

**Town of Northumberland
Town Board Meeting
June 3, 2010**

The Regular Monthly Meeting of the Northumberland Town Board was called to order @ 7:16 PM. Following the salute to the flag, roll call was taken. Those attending included Supervisor Willard Peck, Councilman Daniel Gale, Councilman George Hodgson and Councilwoman Patricia Bryant. Councilman Paul Bolesh was absent. Also attending were Clerk Denise Murphy, Highway Sup't Neil Petteys, Building and Zoning Administrator Richard Colozza and Town Attorney Douglas Ward.

PUBLIC PARTICIPATION

There were no comments from the public.

APPROVE MINUTES

1. Councilman Daniel Gale made a motion to approve the minutes of the May 6, 2010 Public Hearing on proposed Local Law #1 of 2010 – Stop Sign Placement. Councilman George Hodgson seconded the motion. All in favor, motion carried.

2. Councilman George Hodgson made a motion to approve the minutes of the May 6, 2010 Regular Monthly Meeting. Councilman Daniel Gale seconded the motion. All in favor, motion carried.

CORRESPONDENCE

1. The Town received additional 2010 Saratoga County Farmland Protection and Open Space Preservation Grant Applications. The application period begins Sunday, May 1, 2010 and runs through Friday, July 30, 2010. The grant program is designed to help local municipalities and not for profit organizations purchase viable open space as well as place conservation easements on viable agricultural land also known as purchase of development rights program.

2. The Town received information regarding various schools, government and non-profit agencies who may be interested in being considered as a worksite for the 2010 Summer Youth Employment Program.

3. The Town received Saratoga County Summer Youth Employment Program Applications for summer jobs.

4. The Town received a copy of a letter from Joseph Ritchey, Commission of Saratoga County Public Works to Chris Bowcutt. Mr. Bowcutt had requested permission to use County Route 29 – West River Road for a Triathlon to be held on June 13, 2010 during the hours of 8:00 am to 10:00 am. Saratoga County Public Works Commissioner Joseph Ritchey does not object to this request, permission for this event is under the authority of the Northumberland Town Board in accordance with Vehicle Law Section

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1660-6. Mr. Ritchey also states it will be Mr. Bowcutt's responsibility to obtain the necessary traffic control assistance from the Sheriff or local police. The Town Board had previously given their permission in support of this event.

5. The Town Board, again, received information regarding Saratoga County's 15th Annual "Sundae on the Farm" event which will be held on Sunday, June 20, 2010 from 12 Noon – 4:00 PM at the Arnold Haven Farm in the Town of Charlton.

6. The Town Board received a package from Michael E Cusack, ESQ with Young, Sommer LLC regarding the "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 n/f owned by Jamie L. and Rainey J Flewelling. The premises are located at County Route 46 in the Town of Fort Edward, Washington County, NY (Tax Map Parcel # 195-1-21.2), in an Agricultural-Residential (R-Ag) Zoning District. The Town was provided a copy of the complete application.

7. The Town Board received a letter from Independent Towers regarding constructing a Telecommunication Tower at the Town's old landfill on Peters Road. They stated they would pay the Town \$500 per month for the tower. The Company had previously sent a letter regarding this same request and the Town Board tabled any action. This was not a formal request.

8. The Town Board received a letter from Carmella Mantello, Director of New York State Canal Corp (Corporation). New York State Canal Corp is working to establish a statewide Canalway Water Trail along the Erie, Champlain, Oswego and Cayuga-Seneca Canal that will improve access and support facilities for canoes, kayaks and motorized boats. The Canalway Water Trail will be a coordinated "trail" with boat launches and campsites along the shores of the 524 mile New York State Canal System. As part of this initiative, the Corporation has conducted an initial inventory of Water Trail access sites across the Canal System. Over 100 existing and potential access sites have been identified. In the Town of Northumberland, the site at Hudson Crossing, near Lock C-5, has been identified. As the Corporation seeks to promote the Canalway Water Trail to the public, the Corporation plans to include Hudson Crossing, near Lock C-5, and designate it as part of the trail. This designation will require no financial or other commitment from the Town of Northumberland and will serve as a means to promote access to the Canal System. The Corporation plans to announce the Water Trail project, and an interactive website detailing the site locations, in the near future. Therefore, if they do not hear from the Town of Northumberland by June 10th, they will assume the designation of this site is acceptable and it will be included as part of the Canalway Water Trail.

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OLD BUSINESS

1. Update on Schuyler Park: Councilman Daniel Gale stated the Park is up and running and being used almost every night. With the heat and lack of rain, it put the irrigation system to the test. They had a problem with a section of the new sod it was turning brown. The irrigation company did not set the controller up properly and it was only watering the sod once a week. That problem has been fixed. The good news is the baseball and softball fields look great. Signs are being made up regarding “park rules” and “speed”. Councilman Daniel Gale stated the Schuylerville School girl’s softball team have been using the field for practices and playing games and they have had one of their best seasons yet. They girls ended the season with 13 to 4 and lost last night in the Semi-Finals. Councilman Daniel Gale stated he would like to congratulate them on a great season.

