

**Town of Northumberland  
October 4, 2007**

The Regular Monthly Meeting of the Northumberland Town Board was called to order @ 7:30 PM. 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, Highway Sup't Neil Petteys and Town Attorney Douglas Ward.

**APPROVE MINUTES**

1. Councilman Daniel Gale made a motion to approve minutes of the September 13, 2007 Town Board Meeting. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

**PUBLIC PARTICIPATION**

Patricia & Frank Smith, 106 Virginia Place, came before the Town Board regarding concerns they have within the Homestead Estates Subdivision. Ms. Smith stated that a fuel business has been sited in their Subdivision, BEAR Fuel, operated by Angelo Rossi. Mr. Rosse presently resides next door to the site, and is the original owner and seller of Homestead Estates building lots. The Smith's purchased their lot and subsequent home from Mr. Rosse in 2001. Contingent upon the sale, the Smith's were required by Mr. Rosse to sign a six page deed restrict document. The document clearly states that the lots are solely for residential purposes. Additional out buildings, fences, signs, pole light, fuel management and the visible storage of trucks and vehicles are prohibited. All of these restricts have been openly violated by Mr. Rosse which we believe has compromised the value and atmosphere of the residential neighborhood. The Smith's are also concerned about the safety implications of fuel trucks leaving and entering the neighborhood inappropriately, and being stored on a residential lot in close proximity to at least eight young children. The Smith's would greatly appreciate it if the Town of Northumberland would explore the legality of such a business in a restricted residential area. Mr. Smith stated he was also extremely concerned with the road located within the Subdivision. Many times in the winter they are plowed later in the morning, after the residents of Homestead Estate have already left for work, and the children are waiting to get on a school bus. In previous years, the school bus had opted not to drive into the subdivision due to the condition of the roads after a storm. By not driving in, the children are forced out to stand on Homestead Road. Supervisor Peck stated the town is investigating the aspect of Mr. Rosse setting up a business within the Subdivision. Supervisor Peck also stated it was his understanding that this business was on one of Mr. Rosse's lots and there appears to be a shed and a gate across the entrance driveway. Supervisor Peck stated the Town will have to review the Subdivision approval to see if the Deed Restrictions were part of the approval. Supervisor Peck stated the Town Attorney is working on the best approach to obtain the roads with the Subdivision. Town Attorney Douglas Ward stated he has discussed this with the Association of Towns and they did not have any clear cut approach for

taking over a road when the developer has not instigated it. This usually does not happen, the developer is eager to turn the roads over. The biggest problem is there is not adequate money to bring the road to town specifications.

Jack Sullivan, 105 Virginia Pace, stated his biggest concern is the road within Homestead Estates with winter just around the corner. Mr. Sullivan stated last winter salt or sand were not used on this road. Mr. Sullivan stated with the increasing number of small children residing in their development this is a real safety issue. Mr. Sullivan also is concerned with the fuel business established in the subdivision, in case of a fuel spill, since there is no municipal water and the homes have private wells.

Dan Navarra, 124 Virginia Place, stated an oil distribution business was erected on a building site within a residential subdivision that now has an office in a shed with a permanent fence surrounding this site. Mr. Navarra stated regardless that the town cannot enforce deed restrictions; this use is in violation of the Town's Zoning Laws. Mr. Navarra stated with the continuation of this business, property values are dropping. Safety should be a real concern for the town. The snow plowing, within this subdivision is inadequate. Mr. Navarra asked the amount of the bond that was originally set up. Supervisor Peck stated the amount of \$25,000 which is inadequate to bring Virginia Place up to town specifications. This amount was put up back in 2000-2001 and now subdivision developers are putting up bonds in the \$300,000 range which reflects the true value to bring a road up to town specifications. Mr. Navarra provided pictures to the Town Board of the fuel business located within the Homestead Estate Subdivision. Mr. Navarra stated the Town Board needs to move forward on both of these issues. Town Attorney Douglas Ward stated he is putting together a plan of action and he may need to talk with these residents.

