

**Town of Northumberland
August 5, 2010
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 included Supervisor Willard Peck, Councilman Paul Bolesh and Councilwoman Patricia Bryant. Councilman George Hodgson and Councilman Daniel Gale were absent. Also attending was clerk Denise Murphy, Highway Sup't Neil Petteys and Building and Zoning Administrator Richard Colozza.

PUBLIC PARTICIPATION

Supervisor Willard Peck asked for a moment of silence for the passing of previous Highway Employee, Zoning Board Member and Town Assessor Craig Winchell Sr who passed away August 3, 2010.

Joseph Moloughney, Hudson River PCB Dredging Coordinator with New York State Canal Corp, came before the Town Board asking for their support. Mr. Moloughney touched upon some of the following key elements regarding "Upper Hudson River Navigational Dredging":

- Navigation is restricted on the Upper Hudson River and Champlain Canal because the channel has not been dredged in decades due to PCB contamination.
- General Electric's remedial clean-up of the PCB "hot spots" will remove only about 15% of the material that cuts channel depth, and will not restore full navigation.
- Restoring full navigation is very important for recreational boating, large commercial traffic, and local economic development in the communities along the waterway.

Supervisor Willard Peck introduced Resolution 29 of 2010

Navigational Dredging of the Hudson River/Champlain Canal

WHEREAS, the USEPA issued a Record of Decision (ROD) in February of 2002 which requires the General Electric Company to dredge PCB-contaminated sediments for a 40-mile stretch of the Hudson River; and

WHEREAS, there is an identified need to dredge several areas of the HUDSON River/Champlain Canal channel to a depth of 12-feet for navigational purposes within the aforementioned Hudson River remediation area which is beyond the scope of the PCB remediation action; and

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WHEREAS, the removal of these materials in the navigation channel has, heretofore, been unable to be conducted due to PCB contamination within these sediments and its completion is imperative to the restoration of safe commercial and recreational boating on the Hudson River/Champlain Canal; and

WHEREAS, the NYS Canal Corporation does not have environmental dredging equipment and/ or disposal sites available which will accommodate the removal of PCB contaminated sediments from certain portions of the Hudson River/Champlain Canal's navigational Channel; and

NOW THEREFORE IT BE RESOLVED, that the Town of Northumberland recommends that it is appropriate and cost-effective to the citizens of New York State to address Hudson River/Champlain Canal navigational dredging needs which are identified in certain areas within the proposed federal PCB remediation action concurrently with said remediation action to assure the timely restoration of safe boat navigation on the upper Hudson River area.

BE IT FURTHER RESOLVED, that this resolution be distributed to:

United States Senator Charles E. Schumer
United States Senator Kirsten E. Gillibrand
United States Congressman Scott Murphy
New York State Governor David A. Patterson
New York State Senator Elizabeth Little
New York State Senator Roy J. McDonald
New York State Assemblymember Tony Jordan
New York State Assemblymember Steven Englebright
New York State Department of environmental Conservation Commissioner Alexander Grannis
New York State Office of Parks, Recreation and Historic Preservation Commissioner Carol Ash
New York state Department of Agriculture and Markets Commissioner Patrick Hooker
United States Environmental Protection Agency Region 2 Administrator Judith Enck
United States Environmental Protection Agency Hudson River Field Office Director David H. King
New York State Canal Corporation Director Carmella R. Mantello

Councilman Paul Bolesh seconded the introduction of Resolution #29 of 2010.

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh – “Aye”

Councilwoman Patricia Bryant – “Aye” Resolution #29 of 2010 – Adopted

Councilman Paul Bolesh informed the Town Board Members that he has been approached by Harry Sears regarding his proposed Eagle Scout project. Mr. Sears would like to make improvements to the Bertha E Smith Town Park. He would like to resurface the basketball pavement, repaint the hoops and

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redo the benches. The Town Board Members were in support of Mr. Sears Eagle Scout Project as long as he works with the Highway Sup't.

