

**Town of Northumberland
Town Board Meeting
June 4, 2009**

The Regular Monthly Meeting was called to order by Supervisor Willard Peck @ 7:25 PM. Following the salute to the flag, roll call was taken. Those attending included Supervisor Willard Peck, Councilman Paul Bolesh, Councilman Daniel Gale and Councilman George Hodgson. Councilwoman Patricia Bryant was absent. Also attending were Clerk Denise Murphy, Highway Sup't Neil Petteys, Town Attorney Douglas Ward and Building/Zoning Administrator Richard Colozza.

APPROVE MINUTES

Councilman Daniel Gale made a motion to approve minutes of the May 7, 2009 Regular Monthly Meeting. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

CORRESPONDENCE

1. Supervisor Willard Peck received a copy of a letter sent from NYS Office of Real Property Service to Walter Smead, Sole Assessor regarding the town's 2009 Residential Assessment Ratio. The Residential Assessment Ratio has been determined to be 93.45. Supervisor Willard Peck asked the Town Clerk to talk with Mr. Smead, to see if this is an error.

OLD BUSINESS

1. Schuyler Park Update: Councilman Daniel Gale stated the Town Board needs to consider reappointing Thomas Reitano-Stayer to the Schuyler Park Committee for a three (3) year term. The term runs 06/01/2009 – 05/31/2012. Councilman Daniel Gale is the Co-Chairman for the Schuyler Park Committee and Kevin Peck is the other Committee Member from the Town of Northumberland. Councilman Daniel Gale made a motion to reappoint Thomas Reitano-Stayer to a three (3) year term on the Schuyler Park Committee. Councilman Paul Bolesh seconded the motion. All in favor, motion carried. Councilman Daniel Gale reported that the Committee achieved their goal on the first well which was drilled on site for drinking and irrigation. The perimeter fence will be installed on June 10, 2009. National Grid will be hooking up the electric in the next 3 – 4 weeks. There is an Excavation Company in Saratoga Springs that will be doing the finish grading. The Company will be donating their equipment and labor, we will purchase the fuel. Councilman Daniel Gale stated if everything keeps on going as it is presently, seeding will be done sometime mid-August – October. The Committee is hoping to release a "Request for Proposals" (RFP) for an irrigation system. Councilman Daniel Gale hopes to have something for the next Town Board Meeting. Councilman Daniel Gale stated the Committee is looking at pricing on stone for the driveway. This also may require a RFP. Friends of Schuyler Park received a donation commitment from Adirondack Trust for \$10,000 over a two (2) year period. The Committee also received donations from individuals totaling between \$500 - \$600.

*Town of Northumberland
Town Board Meeting
June 4, 2009*

2. Hudson Crossing Park: Councilman George Hodgson stated that Supervisor Peck and himself met with Carmella Martello and some of her staff at Canal Corporation on May 12, 2009. Councilman Hodgson stated that the Hudson Crossing Park Committee is addressing some of Canal Corporation's concerns. The trees that were planted last spring that did not make it through the winter, have been cut down. The high sand pile has been relocated and graded to an existing level. The retaining wall is under construction currently. A path has been constructed near the play garden and should be completed this Saturday. The Highway Department helped install a temporary path to the dock. It is not ADA yet. The Committee had brushed hogged the north end of the Island last fall. The Committee has contacted NYS Historic Preservation Office (SHPO) regarding any archeology concerns. Once the Committee hears back from SHPO, they will move forward with the north end of the Island. The Great International Steamboat Flotilla will be on June 30, 2009. Over twenty steamboats will overnight at Hudson crossing Park. These Victorian Age boats are known for having beautifully finished wooden decks, polished brass and graceful lines. On Saturday, August 29, 2009 will be the Hudson Crossing Festival. Councilman Hodgson stated Hudson Crossing has received a \$5,000 Grant from the Hudson River Foundation. These funds will be used for a Native American Event. Hudson Crossing will apply for a Grant from Saratoga County for a Hudson-Fulton-Champlain Quadricentennial funds to supplement this event
3. Asphalt Paving Bid: Supervisor Willard Peck asked Highway Sup't Neil Petteys to explain "Asphalt Price Adjustment". Highway Sup't Neil Petteys provided an explanation as outlined in the Asphalt Paving Specification No #01-HW-09. Supervisor Willard Peck stated the Notice to Bidders stated all bids must be delivered to the Town Clerk's Office no later than 4:00 PM on Wednesday, June 3, 2009. An employee of Callanan delivered their bid on Thursday, June 4, 2009 @ 3:15 PM. Supervisor Peck stated it is the Town Board's intention is to have all bids available for night's Town Board Meeting. Supervisor Peck stated unless there is an objection, he would like to consider Callanan's bid tonight. Councilman George Hodgson made a motion to include all bids that were received prior to tonight's Town Board Meeting. Councilman Paul Bolesh seconded the motion. All in favor, motion carried. The following sealed bids were opened and publically read:

