

**Town of Northumberland
Town Board Meeting
May 1, 2008**

Supervisor Willard Peck called the Regular Monthly Meeting to order @ 7:30 PM. 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, Building/Zoning Administrator Richard Colozza and Town Attorney Douglas Ward.

APPROVE MINUTES

Councilman Paul Bolesh made a motion to approve the minutes of the April 3, 2008 Regular Monthly Meeting. Councilman Daniel Gale seconded the motion. All in favor, motion carried.

PUBLIC PARTICIPATION

At this point Supervisor Willard Peck opened the following bids for consideration.

UNLEADED & DIESEL/BLEND

John Ray & Sons (They will provide a 500 gallon double wall tank and fuel dispenser with meter)

Unleaded \$0.21 firm differential
Diesel/Blend \$0.21 firm differential

Saratoga County awarded their Diesel/Blend to GA Bove - \$0.22 firm differential. Saratoga County purchases their Unleaded through the New York State Bid. Councilman George Hodgson made a motion to award the 2008 Unleaded and Diesel/Blend bid to John Ray & Sons for a firm differential of \$0.21. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.

SEWER – SEWER DISTRICT #1

The following bids were received for the pumping of sewer tanks in Sewer District #1

Morning Star - \$135.00 per 1,000 gallons
Stone Industries - \$155.00 per 1,000 gallons
IBS Septic - \$165.00 per 1,000 + \$10.00 per tank digging fee

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Councilman George Hodgson made a motion to award the sewer bid for 2008 to Morning Star in the amount of \$155.00 per 1,000 gallon tank. Councilman Daniel Gale seconded the motion. All in favor, motion carried.

USED HIGHWAY EQUIPMENT

The following bids were received for the sale of used highway equipment.

DADO's, Inc

1988 660C Gradall - \$2,876.00
1984 CAT 943 Loader - \$4,176.00
1979 Chevy Utility Truck - \$876.00

Jane Farlane

1988 660C Gradall - \$2,853.00 & \$2,053.00
1984 CAT 943 Loader - \$3,853.00 & \$3,333.00
1979 Chevy Utility Truck - \$250.00

Tim Markwardt

Trade of equipment in approximately the amount of \$9,000.00

Dan Reed

1984CAT 943 Loader - \$1,800.00

Supervisor Willard Peck made a motion to reject all bids for the 1979 Chevy utility truck and 1988 660C gradall and award the bid of \$4,176.00 for the 1984 CAT 943 loader to DADO's Inc. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

ASPHALT PAVING CONTRACT FOR 2008

The following bids were received for asphalt paving for 2008:

DelSignore Blacktop - \$52.83 per ton
HMA Contracting - \$55.68 per ton

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Kubricky Construction - \$54.81 per ton
Towne Construction - \$53.34 per ton
Peckham Road - \$59.50 per ton
Bob Talham – Type 3 - \$55.60 per ton/Type 6 - \$60.60 per ton
Peter Luizzi Bros - \$56.80 per ton

Councilman Daniel Gale made a motion to award the asphalt paving contract for 2008 to DelSignore Blacktop in the amount of \$52.83. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.

At this time Frank Barbara, Barbara Homes, came before the Town Board to present the town with a gold plate to be placed on the pool table that he donated for the youth and senior program. The Town Board thanked Mr. Barbara for his donation.

Shirley Williams came before the Town Board with a Petition signed by some of the residents of Bacon Hill. Ms. Williams read the Petition. The residents of Bacon Hill are requesting immediate action to address the ongoing and increasing flow of reckless drivers, unchecked speeders and overweight/oversized vehicles traveling on King Road (County Route 39). Action needs to be taken now, especially with the coming summer season and more travelers, family and friends visiting, outdoor activities, walkers, joggers, bicyclists, and kids on bikes-before we lose a child. The residents are suggesting possible remedies of the aforementioned problems:

1. Caution lights at both intersections of King Road, and Wall Street (Routes 39 & 40), and Grange Hall Road, West River Road and Route 32 or King Road and Route 32.
2. Reduce speed limit from 40 mph to 30 mph in Hamlet of Bacon Hill
3. Reinstate weight/size limit for vehicles, rerouting to Route 32, only yards from our section of King Road
4. Speed checkers (i.e. “your speed is”), and or “children at play”, “slow down”, or other indicators to reduce speed.

