

**Town of Northumberland
Town Board Meeting
June 2, 2011**

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, Councilman George Hodgson and Councilwoman Patricia Bryant. Councilman Daniel Gale was absent. Also attending were Clerk Denise Murphy, Highway Superintendent Neil Petteys, Town Attorney Douglas Ward and Zoning/Building Administrator Richard Colozza.

PUBLIC PARTICIPATION

Melissa Murphy, District Sales Coordinator and Owen McNulty, Agent with Aflac came before the Town Board regarding their program. Ms. Murphy stated that Aflac New York delivers a full range of worksite services and payroll-deducted insurance policies offered on a voluntary basis. Ms Murphy stated that she has talked with the Highway Employees regarding Aflac and they indicated that they would like to learn more about the programs available. Ms. Murphy stated all she needs is permission to proceed from the Town Board. Ms. Murphy stated she will work with the Town Bookkeeper regarding the necessary paperwork since she/he will be withholding the premium from the town employee's paycheck. It was the consensus of the Town Board that Aflac could be offered to Town Employees since there was no cost to the town.

Town Clerk Denise Murphy stated that she has been contacted by an individual that is interested in starting a "Boot Camp" exercise program in the Terrel Hills Park. Town Clerk Denise Murphy stated that she asked this woman to come tonight and talk to the Town Board. Supervisor Willard Peck stated that if she contacts the Town Clerk's office again, she should be given the phone number to the Town Attorney.

APPROVE MINUTES

1. Supervisor Willard Peck made a motion to approve minutes of the May 5, 2011 Regular Monthly Meeting. Councilman George Hodgson seconded the motion. All in favor, motion carried.

CORRESPONDENCE

1. Dog Control Officer Edward Cross submitted his Dog Control Officer's Monthly Report for May, 2011. Mr. Cross answered 11 complaints; took 1 dog to the Animal Shelter; traveled 142 miles and issued 3 warnings. Mr. Cross noted that he received a call from Public Health regarding a bite case. The victim was from the Town of Northumberland but the incidence happened in the City of Saratoga Spring where the dog resides. Mr. Cross referred the bite case to the Dog Control Officer of Saratoga Springs.

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2. Moreau Emergency Squad: The Town received the “Call Volume” for the Town of Northumberland for Moreau Emergency Squad. Moreau Emergency Squad responded to 9 calls for the month of April, 2011.
3. General Schuyler Emergency Squad will be holding their Open House on June 4, 2011 from 9:30 – 2:00 PM. There will be a flag rising and ribbon cutting ceremony at 10 AM.
4. Supervisor Willard Peck asked the Town Clerk to let him know when the Town’s Franchise Agreement with Time Warner runs out. Supervisor Peck stated that there are many parts of the Town that are unable to obtain cable TV and high speed internet. Supervisor Peck stated he would like to address this during the next negotiations with Time Warner.
5. Supervisor Willard Peck stated that he has received a Certified Letter from the Teamsters informing the town that they would like to start negotiations for the Teamsters Contract that runs out 12/31/2011.

OLD BUSINESS

1. Supervisor Willard Peck reported that all is going well with Schuyler Park.
2. Hudson Crossing Park: Councilman George Hodgson wanted to thank the Northumberland Highway Department for all their help. Councilman Hodgson stated the well and electric are finally connected and everything is moving along. Councilman Hodgson stated that the area along the canal is being seeded and flowers will be planted near the Lock Tenders Shantie. Councilman George Hodgson stated the second annual Triathlon will be held on Sunday, June 12th at Hudson Crossing Park. This year there are 250 people signed up to participate. Hudson Crossing Park will receive a nominal fee for hosting the event. Hudson Crossing Park will be talking to Dave Collins with Palette Stone regarding the cost to install a parking lot on site. Mr. Collins had previously indicated that his Company would donate the stone for the parking lot.
3. Turning Point Parade: The Town Board will participate in the Turning Point Parade. The parade is August 7, 2011.
4. Sundae on the Farm: Supervisor Willard Peck stated that he has talked with Paula Schafer with Cooperative Extension regarding the need for Certificate of Insurance. Supervisor Peck was told that since the Town of Northumberland is one of the sponsor’s of the Sundae on the Farm event, the Town needs to do a Certificate of Insurance and name both Clear Echo Farm and Brenda Wrisley as additional insured. The Town Clerk will contact the town’s insurance carrier. Supervisor Peck stated that town employees that are helping at the event need to be at the Farm on June 19th at 11:00 AM for instructions. Schuyler Hose Fire Department will be helping with traffic control. Building and Zoning Administrator has been working with the Peck family regarding an Emergency Plan and layout for the

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event. Councilman Paul Bolesh made a motion to waive the application fee for a "Gathering Permit". Councilman George Hodgson seconded the motion. All in favor, motion carried.