APPROVE MINUTES

Councilman Paul Bolesh made a motion to approve minutes of the July 1, 2010 Town Board Meeting. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.

CORRESPONDENCE

1. The Town received a "Certificate of the Final State Equalization Rate for the 2010 Assessment Roll". The Final State Equalization Rate for the Town of Northumberland is 100.00.

2. The Town, as a Canal Corporation Permittee, received a letter from Carmella Mantello, Director of New York State Canal Corp. The purpose of the letter was to inform the Town that Canal Corp has recently issued a work permit to a contractor working for the General Electric Company (GE). This work permit allows ARCADIS US, Inc to conduct wildlife studies for GE related to the Hudson River PCB Superfund project on various New York State properties under the Canal Corp jurisdiction.

3. Supervisor Willard Peck received a letter from the Board of Directors of Hudson Crossing Park expressing their sincere thanks to him for his steadfast and unwavering support of the Dix Bridge Rehabilitation Project. Councilman George Hodgson indicated to their Board that Supervisor Peck's presence and statement to the Saratoga County Public Works Committing meeting was instrumental in gaining Saratoga County's recent appropriation for the project and listing the Dix Rehabilitation on Saratoga County's Capital Project List. Supervisor Willard Peck gave a brief history on the Dix Bridge.

4. The Town received a copy of a letter sent to George Hodgson, Hudson Crossing Park Member, from Joseph Ritchey, Commissioner of Saratoga County Department of Public Works. The letter was in response to Hudson Crossing's request to install an ornamental gate across County Road 42, Clark's Mill Road in the Town of Northumberland. Apparently the purpose of the crossing is to restrict access to the new Hudson Crossing Park. Due to the limited vehicular and pedestrian use along the road, Saratoga County Department of Public Works will approve Hudson Crossing Park's request subject to the following conditions.
 - Delineation of the physical gate crossing in accordance with the Manual of Uniform Traffic Control Devices.

 - The gate crossing is subject to removal from the County Highway limits, at the discretion of the Saratoga County Commissioner of Public Works.

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- The placement of advance warning signs to provide advance warning to motorists of the new gate crossing.

APPOINTMENTS

1. Planning Board Member Susan Martindale's term expires 09/30/2010. The Town Clerk has notified Mrs. Martindale that her term expires and asks her to send a "Letter of Interest" if she wishes to be reappointed.
2. Board of Assessment Review Member Willard Peck's term expires 09/30/2010. The Town Clerk has notified Mr. Peck that his term expires and asks him to send a "Letter of Interest" if he wishes to be reappointed.
3. Alternates of the Zoning Board of Appeals: BZA Richard Colozza stated presently there are no alternates on the Zoning Board of Appeals. He would like the Town Board to consider advertising for two openings as an alternate on the Zoning Board of Appeals. The Town Clerk will send a news release to the Local Newspapers.

OLD BUSINESS

1. Update on Dog License changes: The Town Clerk made copies of the new material sent from NYS Agriculture and Markets for each Board Member to read at their convenience.
2. Councilman Paul Bolesh asked what new information the town has received regarding the Shaw Mining Permit from New York State Department of Environmental Conservation. Supervisor Willard Peck stated that Councilman George Hodgson was able to talk with a representative from New York State Department of Environmental Conservation regarding this issue. The Town can address certain areas regarding the mining at this site. Councilman Paul Bolesh asked about the Stumps that are being brought to this site, the Town never gave him approval for a Stump Dump. Supervisor Peck stated he was told that Mr. Shaw does not have a stump dump; the stumps that are brought in are ground up. Councilwoman Patricia Bryant stated she was earlier lead to believe these were stumps that were generated only on site, now she is told they are being brought from off site. Councilman Paul Bolesh stated he believes that would now be a commercial business. Supervisor Willard Peck stated he would like to sit down and talk with Mr. Shaw and surrounding property owners to see if they can work out certain issues to the satisfaction of all parties.