2. Update on Hudson Crossing Park: Councilman George Hodgson stated the Triathlon will be held on June 13th at Hudson Crossing Park. It will be a 500 yard swim; 12.4 mile bike ride and a 3.25 mile run. There are 175 people registered to participate in the race. They are still looking for volunteers. Councilman George Hodgson stated on Saturday, June 5, 2010 the 7th Annual Canalways Trails Day will be held at Hudson Crossing Park. This event will coincide with National Trails Day. On Sunday, June 20th there will be “Nature Story Time with Dad”, at Hudson Crossing Park.

3. Local Law #2 of 2010 – Town of Northumberland Siting of Telecommunications Towers, Antennae and related Facilities: Town Attorney Douglas Ward reported that the Town Board referred the proposed Local Law #2 of 2010 to Saratoga County Planning Board for their review and comments as required by General Municipal Law, Sections 239-1, M, and N. A full Environmental Assessment Form (SEQRA) was submitted to Saratoga County Planning Board along with the proposed Local Law. Saratoga County Planning Board reviewed the proposed Local Law and recommended its approval. The Town Clerk sent a copy of the proposed Local Law #2 of 2010 to the surrounding towns and Washington County. The Town Board held a Public Hearing on the proposed Local Law #2 of 2010 prior to tonight’s Town Board Meeting. Councilman George Hodgson introduced Resolution #25 of 2010 – In the Matter of the Approval and SEQRA Review regarding Adoption of Amendment to the Zoning Ordinance:

WHEREAS, the Town Board of the Town of Northumberland is desirous of adopting a single, comprehensive, Telecommunications Tower application, zoning and permit process in the Town of Northumberland; and

WHEREAS, Town Board has reviewed and considered the proposed Local Law; and

WHEREAS, the Town Board has determined that the proposed Local Law is in the best interests of the health, safety and welfare of the Town; and

WHEREAS, the Town Board of the Town of Northumberland has caused to be prepared a Long Environmental Assessment Form (EAF) pursuant to the mandates of the State Environmental Quality Review Act (ECL Article 8 and 6 NYCRR Part 617); and

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WHEREAS, the Town Board has duly considered the contents of the EAF and completed Parts 2 and 3 thereof; and

WHEREAS, the Town Board has identified the relevant areas of environmental inquiry and taken a hard look at them and caused to be prepared a Negative Declaration which sets forth the reasoning and rationale of the Town Board in determining that no adverse environmental impacts will occur as a result of the action; and

WHEREAS, the Town Board thereby seeks to issue the Negative Declaration under SEQRA thereby complying with the mandates of the State Environmental Quality Review Act;

NOW THEREFORE BE IT RESOLVED, that the Town of Northumberland Town Board hereby declares that the adoption of the Local Law will not have any significant adverse environmental impacts; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes filing of the Negative Declaration (attached hereto and made a part hereof), according to SEQRA, 6 NYCRR Part 617.

Councilwoman Patricia Bryant seconded the introduction of Resolution #25 of 2010

Supervisor Willard Peck – “Aye”

Councilman Daniel Gale – “Aye”

Councilman George Hodgson – “Aye”

Councilwoman Patricia Bryant – “Aye” Resolution #25 of 2010 Adopted

Supervisor Willard Peck introduced Resolution #26 of 2010 – In the Matter of the Adoption of Local Law No. 2 for the Year 2010 & Amending Zoning Ordinance for Siting of Telecommunication Towers

WHEREAS, the Town Board of the Town of Northumberland is desirous of maintaining the scenic vistas and visual beauty, and the other environmental and health attributes of the Town of Northumberland; and

WHEREAS, the Town determines that a comprehensive and thorough Ordinance regulating the siting and construction of telecommunication towers is beneficial to the health, safety and welfare of the residents of the Town; and

WHEREAS, the Town Board has identified that the Zoning Ordinance of the Town of Northumberland does not adequately regulate the location and review of telecommunications towers, antennas and related facilities; and

WHEREAS, the Town of Northumberland has prepared and introduced a proposed local law to regulate the placement and review of telecommunications towers, antennas and related facilities; and

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WHEREAS, the Town Board has reviewed the proposed local law and finds it to be in the best interests of the residents of the Town; and

WHEREAS, the proposed Local Law was properly noticed and a public hearing conducted thereon; and

WHEREAS, the proposed local law was referred to the Saratoga County Planning Board for review pursuant to General Municipal Law §239-m; and

WHEREAS, the Saratoga County Planning Board approved the proposed Local Law on May 24, 2010, and

WHEREAS, the Town Board has prepared an environmental assessment form and reviewed this matter as required by the State Environmental Quality Review Act pursuant to 6 NYCRR Part 617; and

WHEREAS, the Town Board has considered the requirements of 6 NYCRR Part 617 and made a determination that the proposed action will not result in any potential adverse environmental impacts and thereby issued a negative declaration for the proposed action;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF NORTHUMBERLAND, AS FOLLOWS:

The Town hereby adopts the attached Local Law amending the Zoning Ordinance to regulate the approval and placement of telecommunications towers, antennas and related facilities.

It is further resolved that the Town Clerk and Attorney for the Town are directed to take such other and further steps as are necessary to publish and file the Local Law.