Kubricky Construction Corp - \$55.58 per ton
Peter Luizzi & Bros - \$54.46 per ton
Peckham Road Corp - \$52.35 per ton
Bob Talham, Inc - \$58.38 per ton
Callanan - \$63.83 per ton
HMA Contracting - \$58.78 per ton

Town Attorney Douglas Ward stated he was contact by one of the bidders concerned about the Asphalt Price Adjustment. The price is set by NYS Office of General Service and New York State Department of Transportation on the 20th of each month. The bidder stated that is not always

*Town of Northumberland
Town Board Meeting
June 4, 2009*

the case, it could be a few days +/- . The bidder was concerned they could be locked into an incorrect price adjustment. Attorney Douglas Ward stated that is not the intent of the Town Board. The language will be changed to read, "on or about the 20th of each month". Highway Sup't Neil Petteys informed the Town board that the Saratoga County bid, by his best estimate, is \$51.34 per ton. Both Pompa and Kubricky were awarded the bid and they would work together for scheduling the paving. Supervisor Willard Peck stated that when the paved off the County bid last year, a lot more of the Northumberland Highway personnel was required. Supervisor Peck stated that Peckham Road Corp was awarded the bid a few years ago and the town was extremely happy with the quality of work. Supervisor Willard Peck made a motion to accept Peckham Road Corp's bid of \$52.35 per ton, and resolved to bind Peckham Road Corp under the Asphalt Concrete Paving Contract and to complete the work in accordance with the Asphalt Concrete Paving Contract, and to require Peckham Road Corp to furnish a Performance Bond, which will in turn need to be approved by the Town Attorney, in the amount of 100% of the total bid. Councilman Daniel Gale seconded the motion. All in favor, motion carried.

4. Councilman George Hodgson made a motion to adopt Local Law #2 of 2009 – A Local Law establishing a temporary moratorium on the further consideration or approval by the Northumberland Town Planning board of any proposed construction of cell towers, communication towers or radio antennas. Councilman Daniel Gale seconded the motion. All in favor, motion carried.
5. Dog Control Officer: Supervisor Willard Peck stated he needs to contact Ed Cross, Dog Control Officer Town of Saratoga to see what he thinks about some of the applications the town received for this position. Ed Cross has been filling in as Dog Control Officer for the Town of Northumberland. He is doing an outstanding job.
6. Tandem Dump Truck: Tabled for one month

NEW BUSINESS

1. July's Town Board Meeting has been rescheduled to Thursday, July 9, 2009 @ 7:30 PM.
2. Councilman George Hodgson stated he received an email regarding Farmers' Market Grant Program. NYS Department of Agriculture and Markets invites proposals for the construction, reconstruction, improvement, expansion or rehabilitation of farmers in New York State. Grants shall not exceed the lesser of fifty percent (50%) of the project costs or twenty five thousand dollars (\$25,000). The Town Clerk will keep this information on file. The Farmer's Market that is held in the town's park opened for the season today. They run every Thursday through October.
3. The Town Clerk wanted the record to show that Ellithorpe's Nursery again donated flowers for the town's monument. Richard and Marie Ellithorpe continue to give back to our community.

*Town of Northumberland
Town Board Meeting
June 4, 2009*

DESIGNATIONS

1. Supervisor Willard Peck presented the following transfers for the Town board's consideration:

To: A1420.4 \$2,449.00
A1950.4 \$ 67.00

From: A1990.4 \$2,516.00

Councilman Daniel Gale made a motion to approve transfers as presented by Supervisor Willard Peck. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

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

DEPARTMENTS

Highway: Highway Sup't Neil Petteys thanked the Town Board for allowing him to attend the Highway Sup't training out in Ithaca, NY. Highway Sup't Neil Petteys stated that he has reviewed the subdivision maps for Terrel Hills and has determined that the town does have a drainage easement on the parcels on Cramer Path that has a sink hole. He will be meeting out on the site with the Town Engineer James Mitchell and the Army Corp of Engineers next week. Highway Sup't Neil Petteys stated he has sent a letter and pictures of the roofing flap on the Highway Garage to Gen Flex, regarding the Thermoplastic Roofing System Warranty. Highway Sup't Neil Petteys stated he is concerned that it could become a potential leak. The warranty runs out November 4, 2009. Highway Sup't Neil Petteys that he will again this year be calling around for prices for a scrap metal vendor at the Transfer Station.

Councilman Daniel Gale made a motion @ 8:30 PM to go into Executive Session to discuss litigation issues. Councilman Paul Bolesh seconded the motion. All in favor, motion carried. Councilman George Hodgson made a motion @ 9:25 PM to reconvene the Regular Monthly Meeting. Councilman Daniel Gale seconded the motion. All in favor, motion carried. Supervisor Peck stated that received litigation updates from the Town Attorney. No action was taken. Councilman Paul Bolesh made a motion adjourn the Regular Monthly Meeting @ 9:30 PM. Councilman Daniel Gale seconded the motion. All in favor, motion carried.

Respectfully submitted,

Denise Murphy
Town Clerk

*Town of Northumberland
Town Board Meeting
June 4, 2009*