Alan Rose, 4948 Route 50, read a letter to the Town Board regarding the inadequacies of the Town's Dog Control Officer. Mr. Rose stated he can foresee a possible multiple casualty situation in Gansevoort, in which we are totally unprepared for. We need an animal control officer who when called can respond immediately and not ask the complainant to "take a picture for her". We need an officer who treats a violator like a violator instead of telling them how to have a complainant arrested if they touch the violator's animal. Mr. Rose presented the Town Board with a petition requesting that the Town Board hire a dog warden that is available 24 hours a day, 7 days a week and is a resident of the Town of Northumberland. Mr. Rose stated that Ray Hamblin, Craig Winchell and Penny Hargett all indicated that they would be willing to be Dog Control Officer. Mr. Rose stated that Mr. Hamblin is on disability so he would be available all day long and he has a barn which he could put the dogs in. Supervisor Peck indicated that he wants to talk with Diane Ives to hear her side of the story. Supervisor Peck stated he has received positive feedback regarding Ms. Ives job performance.

Tabitha and Richard Slater, 4948 Route 50: Mrs. Slater read a letter on behalf of her husband Richard Slater regarding an incidence regarding a dog. Mrs. Slater stated a loose dog came into her home and urinated on her new carpets. When they contacted the Dog Control Officer, they were told to leave their residents until the dog vacated the premises. When Mr. Slater bodily removed the dog, the Dog Control Officer told the violators that they could bring Mr. Slater up on charges under Buster's Law for kicking the dog. Mrs. Slater had pictures for the Town Board

to look at. The Slater's were informed that the pet owner received a letter to go to court for a dog running at large.

**DESIGNATIONS**

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

2. Councilman Harold Vance Jr. Introduced Resolution #43 of 2003:

**RESOLUTION AUTHORIZING THE FURTHER RENEWAL OF A BOND ANTICIPATION NOTE OR NOTES OF THE TOWN OF NORTHUMBERLAND, NEW YORK IN THE AMOUNT OF \$20,000.00 IN ANTICIPATION OF THE ISSUANCE OF THE SALE OF \$80,000.00 SERIAL BONDS OF THE TOWN OF NORTHUMBERLAND FOR THE PURCHASE OF A TOWN DUMP TRUCK WITH SNOW PLOW.**

**WHEREAS**, pursuant to the bond resolution adopted October 13, 2004, the Town Board of the Town of Northumberland, New York, issued a Bond Anticipation Note in the amount of \$80,000.00, to mature October 13, 2005 for the purpose of purchasing a dump truck with snow plow for the Town; and

**WHEREAS**, pursuant to a Bond Anticipation Renewal Note Resolution adopted October 12, 2005, the Town Board renewed the original note, in part, by issuing a \$60,000.00 Bond Anticipation Renewal Note and paying \$20,000.00 of the principal owed on the original note together with accrued interest; and

**WHEREAS**, pursuant to a Bond Anticipation Renewal Note Resolution adopted October 2, 2006, the Town Board renewed the note, in part, by issuing a \$40,000.00 Bond Anticipation Renewal Note and paying \$20,000.00 of the principal owed on the note together with accrued interest; and

**WHEREAS**, the Town Board desires to provide for the renewal, in part, of the prior note with a portion of said \$40,000.00 to be paid on or about October 10, 2007 to wit the sum of \$20,000.00 together with accrued interest and a new renewal note issued in the amount of \$20,000.00 to mature no later than October 10, 2008;

**BE IT RESOLVED** this 4th day of October, 2007, 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 paying for a Town Dump Truck with snow plow and in anticipation of the sale of serial bonds of the Town of Northumberland, New York, as authorized in a resolution adopted October 13, 2004, entitled

"A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$80,000.00 SERIAL BONDS OF THE TOWN OF NORTHUMBERLAND, NEW YORK, TO PAY FOR THE PURCHASE OF A TOWN DUMP TRUCK WITH SNOW PLOW"

Section 2. The amount of Bonds to be issued for the aforesaid purpose is \$20,000.00. The amount of said Bond Anticipation Renewal Note or Notes shall not exceed \$20,000.00.

