

Town of Northumberland
Town Board Meeting
November 4, 2021

The Regular Monthly Meeting of the Northumberland Town Board was called to order @ 8:15 AM by Supervisor Willard Peck. Following the salute to the flag, roll call was taken. Those attending were Supervisor Willard Peck; Councilman Paul Bolesh; Councilman John DeLisle; Councilman George Hodgson and Councilwoman Patricia Bryant. Also attending were Clerk Denise Murphy; Town Attorney David Brennan; Building and Zoning Administrator Richard Colozza and Highway Supt David Coffinger.

PUBLIC PARTICIPATION

There were no comments from the Public

APPROVAL OF MINUTES

1. Councilman Paul Bolesh made a motion to approve the minutes of the October 14, 2021 Regular Monthly Meeting. Councilman John DeLisle seconded the motion. All in favor, motion carried.

CORRESPONDENCE

1. Dog Control Officer's Report: Ed Cross, Dog Control Officer, submitted his October 2021 Report. Mr. Cross answered 4 Complaints; issued 1 Warning and addressed 2 dog bites.

NEW BUSINESS

1. Adoption of the 2022 Town Budget: Supervisor Peck stated that the Town Board held their Public Hearing on the proposed 2022 Town Budget earlier today and there were no comments from the public. Supervisor Peck stated that some Town's are giving their Planning and Zoning Board of Appeal Members a small Stipend to attend Meetings. Supervisor Peck gave a brief outline of which towns do give a Stipend and the amount. It was the consensus of the Town Board Members to consider this for the 2023 Town Budget.

Councilwoman Patricia Bryant introduced Resolution# 62 of 2021 –

WHEREAS, the Northumberland Town Board having, on November 4, 2021 at 8:00 AM., duly held a Public Hearing on the proposed town budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2022, and having heard all persons desiring to be heard in the matter, and the matter of the budget for this Town for such fiscal year having been fully discussed and considered, it is

RESOLVED, that said proposed town budget approved and filed as aforesaid, is hereby adopted and established as the annual budget as so adopted is detailed in the minutes of the proceedings of this Town Board, and be it further

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RESOLVED, that the Town Clerk of this Town shall prepare and certify as provided by law, duplicate copies of said annual budget hereby adopted, and deliver one of such copies to the Supervisor of the Town, and that he shall present such copy to the Board of Legislators of the County as required by law.

The 2022 Annual budget, in its entirety, is in the official minute book at the town clerk's office and on the website, townofnorthumberland.org.

Councilman Paul Bolesh seconded the introduction of Resolution #62 of 2021

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh – “Aye”

Councilman John DeLisle – “Aye”

Councilman George Hodgson – “Aye”

Councilwoman Patricia Bryant – “Aye” Resolution #62 of 2021 Adopted

2. Solar Farm: Holly Rippon-Butler, Planning Board, submitted comments on Town of Northumberland Solar Law. Ms. Rippon-Butler provide suggestions, defined “significant impact”; Site Plan Requirements and Mitigation Program. Supervisor Peck stated that he would like the Town Board Members to take home these comments and review them. Supervisor Peck stated that the Planning Board Members have also received a copy of these comments. Supervisor Peck would like to set up another joint workshop with the Planning Board Members.

3. Property on West River Road: Councilman George Hodgson informed the Town Board Members that the Sherman family is looking to subdivide the remainder of their property on West River Road and Austin Road. Councilman Hodgson stated that there is a 5 +/- acre parcel on the Hudson River which would be perfect for kayak and canoe access. Councilman Hodgson stated that he would be willing to talk to the family to see if they would be interested in selling that parcel to the Town. It was the consensus of the Town Board to talk with the Sherman family regarding purchasing that 5 +/- acre parcel.

4. December's Town Board Meeting: It was the consensus of the Town Board Members to hold December's Town Board Meeting on Thursday, December 9, 2021 @ 8:00 AM.

OLD BUSINESS

1. Proposed Local Law Opting out of Adult Use Cannabis Retail Dispensaries and On-Site Consumption Sites. Supervisor Willard Peck stated that the Town Board held a Public Hearing earlier tonight regarding adopting a Local Law Opting out of Adult Use Cannabis Retail Dispensaries and On-Site Consumption Sites. There were no comments from the Public. Supervisor Peck wanted to state on the record that

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the Northumberland Town Board will revisit this Local Law at a later date once there are Regulations in place.

Councilwoman Patricia Bryant introduced Resolution #63 of 2021 –

RESOLUTION ISSUING A NEGATIVE DECLARATION UNDER SEQRA AND ADOPTING LOCAL LAW NO 4 OF THE YEAR 2021 ENTITLED “A LOCAL LAW TO ALLOW THE TOWN OF NORTHUMBERLAND TO OPT-OUT OF THE RETAIL DISPENSARY LICENSE AND ON-SITE CONSUMPTION LICENSE PROVISIONS OF THE MARIJUANA REGULATION AND TAXATION ACT/NEW YORK CANNABIS LAW”

WHEREAS, NY Cannabis Law § 131 authorizes Towns to adopt local laws, subject to permissive referendum governed by section twenty-four of the municipal home rule law, requesting that the Cannabis Control Board prohibit the establishment of adult-use cannabis retail dispensary licenses and on-site consumption licenses within the jurisdiction of the Town; and

WHEREAS, such local laws are to be adopted after the effective date of NY Cannabis Law § 131 and on or before the later of December thirty-first, two thousand twenty-one or nine months after the effective date of NY Cannabis Law § 131; and