The Town Board pointed out to Mrs. Williams that they agreed with her concerns, but King Road is a County Road and the Town of Northumberland has no jurisdiction over this Road. The Town Clerk was requested to send a copy of this Petition to Joseph Ritchey, Commissioner of Public Works and James Bowen, Saratoga County Sheriff, and request that they address the residents of Bacon Hill concerns.

Byron Winney, Bacon Hill, asked the Town Board if the Cox family has a mining permit for the amount of shale they are removing from their property. Building/Zoning Administrator, Richard Colozza stated that the removal of shale was required by the Cox

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family's engineer when they built their new home. The grade of the shale, as it was, caused a possible problem in reference to their septic and well. The shale that is being removed is going to a local farmer. Mr. Winney stated he would like the Town of Northumberland to monitor the amount removed. Mr. Winney stated he was concerned with the impact this could have on the Hudson River which is less than 1,000 feet away.

COMMUNICATIONS

1. The Town received a letter from the Turning Point Parade Committee regarding the parade on Sunday, August 3, 2008. The Committee is asking for a donation of \$500.00 to help with the cost. The Northumberland Town Board approved their request and a voucher will be prepared for June's Town Board Meeting.

2. The Town received a letter from Janie O'Neill, Planner with Saratoga County Planning Department regarding the 2008 Saratoga County Farmland Protection and Open Space Preservation Grant Program. The application period begins today, Thursday, May 1, 2008 and will run through Thursday, July 31, 2008. The Town Clerk will have copies of the grant application and provide them to any interested residents.

3. The Town received a letter from New York State Office Parks, Recreation and Historic Preservation Grant Office. Applications are available for 2008 funding under the New York State Environmental Protection Fund and the 2009 Federal Land and Water Conservation Fund. Applications and be downloaded from the Agency's website.

4. The Town received a letter from Carmella Mantelly, Director with New York State Canal Corp. The new hours of operation for Canal Corporations Locks and lift bridges for 2008 season are as follows:

May 1 to May 22 – 7:00 AM to 5:00 PM
May 23 to September 3 – 7:00 AM to 10:00 PM
September 4 to November 15 – 7:00 AM to 5:00 PM

In addition, recreational tolls for use of the Canal System locks and lift bridges have been reinstated for 2008. All motorized pleasure craft boats passing through any lock or lift bridge must purchase a two-day, ten day or seasonal pass.

OLD BUSINESS

1. Update on Schuyler Park: Councilman Daniel Gale gave a presentation on the Schuyler Park Draft Plan. Supervisor Peck stated that what it all boils down to is the

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towns will enter into a Joint Municipal Agreement and each town will initially commit \$50,000 which our portion will come out of the Recreation Fund. Supervisor Peck stated this money was appropriated to the Town from the developers as recreations fees when they received subdivision approval. There is no financial impact to the tax payers. Attorney Douglas Ward stated he has discussed the issue of SEQRA with the Town Board and the Municipal Cooperation Agreement is for planning purposes which is exempt from SEQRA. It is a Type II Action. Supervisor Willard Peck introduced Resolution # 23 of 2008

WHEREAS, the Towns of Saratoga and Northumberland wish to jointly construct and operate a public park and recreation area to be located on lands in the Town of Saratoga;

WHEREAS, the Towns propose that the Town of Saratoga should own such public park and recreation area and that the Towns should jointly contribute to the maintenance and operation of such public park and recreation area and that a jointly held account should be set up for this purpose;

WHEREAS, each Town has proposed that the day-to-day management of both preparing a draft development plan and operating the park should be vested in a committee known as the Schuyler Park Committee, whose members shall be appointed by each of the Towns;

WHEREAS, each Town Board wishes to enter into a formal agreement setting forth all the terms and conditions establishing the Committee and providing for the ownership and operation of said park;

WHEREAS, the Towns may enter into such agreement in accordance with Article 8 Section I and Article 9 Section 1(c) of the New York State Constitution;

WHEREAS, the Towns have caused to be prepared a draft joint municipal agreement, which is attached to this resolution.