Councilman Daniel Gale seconded the introduction of Resolution #26 of 2010.

Supervisor Willard Peck – “Aye”

Councilman Daniel Gale – “Aye”

Councilman George Hodgson – “Aye”

Councilwoman Patricia Bryant – “Aye” Resolution #26 of 2010 Adopted

4. Supervisor Willard Peck stated that all elected and appointed officials that are not paid hourly had to keep track of their hours for a three month period so the Town of Northumberland could establish a standard work day. Councilman George Hodgson introduced Resolution 27 of 2010:

BE IT RESOLVED, that the Town of Northumberland hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this Board:

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Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employers Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
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Elected Officials

Supervisor	Willard Peck	7	01/01/2010-12/31/2011	N	5
Town Clerk	Denise Murphy	7	01/01/2010-12/31/2011	N	21.76
Town Justice	James Evans	7	01/01/2008-12/31/2011	N	3.95
Town Justice	John C Mannix	7	01/01/2010-12/31/2013	N	2.35
Board Member	Daniel Gale	7	01/01/2008-12/31/2011	N	3.34
Board Member	Paul Bolesh	7	01/01/2010-12/31/2013	N	1.33
Board Member	George Hodgson	7	01/01/2010-12/31/2013	N	5.08
Highway Sup't	Neil Petteys	7	01/01/2010-12/31/2011	N	21.76

Appointed Officials

Building/ Zoning Adm.	Richard Colozza	7	01/01/2010-12/31/2010	N	21.76
Bookkeeper	Judy Taylor	7	01/01/2010-12/31/2010	N	11.73
Town Attorney	Douglas Ward	7	01/01/2010-12/31/2010	N	3.66

Councilman Daniel Gale seconded the introduction of Resolution #27 of 2010.

Supervisor Willard Peck – “Aye”

Councilman Daniel Gale – “Aye”

Councilman George Hodgson – “Aye”

Councilwoman Patricia Bryant – “Aye”

Resolution #27 of 2010 Adopted

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DESIGNATIONS

1. Councilman Daniel Gale introduced Resolution #28 of 2010:

WHEREAS, the Supervisor Equipment line item (A1220.2) is over budget by \$335.00 due to the purchase of a new fax machine and printer for the bookkeeper, and

WHEREAS, the Safety Inspector Equipment line item (A3620.2) is over budget by \$745.00 due to the purchase of a new computer tower for the building department and increase in BAS Support, be it

RESOLVED, the Town Board will authorize the transfer from Contingency Account (A1990.4) to cover these accounts.

Councilman George Hodgson seconded the introduction of Resolution #28 of 2010.

Supervisor Willard Peck – “Aye”

Councilman Daniel Gale – “Aye”

Councilman George Hodgson – “Aye”

Councilwoman Patricia Bryant – “Aye” Resolution #28 of 2010 Adopted

2. Councilwoman Patricia Bryant made a motion to approve payment of the following vouchers

A – General Fund: Vouchers 185 – 230 Total: \$23,899.42

DA – Highway Fund: Vouchers 120 – 151 Total: \$54,367.23

SS – Gansevoort Sewer District #1 Fund: Voucher 7 Total: \$37.01

TA – Trust & Agency Fund: Voucher 3 Total: \$1,680.00

Councilman George Hodgson seconded the motion. All in favor, motion carried.

DEPARTMENTS

Highway: Highway Sup’t Neil Petteys informed the Town Board that he will be leaving on Sunday June 6, 2010 for the yearly New York State Highway Sup’t Association Meeting in Ithaca. He will return on Thursday, June 10, 2010. They again will be discussing the new federal mandates regarding street and road signs. The new regulations go into effect 2012. Highway Sup’t Neil Petteys stated that road work is progressing. Highway Sup’t Neil Petteys stated he will have changes to his “Agreement to Spend Highway Funds” for next month’s meeting. With the increase in paving costs, he will be cutting back on miles that will be paved this year. Highway Sup’t Neil Petteys stated he is looking at paving between 3 to 3 ½ miles of town roads this year.

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Building & Zoning Administrator: BZA Richard Colozza stated he has been meeting with Town Engineer Jim Mitchell weekly to review the Subdivision Regulations. Mr. Colozza, Town Engineer Jim Mitchell will also meet with Town of Moreau BZA Joe Patrick to get some of his ideas regarding the town's Subdivision Regulations. BZA Richard Colozza stated the town is seeing new houses being built. Our town is ahead of a lot of our surrounding towns.

Councilman Daniel Gale made a motion @ 8:10 PM to go into Executive Session to discuss litigation. Councilman George Hodgson seconded the motion. All in favor, motion carried.

Councilman George Hodgson made a motion @ 8:25 PM to resume the Regular Monthly Meeting. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.

Supervisor Willard Peck stated they received updates on the town's ongoing litigation from Town Attorney Douglas Ward. No action was taken.

Councilman George Hodgson made a motion @ 8:30 PM to close the Regular Monthly Meeting. Councilman Daniel Gale seconded the motion. All in favor, motion carried.

Respectfully submitted,

Denise D Murphy
Town Clerk