5. The Town Board Members met with Jim Mitchell, Town Engineer prior to tonight's meeting to review the #1 draft of the Subdivision Regulations. Councilman George Hodgson, Town Attorney Douglas Ward, Town Engineer Jim Mitchell and Building and Zoning Administrator Richard Colozza will sit down and go over all the comments received for the #1 draft of the updated Subdivision Regulations.

NEW BUSINESS

1. 2011 Farmer's Market: Linda Gifford, President of the Hudson Falls/Fort Edward Farmers Market Association brought in the Certificate of Insurance listing the Town of Northumberland as Certificate Holder for the Gansevoort Farmer's Market. The Farmer's Market will start up on Thursday, June 9th.

2. Northumberland Youth & Recreation Program – Summer 2011: Supervisor Willard Peck received an Agreement between South Glens Falls Central School District and Town of Northumberland for the use of one 65 passenger school bus to be provided by the district for use in the Northumberland Youth and Recreation Program for the summer 2011.

Councilwoman Patricia Bryant introduced Resolution #40 of 2011 – which authorizes Supervisor Willard Peck to sign the Agreement between South Glens Falls Central School and the Town of Northumberland.

WHEREAS, the Town of Northumberland has requested permission from the South Glens Falls Central School District for the use of one 65-passenger school bus for the purposes of its Northumberland Youth and Recreation Program for six consecutive Tuesdays and Thursdays, beginning July 12, 2011 and ending August 18, 2011 during the hours of 9:00 a.m. to 3:00 p.m. with the specific dates and times of July 12, 2011 through August 18, 2011 to be scheduled between the responsible individuals for each party, and

WHEREAS, each party has reviewed anticipated costs and expenses incurred or expected to be incurred as a result of this shared arrangement

NOW, THEREFORE, it is mutually agreed:

1. The South Glens Falls Central School district grants permission to the Town of Northumberland the use of one 65-passenger school bus for use in the Northumberland Youth and Recreation Program between the dates of July 12, 2011 and August 18, 2011, two times per week during the hours of 9:00 a.m. to 3:00 p.m. as mutually determined by the parties; specifically dates as follows:

Tuesday, July 12, 2011

Thursday, July 14, 2011

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Tuesday, July 19, 2011
Thursday, July 21, 2011
Tuesday, July 26, 2011
Thursday, July 28, 2011
Tuesday, August 2, 2011
Thursday, August 4, 2011
Tuesday, August 9, 2011
Thursday, August 11, 2011
Tuesday, August 16, 2011
Thursday, August 18, 2011

2. The Town of Northumberland indemnifies and holds the South Glens Falls Central School District harmless against “any and all” claims for damage made against the South Glens Falls Central School District by reason of any act by the Town of Northumberland in its use of said property and holds the South Glens Falls Central School District harmless for “any” expenses in connection therewith and shall cause the South Glens Falls Central School District to be named as additional insured under the Town of Northumberland’s General Liability and Automobile Policies.

3. The Town of Northumberland shall provide the South Glens Falls Central School District with evidence of such coverage confirming the South Glens Falls Central School District and Town of Northumberland carry collision and liability and has added such 65-passenger school bus as additional insured designated on its General Liability and Automobile Policies.

4. The Town of Northumberland shall be responsible for applicable costs in the use of 65-passenger school bus on noted dates, inclusive of driver’s time and fuel.

5. The parties shall review weekly the aforementioned schedule and costs incurred by each party to confirm the benefits provided to and received by party (Town of Northumberland) to this Agreement are in fact reasonable and acceptable.

6. This Agreement may be terminated by either party at any time between the dates of July 12, 2011 and August 18, 2011 by written notice. In the event no termination notice is received, such Agreement shall continue for stipulated time period and sunset end of the workday August 18, 2011.