NOW, THEREFORE, BE IT RESOLVED, this 1st day of May, 2008, by the Town Board of the Town of Northumberland, New York, as follows:

Section 1. That Supervisor Willard Peck is authorized on behalf of the Town to enter into and execute the joint municipal agreement entitled "Schuyler Park Municipal Cooperation Agreement" in the form and with the terms that are attached to this resolution, subject to the approval of the Town Attorney with respect to possible modifications of the paragraph pertaining to Insurance.

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Councilman George Hodgson seconded the introduction of Resolution #23 of 2008.

Supervisor Willard Peck – “Aye”
Councilman Paul Bolesh – “Aye”
Councilman Daniel Gale – “Aye”
Councilman George Hodgson – “Aye”
Councilwoman Patricia Bryant – “Aye” Resolution #23 of 2008 – Adopted

Supervisor Peck stated both Towns agreed to establish a six person committee, which is to be composed of three persons from each town. The committee will be made up of one Town Board Member and two residents. Supervisor Peck made a motion to appoint the following to the Schuyler Park Committee:

Tom Raitano-Stayer (One year term)
Kevin Peck (Two year term)
Daniel Gale (Three year term)

Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried. Supervisor Peck stated each year both the Town of Saratoga and the Town of Northumberland will negotiate the amount of funds which will be budgeted towards this project.

2. Update on the Hudson Crossing Park: Councilman Hodgson reported that April 19 was Trails Day out on the Island. There were volunteers clearing a trail along the river front. Herbert Broestler, a contractor in Washington County, donated his big equipment for the day and cleared a 10 ft wide trail that is 1,600 ft long on the river front. Sunday June 8 @ 1:00 PM there will be a dedication of the metal sculpture at the Knox Trail Pocket Park. Ballard Road Art Studio designed the metal sculpture and it was paid for by funds from Lakes to Locks Passage. Councilman Hodgson stated he has made repeated calls to the state regarding when the town was going to receive reimbursement from the voucher which was submitted earlier this year. Councilman Hodgson stated a Voucher has been submitted for reimbursement to New York State Department of Transportation in the amount of \$62,114 and New York State Canal Corp in the amount of \$110,463.

3. Update on Town Wide Clean-Up Day: Councilman Paul Bolesh stated he had a good turnout for the Annual Town Wide Clean-Up Day. The weather was beautiful that day.

4. Supervisor Peck stated that the Saratoga, Washington on the Hudson Partnership is up and going, they held their first Press Conference. Supervisor Peck was appointed Treasurer. Sponsors of the Partnership Legislation were Assemblyman Roy McDonald

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112th District and Assemblyman Stephen Englebright 4th District. The Town Board previously passed a Resolution to become a member of the Partnership.

5. Dedication of Town Roads: Attorney Douglas Ward stated that he is close to getting the following deeds filed so they will become town roads. Attorney Ward stated that Schuyler Heights Attorney is preparing a deed and title report for Schuyler Heights. Attorney Ward has talked to the County Attorney and has had Lindel Lane pulled from the Tax Auction. He is working with the Developers Attorney and they also are preparing a deed and title report for Lindel Lane. Attorney Ward stated that Virginia Place has back taxes. Attorney Ward has talked to the Angelo Rosse's Attorney and they are going to pay the back taxes and they have agreed to rebond the road. Mr. Rosse has hired a contractor to go into the Development and patch the road and give an estimate to put down a top coat. Mr. Rosse has also removed the fuel trucks from the site, the fence is still there. Attorney Ward is putting together a file abandoning Hill Street. He is waiting for Mr. Harsha's surveyor to give him a description.

