00 pm at the Wilton Town Hall. Residents will be able to get rid of old pesticides, paint, chemicals, fluorescent light tubes, TV's, computers, etc. Councilman Hodgson stated you must register by October 15 to be considered. The Town Clerk has some of the registration forms.

## **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.

## **APPOINTMENTS**

1. Board of Assessment Review (BOAR): Ellen Bongard's term on the BOAR expires on 09/30/2007. Ms. Bongard has asked to be reappointed. Councilman George Hodgson made a motion to reappoint Ellen Bongard to the Boar of Assessment Review (term expires 09/30/2012). Councilman Paul Bolesh seconded the motion. All in favor, motion carried. Supervisor Peck stated the Town was fortunate to have Ms. Bongard on the Board of Assessment Review; she previously was the Assessor in Chatam.

## **CORRESPONDENCE**

1. The Town Board received a letter from Tia Kilburn, Planning/Zoning Clerk regarding a Performance Bond Reduction. The Planning Board has reviewed and approved the Performance Guarantee Bond Reduction for DiSiena Subdivision on Colebrook Road, prepared by Tommell and Associates on behalf of Bordeau Builders dated 08/20/2007 in the amount of \$98,375.00. This Bond Reduction has been reviewed and approved by Town Attorney Douglas Ward, Town Engineer James Mitchell and Highway Sup't Neil Petteys. Supervisor Willard Peck made a motion that the Northumberland Town Board approved to reduce the Performance Guarantee Bond for DiSiena Subdivision on Colebrook Road to the amount of \$98,375.00. Councilman Harold Vance Jr. seconded the motion. All in favor, motion carried.

2. The Town Board received a letter from John Sullivan. Supervisor Peck gave a brief overview on how roads are accepted in Subdivisions. The Subdivision Regulations spells out clearly what needs to transpire. Some of the older roads that were built in our Town Subdivisions were not built to town specifications. Now the town needs to look at the cost to bring them up to town specifications. Homestead Estates was started 10+ years ago and the roads within the Development have still not been taken over. These posses a challenge.

3. The Town Board received a letter from New York State DOT acknowledging receipt of the town's request for a speed reduction on Purinton Road. They are conducting a study to see if a reduction is warranted.

4. The Town Board received a letter from Barbara Hail, 18 Stevens Court, requesting permission to use the town hall for Junior Girl Scout Meetings. Presently there are 11 registered girl scouts, 8 are from the Town of Northumberland. The troop meets every other Monday from 4:30 pm – 6:00 pm. Councilman Daniel Gale made a motion allowing Barbara Hailu's Junior Girl Scout troop to meet at the town hall on every other Monday from 4:30 pm – 6:00 pm providing the council provide proof of insurance. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

5. The Town Board received Career Opportunities from Saratoga County for posting.

6. The Town Board received a letter from Attorney Mark Schachner, Special Counsel Representation. Attorney Schachner wanted to take an opportunity to thank the Town

Board and Town Attorney Douglas Ward for the opportunity to assist the Board in the Finch Pruyn landfill expansion project matter.

7. The Town Board received a letter from New York State Dept of Environmental Conservation informing the Town that their Department has received and reviewed the closure report regarding NYS Spill # 0700306/Underground Storage Tank Closures/Town of Northumberland Highway Department submitted by Valley Petroleum Services. Based on the work undertaken and the findings of the report, no further remedial work associated with this issue is required. The referenced spill file has been closed and a copy of the Department's spill report form was enclosed.

### **OLD BUSINESS**

1. Town of Northumberland/Saratoga Joint Park Update: Councilman Daniel Gale reported that the next Committee Meeting will be on September 25, 2007 @ 7:00 pm at the Town of Saratoga Town Hall. Councilman Gale stated it is the early stage of planning. Councilman Gale gave some of the ideas that the Committee Members have come up, for example walking trails, amphitheater.

2. Councilman George Hodgson reported that Hudson Crossing Bi-County Education Park will hold their 3<sup>rd</sup> Annual Hudson Crossing Fest from 10:00 am – 2:00 pm on September 15<sup>th</sup> at the Champlain Canal Lock 5 Island. There will be exhibits, chicken barbeque, games for all, horse-drawn carriage rides, live music and the opportunity to board the Lois McClure sailing vessel. There will be a private wine and cheese gathering from 6:00 pm to 8:00 pm. Christine McKnight asked if there is any intention to open the Bridge. Councilman Hodgson stated that it is a key component to restore the bridge for pedestrian use only. The estimated cost is 2.4 million. The bridge is co-owned by Saratoga and Washington County. The Hudson Crossing Committee is looking at obtaining grants to help with the cost.

3. Supervisor Peck stated that an advisory committee was established in July 2005 to oversee the preparation of the inter-municipal Waterfront Revitalization Plan for the Towns of Saratoga, Northumberland, Easton and Greenwich and the Villages of Schuylerville and Victor. The eight member committee was appointed by the participating communities. The Old Saratoga on the Hudson Waterfront Revitalization Plan was prepared by River Street Planning. The document was prepared for the New York State Department of State with funds provided under Title 11 of the Environmental Protection Fund. The Town Board of the Town of Saratoga is Lead Agency in the proposed action of developing a Local Waterfront Revitalization Program. A Full Environmental Assessment was prepared. It was determined to be a Type 1 Action and a negative declaration was prepared in respect to this action. This document is important in applying for future grant monies. Supervisor Peck made a motion to adopt the Old Saratoga on the Hudson Waterfront Revitalization Plan. Councilman George Hodgson seconded the motion. All in favor, motion carried.

4. Councilman Gale stated the summer program went off well. 434 youth were served; there was a ratio of 5.5 youth to counselor; there were 17 days of summer camp. There was a family day held on August 11, 2007 and there were 250+ people in attendance. The fall program will be starting soon.

Councilman Daniel Gale made a motion @ 9:14 pm to adjourn the meeting. Councilman Harold Vance Jr. seconded the motion. All in favor, motion carried

Respectfully submitted,

*Denise Murphy*  
Town Clerk