Section 3. Immediately, upon issuance of the Bond Anticipation Renewal Notes authorized herein, the Bond Anticipation Renewal Note dated October 12, 2006 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 Note or Notes, authorized herein are renewal notes. By Resolution dated October 13, 2004, the Town Board of the Town of Northumberland authorized the issuance of \$80,000.00 of serial bonds and Bond Anticipation Notes to pay for the purchase of a town dump truck with snow plow. Thereafter, on October 12, 2005, the Town issued a Bond Anticipation Renewal Note in the amount of \$60,000.00 and paid \$20,000.00 of the principal owed on the original note together with accrued interest. Thereafter, on October 11, 2006, the Town issued a Bond Anticipation Renewal Note in the amount of \$40,000.00 and paid \$20,000.00 of the principal owed on the prior note together with accrued interest. On or before October 10, 2007, the Town will issue a Bond Anticipation Renewal Note in the amount of \$20,000.00 and pay \$20,000.00 of the principal owed on the prior note together with accrued interest. The Bond Anticipation Renewal Notes authorized herein are a renewal of the \$20,000.00 balance of the note previously issued to pay for the purchase of a town dump truck with snowplow. Said note shall be renewed at the Glens Falls National Bank at an interest rate of 4.19 %. 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.

Section 6. The Bond Anticipation 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, 2007. 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.

Councilman Daniel Gale seconded the introduction of Resolution #43 of 2007 -

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh – “Aye”

Councilman Harold Vance Jr. – “Aye”

Councilman George Hodgson – “Aye”

Councilman Daniel Gale – “Aye”

Resolution #43 of 2007 – Adopted

### **APPOINTMENTS**

1. The Town Board received a letter of resignation from Joseph Kowalewski as an alternate on the Planning Board. Councilman Daniel Gale made a motion to advertise an opening on the Planning Board. Councilman George Hodgson seconded the motion. All in favor, motion carried.

### **CORRESPONDENCE**

1. Supervisor Peck provided the Town Clerk with a list of Saratoga County holidays.
2. The Town received a flier regarding a Veterans Assistance Night and Job Fair Exp on Tuesday, October 9, 2007 @ Saratoga Springs City Center.

### **OLD BUSINESS**

1. Councilman Daniel Gale reported that the committee met last Tuesday regarding the joint Saratoga/Northumberland Recreation Park. An Environmental Review was done. Councilman Gale asked Supervisor Peck about the status of the LA Group proposal for an update of the

Terrel Hills Park. Supervisor Peck stated that he needs to talk with the LA Group regarding some of their figures.

2. Councilman George Hodgson stated that the festival at Hudson Crossing at Lock 5 was a big success. There were roughly 300 – 400 people in attendance. Councilman Hodgson gave a brief overview of the status of the improvements on this island.

3. Councilman Daniel Gale provided each Board Member with a draft “Town of Northumberland Comprehensive Emergency Management Plan”. Councilman Daniel Gale asked each Board Member to review the document and be prepared to take action at December’s Town Board Meeting.

4. Sale of Town Gradall: Highway Sup’t Neil Petteys reported that he would like to sell the used town gradall. Highway Sup’t Petteys feels an \$8,000 minimum bid is realistic. Councilman George Hodgson made a motion authorizing the Highway Sup’t to solicit sealed bids for the sale of a 1988 Gradall. There is a diesel engine upper and lower with a 60” ditching bucket. There is a minimum bid of \$8,000. The Town has the right to reject any or all bids. Councilman Harold Vance Jr seconded the motion. All in favor, motion carried.

## **NEW BUSINESS**

1. Councilman George Hodgson again reported that the Town’s of Northumberland, Saratoga Wilton and Moreau will be holding a Special Collection Day for Household Hazardous Wastes at the Wilton Town Hall Highway Department on Saturday October 27, 2007 from 8:30 AM – 3:30 PM. The Town Clerk has the registration forms, this must be filled out and the registration form returned to the Town of Wilton.