NEW BUSINESS

1. Town Clerk Denise Murphy attended a Meeting in Ballston Spa, on behalf of the Supervisor, on the Explore NY 400 Community. Each Town needs to pass a Resolution in support of the Hudson-Fulton-Champlain Quadricentennial to use the official logo and receive a grant. Councilman Daniel Gale introduced Resolution #24 of 2008 – A Resolution to Explore New York 400 Community

WHEREAS, the New York State Hudson-Fulton-Champlain Quadricentennial Commission was established under Chapter 590 of the Laws of 2002, to plan, develop and coordinate the 400th anniversary in 2009, of the voyages of exploration made by Henry Hudson and Samuel de Champlain as well as the 200th anniversary of Robert Fultons steamship voyage up the Hudson River; and

WHEREAS, these historic voyages of exploration in 1609 would change the world forever and lead to the European settlement of the New World and the innovation of steam travel and commerce in 1807, establishing the Hudson River and Lake Champlain as a corridor of trade, communication, politics and ideas, and that further this vital north-south corridor of water created other water links such as the Champlain and Erie Canals, which provided opportunities inland and encouraged the westward movement through these water routes; and

WHEREAS, the State and the Federal governments recognize the voyages of exploration and invention to be of historical importance and significance to New York State and the

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nation and recognize the tradition to observe these contributions made by Hudson, Fulton, and Champlain, by commemorating these events in 2009,

WHEREAS, as an Explore NY 400 Community, the community may use the Explore NY 400 logo, link to the Explore NY 400 website, and may be eligible for other state or federal assistance in Quadricentennial planning, events, and legacy projects; and

BE IT FURTHER RESOLVED, the Town named below supports the mission of the Hudson-Fulton-Champlain Quadricentennial Commission, and requests designation as an Explore 400 Community, and will be an active partner by establish an Explore NY 400 Committee, and will collaborate with the state efforts in making the 400th anniversary a successful historic New York State Event.

Councilman George Hodgson seconded the introduction of Resolution #24 of 2008.

Supervisor Willard Peck – “Aye”
Councilman Paul Bolesh – “Aye”
Councilman Daniel Gale – “Aye”
Councilman George Hodgson – “Aye”
Councilwoman Patricia Bryant – “Aye” Resolution #24 of 2008 Adopted

The Town Clerk informed the Board that the Town can submit a grant proposal for funding for an event associated with the Quadricentennial Celebration. Councilman George Hodgson stated that events were being considered for Hudson Crossing. The Town Clerk stated that any event planned for the Town of Northumberland should be included in a list of Saratoga County’s Quadricentennial Activities. Events can be annual or planned one-time for 2009. The form should be returned to Jennifer Ciulla in the Board of Supervisor’s Office.

2. The Dee Cogan, Youth Recreation Director, is planning the Summer Camp Program. This year trips are planned every Tuesday and Thursday starting July 8, 2008 and ending August 14, 2008. South Glens Falls Central School District has agreed again this year granted permission for the school to provide one 65 passenger school bus for purposes of its Northumberland Youth and Recreation Program. Councilman Daniel Gale made a motion authorizing the Supervisor to enter into an Agreement between the Town of Northumberland and the South Glens Falls Central School District for the use of one 65-passenger school bus for use in the Northumberland Youth and Recreation Program between the dates of July 8, 2008 and August 14, 2008, two times per week during the hours of 9:00 a.m. to 3:00 p.m. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

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COMMITTEES

Youth: Councilman Daniel Gale provided Board Members with a Youth Program monthly report. The Summer Youth Program will hold a sign up session on May 15th and May 16th, 5:00 p.m. to 7:00 p.m. to complete paperwork. The program will run for 6 weeks.

Highway: Highway Sup't Neil Petteys stated he has had a lot of calls on standing water on both Homestead Road and Forest Drive. This year residents are getting water in their cellar that have not in years. Highway Sup't Petteys stated he has cleaned ditches in the drainage easement on Forest Drive and had Saratoga County Soil and Water and Town of Northumberland Engineer, Jim Mitchell do a site visit to evaluate the drainage problem on Homestead Road to hopefully come up with a solution. This is an ongoing problem. Highway Sup't Neil Petteys reported that Chips will be \$16,985.32 over last year.

APPROVAL OF VOUCHERS

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

Councilman George Hodgson made a motion @ 10:15 p.m. to adjourn the Regular Monthly Meeting. Councilman Daniel Gale seconded the motion. All in favor, motion carried.

Respectfully submitted,

Denise Murphy
Town Clerk