WHEREAS, the Town Board introduced proposed local law to prohibit the establishment of adult-use cannabis retail dispensary licenses and on-site consumption licenses within the jurisdiction of the Town;

WHEREAS, on October 23, 2021, the Town Board duly noticed and held a public hearing on the proposed local law to be held on November 4, 2021; and

WHEREAS, the Proposed Local Law was on file for inspection at the Clerk’s office prior to the hearing and during the public review process; and

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

WHEREAS, the Town Board has duly considered the contents of the EAF and completed Parts 2 and 3 thereof and determines that the proposed local law will not result in any significant environmental impacts; and

WHEREAS, the Town Board considered the comments received at the public hearing and has considered and identified the relevant areas of environmental inquiry and taken a hard look at them; and

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WHEREAS, the Town Board finds that it is in the best interest of the Town to adopt the proposed local law and request that the Cannabis Control Board to prohibit the establishment of adult-use cannabis retail dispensary licenses and on-site consumption licenses within the jurisdiction of the Town.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Northumberland requests that the Cannabis Control Board of New York State prohibit the establishment of adult-use cannabis retail dispensary licenses within the jurisdiction of the Town of Northumberland; and

BE IT FURTHER RESOLVED, that this action is subject to a permissive referendum in the manner provided in Municipal Home rule Law § 24; 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, 6NYCRR Part 617.

BE IT FURTHER RESOLVED, that after passing such resolution and within 10 days of its adoption, the Town Clerk shall post and publish a notice, in the same manner as provided for a notice of a special election, which shall set forth the date of the adoption of the resolution and contain an abstract of such resolution concisely stating the purpose and effect thereof. The notice shall specify such resolution was adopted subject to permissive referendum in accordance with Municipal Home Rule Law § 24. Any such resolution shall take effect 45 days after its adoption unless the town Clerk receives a petition signed and acknowledged within 45 days after the adoption of the resolution seeking a permissive referendum; and

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to enter this resolution in the minutes of this meeting.

Councilman George Hodgson seconded the introduction of Resolution #63 of 2021.

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh – “Aye”

Councilman John DeLisle – “Aye”

Councilman George Hodgson – “Aye”

Councilwoman Patricia Bryant – “Aye” Resolution #63 of 2021 Adopted

2. Building Inspector: Supervisor Willard Peck stated that the Town Board has interviewed candidates for Building Inspector and decided to offer the position to Michael Terry. Supervisor Peck stated that he has talked to Mr. Terry’s employer and was given a great review of Mr. Terry’s employment there. Mr. Terry can officially start working on November 15th. Mr. Terry is not a Certified Building Inspector yet so he will need to be hired Full-Time/Provisionally until he obtains Certification from the State.

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GENERAL

Balance as of 08/31/2021	\$	1,800,703.64
Increases	\$	125,492.29
Decreases	\$	50,618.17
Balance as of 09/31/2021	\$	1,875,577.76

HIGHWAY

Balance as of 08/31/2021	\$	492,813.69
Increases	\$	35,612.80
Decreases	\$	48,031.25
Balance as of 09/30/2021	\$	480,395.24

SEWER DISTRICT #1

Balance as of 08/31/2021	\$	8,122.06
Increases	\$	0.21
Decreases	\$	0.00
Balance as of 09/30/2021	\$	8,122.27

BE IT RESOLVED, the Town Board has reviewed and approved September 2021 Monthly Report by Supervisor Willard Peck as presented.

Councilman John DeLisle seconded the introduction of Resolution #65 of 2021.

Supervisor Willard Peck – “Aye”
Councilman John DeLisle – “Aye”
Councilman Paul Bolesh – “Aye”
Councilman George Hodgson – “Aye”
Councilwoman Patricia Bryant – “Aye”

Resolution # 65 of 2021 Adopted

DEPARTMENTS

Highway: Highway Supt David Coffinger would like to post the old Chipper on Auction International. Highway Supt Coffinger stated the new Chipper fulfills all their needs so it is no longer needed. Councilwoman Patricia Bryant made a motion to post the old Chipper on Auction International. Councilman George Hodgson seconded the motion. All in favor, motion carried.

Building: Building Inspector Richard Colozza presented a breakdown of current Building Fees and what he is recommending moving forward. Supervisor Peck asked everyone to take these home today and review for next month’s Town Board Meeting. Town Attorney Dave Brennan stated that he will prepare a Local Law appealing Local Law #2 of 2006 that addresses Fee Schedule. Town Attorney Brennan stated that would allow the Town Board to adopt the Fee Schedule yearly at the Organizational Meeting.

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Councilman George Hodgson made a motion to hold a Public Hearing on Thursday, December 9, 2021 @ 8:00 AM regarding a proposed Local Law appealing Local Law #2 of 2006 which addresses Fee Schedule. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

Councilman George Hodgson made a motion @ 8:50 AM to adjourn into Executive Session to discuss the Teamsters Contract. Councilman John DeLisle seconded the motion. All in favor, motion carried.

Councilman Paul Bolesh made a motion @ 9:10 AM to reconvene the Regular Monthly Meeting. Councilman George Hodgson seconded motion. All in favor, motion carried.

Supervisor Peck reported that action was taken.

Councilman Paul Bolesh made a motion to adjourn the Meeting at 9:15 AM. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.

Respectfully submitted,

Denise Murphy
Town Clerk