

**Town of Northumberland
Town Board Meeting
September 12, 2013**

The Regular Monthly Meeting of the Northumberland Town Board was called to order @ 7:00 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 Daniel Gale and Councilwoman Patricia Bryant. Councilman George Hodgson was absent. Also attending were Clerk Denise Murphy; Town Attorney Douglas Ward and Building and Zoning Administrator Richard Colozza.

PUBLIC PARTICIPATION

David Meager, Sales Representative with Adirondack Trust came before the Town Board with insurance quotes for 2013/2014. Selective Insurance had notified the Town of Northumberland that they had decided not to renew the town’s policy. Mr. Meager gave an overview of the town’s present insurance. Mr. Meager stated that NY Municipal Insurance Reciprocal Insurance (NYMIR) provided a quote. At this point, no other Insurance companies submitted a quote for insurance. The Town would be liable for a “Capitalization” fee of \$834.63 which is required for five (5) years. Mr. Meager gave a comparable breakdown between Selective Insurance and NYMIR.

(Commercial Package)

<u>Item</u>	<u>Selective</u>	<u>NYMIR</u>
Flood	None	\$1 million
Earthquake	None	\$1 million
Old Town Garage	Not included in blanket	Included in blanket
Umbrella	\$4/\$4 million	\$4/\$8 million
Public Officials	\$1/\$1 million	\$1/\$2 million
Public Officials Deductible	\$5,000 defense & indemnity	\$5,000 indemnity only
Terrorism	Not included	Included
 Premium	 \$31,753.00	 \$52,208.00

Mr. Meager stated that Crime and Disability Benefits are staying with current Insurance Company.

Crime – Travelers Insurance: **\$1,598.00**

Disability Benefits – First Rehabilitation Insurance Co.: **\$255.00**

The total premium with NYMIR is \$54,061.00. Mr. Meager gave a brief overview of NYMIR and the Subscriber Agreement which is required for membership.

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Councilman Paul Bolesh introduced Resolution # 63 of 2013:

WHEREAS, the Town of Northumberland was notified that Selective Insurance was not going to renew the Town's Commercial Insurance for 2013/2014 Year, and

WHEREAS, New York Municipal Insurance Reciprocal (NYMIR) submitted a quote of \$52,208 which includes a "Capitalization" fee of \$834.63 which is required for five (5) years, and

WHEREAS, the Town of Northumberland must enter into a "Subscriber" Agreement for membership in NYMIR, therefore be it

RESOLVED, the Town of Northumberland accepts New York Municipal Insurance Reciprocal (NYMIR) quote of \$52,208 and be it further

RESOLVED, authorize Supervisor Willard Peck to sign the "Subscriber" Agreement contingent upon Attorney Douglas Ward's review and approval, and be it further

RESOLVED, the Town of Northumberland will continue the "Crime" Policy with Travelers Insurance for a quote of \$1,598 and be it further

RESOLVED, the Town of Northumberland will continue Disability Benefits with First Rehabilitation Insurance Co for a quote of \$255.

Councilwoman Patricia Bryant seconded the introduction of Resolution #63 of 2013.

Supervisor Willard Peck – "Aye"

Councilman Paul Bolesh – "Aye"

Councilman Daniel Gale – "Abstain"

Councilwoman Patricia Bryant – "Aye"

Resolution #63 of 2013 Adopted

APPROVAL OF MINUTES

1. Councilman Daniel Gale made a motion to approve minutes of the August 8, 2013 Regular Monthly Meeting. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.
2. Councilwoman Patricia Bryant made a motion to approve the minutes of the August 29, 2013 Public Hearing with the following change: Page #2 – change "opening" to "window" and "fence". Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

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CORRESPONDENCE

1. Dog Control Officer Edward Cross submitted his August 2013 Dog Report. Mr. Cross stated he answered 5 complaints; brought 2 dogs to the animal shelter and issued 1 warning.
2. The Town Board received the "Call Volume" list from Moreau Emergency Squad. Moreau Emergency Squad answered 22 calls for the month of August 2013. Moreau Emergency Squad sent their proposed 2014 Budget. Moreau Emergency Squad is proposing a 2014 Contract with the Town of Northumberland in the amount of \$92,750
3. The Town of Northumberland received a copy of a letter from New York State Department of Environmental Conservation to Finch Paper regarding Finch Municipal Solid Waste Facility (DEC #5-4146-00018/00002). The letter stated that "enclosed please find your modified Solid Waste Management Permit issued pursuant to Article 27, Title 7 of the Environmental Conservation Law, and Part 6 NYCRR360 for the transfer of operations of the former Saratoga County Landfill to Finch Paper, LLC."
4. The Town Board received a letter from United State Environmental Protection Agency (EPA) regarding the former "Scott Auto Sales" business on Route 50. The EPA will be initiating a response action to clean up chemicals and waste oil at the site. The removal action is being conducted at the request of the New York Department of Environmental Conservation and under the authority of the Superfund Statue and Regulations. The EPA will prepare a suitable staging area inside the premises and will move all of the drums and storage tanks, currently staged outside of the premises and will move all the drums and storage tanks, currently staged outside of the premises, into the main building.
5. The Town Board received an email from Councilman George Hodgson regarding the Federal TEP Grant. Councilman Hodgson stated that he will not be preparing and submitting a TEP grant application to Department of Transportation (DOT) for the Hudson Crossing Park suspension bridge.
6. The Town Board received a letter from Saratoga County Attorney, Stephen Dorsey, regarding 2011 Tax Delinquent Parcels. Attorney Dorsey is asking the town to review the list of properties that will be foreclosed by the end of November if not paid. Attorney Dorsey asked that he be notified by October 15, 2013 of any properties on the list that the town believes the County should avoid acquiring title to.
7. The Town Board received an email from Wilma (Billie) Petteys resigning as Deputy Highway Superintendent effective immediately.