NEW BUSINESS

1. Supervisor Willard Peck gave a background regarding the Grant for the rehabilitation of the Dix Bridge. Supervisor Peck stated that the Saratoga County Board of Supervisors and the NYS Historic Saratoga-Washington on the Hudson Partnership made an application to the NYS Department of Transportation for a \$3.125 million federal Transportation Enhancement Program grant to rehabilitate the Dix Bridge. This Grant was awarded. The Grant requires a \$675,000 local contribution to secure \$2.45 million in federal funds. The Town is submitting an application to the Saratoga County Industrial Development Agency for \$26,880 to provide for 20% of cost of the phase 1 - engineering and design services. Saratoga County IDA met on July 19, 2010 and agreed to provide the Town of Northumberland with a grant of \$26,880 to be utilized for Dix Bridge engineering and design services. The Town Board must now adopt a formal Resolution.

Councilwoman Patricia Bryant introduced Resolution #30 of 2010 –

RESOLUTION BY THE TOWN OF NORTHUMBERLAND MAKING APPLICATION TO THE SARATOGA COUNTY IDA FOR A GRANT TO ASSIST WITH THE FUNDING OF ENGINEERING AND DESIGN SERVICES FOR THE REHABILITATION OF THE DIX BRIDGE AND ACCEPTANCE OF SAME

WHEREAS, the Saratoga County Board of Supervisors and the NYS Historic Saratoga-Washington on the Hudson Partnership made an application to the NYS Department of Transportation for a \$3.125 million federal Transportation Enhancement Program (TEP) grant to rehabilitate The Dix Bridge on June 23, 2008, and

WHEREAS, the aforementioned grant was awarded to the aforementioned entities by the NYS Department of Transportation on April 2, 2009, and

WHEREAS, said grant requires a \$675,000 local contribution to secure \$2.45 million in federal funds necessary for the Dix Bridge's rehabilitation, and

WHEREAS, the rehabilitation of the Dix Bridge will provide for an estimated 25 construction, masonry and iron working jobs over a 2 year construction period, and

WHEREAS, the rehabilitation of the Dix Bridge will provide a safe recreational trail crossing of the Hudson River and become a portion of the 541 mile Erie Canalway Trail, thereby providing tourist-based economic benefits throughout Saratoga and Washington Counties, and

WHEREAS, the Town of Northumberland, hereby, authorizes an application be made to the Saratoga County **Industrial Development Agency, (The SCIDA)** for \$26,880 to provide for 20% of the cost of the phase 1 engineering and design services for the rehabilitation of The Dix Bridge, and

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WHEREAS, the **SCIDA** met on July 19, 2010 and agreed to provide the Town of Northumberland with the aforementioned grant of \$26,880 to be utilized for Dix Bridge engineering and design services, now, therefore be it

RESOLVED, the Town of Northumberland hereby makes this grant application to the **SCIDA** and accepts said grant award **and** attendant responsibilities from the **SCIDA** in the amount of \$26,880, with said grant to be used to fund 20% of the cost of the phase 1 - engineering and design services for the rehabilitation of The Dix Bridge.

Councilman Paul Bolesh seconded the introduction of Resolution #30 of 2010

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh – “Aye”

Councilwoman Patricia Bryant – “Aye” Resolution #30 of 2010 – Adopted

3. Supervisor Willard Peck stated that the Town Board needs to consider adopting of the Stewardship Plan for the Historic Saratoga-Washington on the Hudson Partnership.