Councilman Paul Bolesh seconded the introduction of Resolution #40 of 2011

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh – “Aye”

Councilman George Hodgson – “Aye”

Councilwoman Patricia Bryant – “Aye”

Resolution #40 of 2011 Adopted

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3. Supervisor Willard Peck informed the Board Members that Town Attorney Douglas Ward prepared a proposed Resolution regarding making all town property tobacco free. Supervisor Peck stated that the Town of Northumberland supports good healthy living to all people around us.

Supervisor Willard Peck introduced Resolution #41 of 2011:

WHEREAS, the American Lung Association in New York State has issued a Memorandum in support of tobacco free parks, playgrounds and beaches, with the purpose of promoting public health and well-being through the passage of legislation which restricts the locations in which individuals subject others to the deadly effects of secondhand smoke, and

WHEREAS, it has been determined that tobacco is a known asthma trigger and that children are particularly susceptible to the dangers associated with tobacco smoke even if out of doors, and

WHEREAS, according to the American Lung Association in New York State, secondhand smoke is responsible for 54,000 deaths each year in the United States, and

WHEREAS, New York State Town Law § 64(3) gives the Town Board authority to manage and control Town property, and

WHEREAS, New York State Public Health Law § 1399-r reaffirms the right of a property owner, including the government of any political subdivision of the State, to designate its entire property or any part thereof as a tobacco free area, and

WHEREAS, the Northumberland Town Board wishes to safeguard the health of its citizens, particularly children, from the dangers of secondhand smoke on all Town property, including Town Park property, and now, therefore, be it

RESOLVED, that the Northumberland Town Board hereby designates all Town Property, including but not limited to, all Town Parks, the Town Garage and Town Hall including entryways thereto as tobacco free, and be further

RESOLVED, that the Town Board further authorizes and directs the Town's Facilities Manager and/or the Department of Building and Grounds to erect such signs as reasonably necessary to inform the public of the prohibition against any tobacco use, and be it further

RESOLVED, that the Town Board further authorizes and directs the Town Supervisor and/or Town Facilities Manager to take all actions necessary to effectuate the terms of this Resolution.

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Councilman Paul Bolesh seconded the introduction of Resolution #41 of 2011

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh – “Aye”

Councilman George Hodgson – “Aye”

Councilwoman Patricia Bryant – “Aye”

Resolution #41 of 2011 Adopted

4. The Town Clerk received an “Alteration Application Notice Form for providing a 30-day advance Notice” for Bombers Bar and Grill, LLC dba Tankard’s Tavern , located at 450 Brownville Road, Gansevoort. Tankard’s Tavern proposed changes are substantial. They have indicated that they are seeking to be able to serve liquor on outside grounds. The Town Clerk sent a letter to Sheriff James Bowen, Town Supervisor Willard Peck and Building and Zoning Administrator Richard Colozza asking for written comments regarding the Alteration Application which will be used for consumption of liquor, wine and beer on outside areas. Building and Zoning Administrator Richard Colozza sent a response to the Town Clerk regarding Bombers Bar and Grill LLC/Dbas Tankard’s Tavern. Mr. Colozza stated the “Alteration Application” for 450 Brownville Road location could need a building permit based on the size of the alterations; however, he did not have any information for this project. In addition, according to the Town’s Zoning Regulations this site needs a Site Plan Review for a Special Use Permit. The Town Clerk received a letter from Sheriff James Bowen who indicated that in checking their records they do not find any complaints with this establishment. The decision to approve this application is strictly up to the Town of Northumberland. Building and Zoning Administrator Richard Colozza stated that he has discussed the need for further information from the owners of Tankard’s Tavern. Mr. Colozza stated that parking and screening are a big concern. Also, surrounding property owners should have an opportunity to express their concerns with any outside sale of liquor.