2. 2008 Town Budget: Supervisor Peck introduced the tentative 2008 Town Budget. Supervisor Peck gave an overview of the budget. Supervisor Peck stated this was a conservative budget. Supervisor Peck stated the raises for town employees range between 4 – 5 %. Supervisor Peck stated there is money in the budget to purchase some new computers and software for the town employees. The Northumberland Fire District, Moreau Emergency Squad and General Schuyler Emergency Squad all submitted their budget and there are increases in this years spending over last year. Councilman Daniel Gale made a motion to hold the Public Hearing on the 2008 Preliminary Budget on Thursday, November 8, 2007 @ 7:00 PM to be followed by the Town Board Meeting @ 7:30 PM. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

3. Supervisor Peck stated that on October 16, 2007 Saratoga County will be honoring Carl Seymour as a deceased veteran that has given so much to his community. The ceremony will be held at the Saratoga County Municipal Center @ 2:30 PM followed by a reception. Councilman Daniel Gale introduced Resolution #44 of 2007 –

**Resolution Honoring Deceased Veteran Carl Seymour for his Service  
To his Country and Community**

**WHEREAS**, Carl Seymour was born August 19, 1936 in South Hampton, Long Island to Leonard and Bertha (Carll) Seymour, and

**WHEREAS**, After graduation he joined the United States Air Force on September 12, 1955 serving four years in New Mexico, Wyoming, Iceland, and Guam where he held the position of Apprentice Ground Power and Support Equipment Repairman; and

**WHEREAS**, Carl Seymour received the Air Force Longevity Service Award and Good Conduct Medal while serving in the United States Air Force. After being honorably discharged from the United States Air Force, Carl joined the Carton and Container Division of General Foods Corporation in Saratoga Springs, New York where he worked his way up from cutting superintendent to production manager, retiring after 28 years of service; and

**WHEREAS**, Carl Seymour married Gale M. Obie on December 5, 1959 in Quaker Springs and had two daughters Shelley (Seymour) Derby and Pamela (Seymour) Hall; and

**WHEREAS**, Carl Seymour came to Northumberland in 1961 and served on the Town of Northumberland's Youth Commission and the Town of Northumberland's Board of Assessment Review. In March 1978, Carl was appointed Town Justice/Councilman. Carl completed the basic course for Town Justice at Albany Law School and the Advanced Justice Training Course at Utica Community College. Carl was elected Town of Northumberland Supervisor in 1985; and

**WHEREAS**, Carl Seymour was instrumental in applying and receiving a State Grant for \$100,000.00 to help build a new Highway Garage in 1987. He officiated at the grand opening of the new Highway Garage and the new Gansevoort Post Office in 1989. Carl Seymour was also instrumental in the town receiving a Grant for \$11,000.00 to complete our Town Master Plan. By using town personnel and obtaining a New York State Grant, Carl Seymour saved taxpayers \$300,000.00 to close our landfill in Northumberland. The Town of Northumberland was one of six successful communities in Saratoga County to receive New York State grant money for that purpose. The Town of Northumberland started a recycling program under Carl Seymour's leadership; and

**WHEREAS**, as Supervisor he was Chairman of the Saratoga County Law and Finance Committee and was proud to report our County had the lowest per capita property tax and per capita spending in New York State in 1991. Carl Seymour also served as Vice Chairman of the Solid Waste Committee; Chairman of the Labor Management Safety Committee; and

**WHEREAS**, Carl was a member of the Saratoga County Soil & Water Conservation District since 1987, being its Chairman for the past 13 years, now therefore be it

**RESOLVED**, that the Northumberland Town Board hereby honors Carl Seymour for his service to his Country and the endless hours serving his community which helped to make Northumberland a wonderful place to call home.

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

Resolution #44 Adopted

**COMMITTEES**

Youth: Councilman Daniel Gale provided Town Board Members with a copy of a letter to the Town Bookkeeper that Kirsten O’Brien has become the Assistant Director @ \$10.00 per hour and Ciara Tabor will be Recreation Assistant @ \$9.00 per hour. This is not a increase in pay for these positions, just a change in title for both individuals. Councilman Gale also submitted the Director’s August and September 2007 Report. The Fall program has started. Thursday evenings drop in age is 11 – 16 year olds and they can meet 5:00 – 7:00 PM, and Friday evening drop in age is 5 – 10 and they can meet from 5:00 – 7:00 PM. The program will run from September 2007 – June 2008.

Councilman Harold Vance Jr made a motion @ 9:20 PM to adjourn the Regular Monthly Meeting. Councilman George Hodgson seconded the motion. All in favor, motion carried.

Respectfully submitted,

Denise Murphy  
Town Clerk