Councilman Paul Bolesh introduced Resolution #31 of 2010 –

**TOWN OF NORTHUMBERLAND APPROVES THE ADOPTION OF THE STEWARDSHIP PLAN
FOR THE
HISTORIC SARATOGA-WASHINGTON ON THE HUDSON PARTNERSHIP**

WHEREAS, the Partnership received copies of the Draft Stewardship Plan for the Historic Saratoga Washington on the Hudson Partnership on May 3, 2010 and the plan is available at <http://upperhudsonpartnership.org> for review and comment, and

WHEREAS, the Partnership noticed and held public hearings on the received Draft Stewardship Plan for the Historic Saratoga Washington on the Hudson Partnership on May 20, 2010 in the Village of Fort Edward, Washington County, and May 24, 2010 in the Village of Schuylerville, Saratoga County, and a presentation of the Plan was made and comments received at these public meetings, and

WHEREAS, the Partnership, at the meeting on June 28, 2010, since it is the only involved agency declared itself lead agency for the Stewardship Plan for the Historic Saratoga Washington on the Hudson Partnership, and conducted a review for the purposes of SEQRA, and

WHEREAS, the Partnership, at the meeting on June 28, 2010 received copies of the Environmental Assessment Long Form on June 28, 2010 and made the finding of a Negative Declaration under SEQRA for the Stewardship Plan for the Historic Saratoga Washington on the Hudson Partnership, and

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WHEREAS, the Partnership received the Final Draft of the Stewardship Plan for the Historic Saratoga Washington on the Hudson Partnership and the Executive Summary on June 28, 2010 and selected to post the documents online for review and comment for a two week period at <http://upperhudsonpartnership.org>, and

WHEREAS, the Partnership, at the meeting on June 28, 2010, moved to send the Final Draft of the Stewardship Plan for the Historic Saratoga Washington on the Hudson Partnership to the communities within Partnership Area for individual approval, and

NOW THEREFORE BE IT RESOLVED AS FOLLOWS; the Town of Northumberland, as a participating municipality in the Historic Saratoga Washington on the Hudson Partnership, approves the adoption of the Stewardship Plan by the Historic Saratoga Washington on the Hudson Partnership.

Councilwoman Patricia Bryant seconded the introduction of Resolution # 31 of 2010.

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh – “Aye”

Councilwoman Patricia Bryant – “Aye” Resolution #31 of 2010 Adopted

DESIGNATIONS

1. There were no transfers submitted for the Town Board’s consideration.
2. Councilman Paul Bolesh made a motion to approve the following vouchers for payment:

A – General Fund Townwide Vo. 265 – 305 Total \$34,481.10

DA – Highway Fund Townwide Vo. 168 – 195 Total \$24,131.05

SS – Gansevoort Sewer District #1 Vo. 9 – 10 \$77.20

TOTALS: \$58,689.35

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

DEPARTMENTS

Highway Sup’t: Highway Sup’t Neil Petteys reported that the paving should start next week. Highway Sup’t Neil Petteys stated he is looking at paving roughly 3 miles this year. The cost this year is roughly \$59.00 per ton.

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Planning: Building and Zoning Administrator Richard Colozza stated that he is working with James Mitchell on the Subdivision Regulation Updates. They hope to have a rough draft done in the next few months and have them available for the Town Board Members to review.

Supervisor: Supervisor Willard Peck submitted, pursuant to Section 125 of the Town Law, a detailed statement of all money received and distributed during the month of July, 2010. Supervisor Willard Peck stated that he has been approached by two Highway Employees regarding adopting an incentive for early retirement for certain town employees. Highway employee Kerry Garnsey and Bruce Hoag are interested in the retirement incentive. Supervisor Willard Peck stated that he has talked with the Saratoga County Administrator and to meet all the requirements, the Town of Northumberland would need to eliminate one of the highway employee positions and hold a Public Hearing on a proposed Local Law prior to August 31, 2010 to adopt the Retirement incentive. After a discussion it was the consensus that the Town of Northumberland is too small and cannot eliminate a highway position.

Councilman Paul Bolesh made a motion @ 8:45 PM to adjourn the Regular Monthly meeting. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.

Respectfully submitted,

Denise Murphy
Town Clerk