Councilman George Hodgson introduced Resolution #42 of 2011

WHEREAS, pursuant to the requirement of the New York State Alcoholic Beverage Control (ABC) Law, and applicant for a license to sell alcoholic beverages at retail, for on-premises consumption, as well as any applicant for renewal of such a license, must notify the Town Clerk of the municipality wherein the premises are located, and

WHEREAS, this notice is given in order that the municipality, if it so desires, may express an opinion for or against the granting of said license or renewal to the Alcoholic Beverage Control Board,

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Northumberland that with respect to the application submitted by Bombers Bar and Grill, LLC/Dbas Tankard’s Tavern of 450 Brownville Road, Gansevoort New York for a license Alteration Application Notice Form with substantial alterations to the outside area, which will be used for consumption of liquor, wine and beer may require

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Site Plan Approval and other permits from the Town of Northumberland. The Town of Northumberland is unable to finally determine the need for any permits/approvals at this time due to the lack of detailed information on the project.

Councilman Paul Bolesh seconded the introduction of Resolution #42 of 2011.

Supervisor Willard Peck – “Aye”
Councilman Paul Bolesh – “Aye”
Councilman George Hodgson – “Aye”
Councilwoman Patricia Bryant – “Aye” Resolution #42 of 2011 Adopted

DESIGNATIONS

1. Approval of Vouchers for payment as present: Councilman Paul Bolesh introduced Resolution #43 of 2011:

BE IT RESOLVED, the following Vouchers to be paid as presented:

A (General Fund) Vouchers # 184 - # 219 Total: \$ 24,081.29
DA (Highway Fund) Vouchers # 110- # 130 Total: \$ 39,568.64
SS (Sewer District #1) Voucher # 7 Total: \$ 76.05

Councilman George Hodgson seconded the introduction of Resolution # 43 of 2011.

Supervisor Willard Peck – “Aye”
Councilman Paul Bolesh – “Aye”
Councilman Daniel Gale – “Aye”
Councilwoman Patricia Bryant – “Aye” Resolution # 43 of 2011 – Adopted

2. Supervisor Willard Peck submitted his April 2011 Supervisor’s Report

COMMITTEES

Municipal Center & Parks: Councilman Paul Bolesh asked about having the town hall painted. Councilman Paul Bolesh stated that he would be happy to contact McGregor Prison to see if they still had a prisoner painting crew. The Town would be required to hire a union painter to oversee the project. Building and Zoning Administrator Richard Colozza stated that the town hall has an ant problem. Highway Sup’t Neil Petteys stated that there are rotted window sills throughout the town hall. Highway Sup’t Neil Petteys stated that this fall there is a possibility that his highway employees could paint the town hall. Councilwoman Patricia Bryant stated that she has noticed some of the letters on the front of the Town Hall are broken. Councilwoman Bryant stated she would like to see repairs at the

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Highway Garage as well. Building and Zoning Administrator Richard Colozza stated that roof guards need to be installed over the entrance door to bring it up to code. It was the consensus of the Town Board the Councilman Paul Bolesh will contact the Prison to see if they have crews available to paint the town hall.

Highway Sup't Neil Petteys gave an update on the Eagle Scout Project at the Bertha Smith Park. There was some questions regarding the backboards. They have been taken down. The question was should they be replaced or refurbished. Stonebridge Iron and Steel built these backboards to holdup and cost the town roughly \$1,000.00 per backboard. Supervisor Willard Peck stated he will go to the park and check them out.

Highway: Highway Sup't Neil Petteys reported that the Sheriff's tank is empty and what should be done. The tank has been cleaned once but is not usable. Highway Sup't Neil Petteys stated t hat it needs to be closed according to New York State Department of Environmental Conservation's regulations. The Town Board discussed if the town should replace the Sheriff Departments fuel tank. It was the consensus of the Town Board that Highway Sup't Neil Petteys should pursue obtaining quotes for a tank as outlined in the Town of Northumberland's Procurement Policy. The Town would not be liable for keeping the tank filled. Saratoga County awards fuel bids also and the awarded vendor would be making the fuel deliveries. Highway Sup't Neil Petteys stated he would like to get this matter resolved so he can install a concrete curved slab under the town's fuel tanks.

Highway Sup't Neil Petteys stated that he has met with the owner of the Terrel Hills Water Company, which is privately owned. The owner would stated that he is not making enough money on the water bills to be able to put risers for the shut offs for the roads that are scheduled to be repaved this summer. Highway Sup't Neil Petteys stated he will look into the cost.

Councilman Paul Bolesh made a motion @ 9:10 PM to adjourn the regular monthly Meeting.
Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.

Respectfully submitted,

Denise Murphy
Town Clerk

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