OLD BUSINESS

1. Time Warner Cable Franchise Agreement. Supervisor Peck asked the Town Clerk to email him the contact person for the Franchise Agreement. Supervisor Peck stated he will start working on the Franchise Agreement in November.
2. Landfill Amendments to Northumberland Comprehensive Plan, Zoning Ordinance and Local Laws: Town Attorney Douglas Ward stated that the Town of Northumberland prepared a Full Environmental Assessment Form regarding Landfill Amendments to Northumberland Comprehensive Plan, Zoning Ordinance and Local Laws. Town Attorney Douglas Ward stated

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the project will not result in any large and important impact and, therefore, is one which will not have a significant impact on the environment, therefore a Negative Declaration needs to be prepared. Councilman Daniel Gale introduced Resolution #64 of 2013

A Resolution Establishing the Town Board of the Town of Northumberland as Lead Agency Under the State Environmental Quality Review Act for an Action Amending the Town of Northumberland Zoning Ordinance, Amending the Comprehensive Land Use Plan, Amending Local Law No. 1 of 1989, Repealing Local Law No. 1 of 1992, and Amending Local Law No. 2 of 1991, and Determining That the Action is a Type I Action That Will Not Have a Significant Adverse Impact on the Environment

WHEREAS, the Town Board of the Town of Northumberland is considering amendments to its Zoning Ordinance and Comprehensive Land Use Plan, and the amendment of Local Law No. 1 of 1989, repeal of Local Law No. 1 of 1992, and the amendment of Local Law No. 2 of 1991 (the Soil Disturbance Law), all of which relate to the existing Saratoga County and Finch landfills in the proposed Landfill District (collectively, the “Proposed Amendments”); and

WHEREAS, draft local laws (and supporting materials) amending the Zoning Ordinance, amending Local Law No. 1 of 1989, repealing Local Law No. 1 of 1992, and amending Local Law No. 2 of 1991 have been reviewed by each member of the Town Board; and

WHEREAS, a draft resolution (and supporting materials) amending the Town of Northumberland Comprehensive Land Use Plan has been reviewed by each member of the Town Board; and

WHEREAS, public hearings on the Proposed Amendments were held before the Town Board on August 29, 2013; and

WHEREAS, a full statement of the Proposed Amendments was forwarded to the Saratoga County Planning Board pursuant to New York State General Municipal Law Section 239-m on August 9, 2013, was reviewed by Saratoga County Planning Board on August 15, 2013, and was approved by the Saratoga County Planning Board in a letter to the Town of Northumberland dated August 28, 2013; and

WHEREAS, the proposed amendments to the Zoning Ordinance to create a Landfill District were referred to the Town of Northumberland Planning Board by the Town Board on August 8, 2013, for an advisory report pursuant to Article XV.B of the Zoning Ordinance, and on September 5, 2013, the Town of Northumberland Planning Board adopted a resolution recommending adoption of the proposed amendments to the Zoning Ordinance; and

WHEREAS, the proposed amendments to the Zoning Ordinance will create a Landfill District; and

WHEREAS, the stated purpose of the Landfill District would be to identify an area exclusively established to accommodate the use of land for the development, operation, and maintenance of Solid Waste Landfills; and

WHEREAS, because Solid Waste Landfills are unique in the demands they place on public infrastructure and the potential impacts Solid Waste Landfills can have on surrounding properties, the

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community, and the environment, the delineation of a special district within the Town for these uses is appropriate; and

WHEREAS, the proposed amendment to the Zoning Ordinance would amend the zoning map to change the zoning district designation of approximately 266.71 acres of tax parcels 104.-1-84.21, 104.-1-85.1, and 104.-1-85.2 from Agricultural Protection District to Landfill District; and

WHEREAS, the Landfill District would comprise property currently owned by Finch Paper LLC ("Finch") and Saratoga County; and

WHEREAS, Finch currently operates on its property within the proposed Landfill District facilities known as the Finch Paper Sludge Management Facility ("Finch Landfill"), which is an existing landfill and appurtenant/ancillary facilities with a current New York State Department of Environmental Conservation ("NYSDEC") Part 360 operating permit. Empiric evidence and NYSDEC's continued permitting of the Finch Landfill under 6 NYCRR Part 360 demonstrates that adequate public services and support facilities exist for operation of the Finch Landfill; and

WHEREAS, Saratoga County has built a landfill ("County Landfill") on its property in the Landfill District, and the County Landfill has a current NYSDEC Part 360 operating permit. Both the historical State Environmental Quality Review Act ("SEQRA") analyses of the County Landfill and the continued permitting of the Saratoga County landfill under 6 NYCRR Part 360 demonstrate that adequate public services and support facilities exist for operation of the County Landfill; and

WHEREAS, Saratoga County has declared its intent to transfer the County Landfill to Finch; and

WHEREAS, the proposed amendments to the Zoning Ordinance to create the Landfill District are being proposed to make the zoning consistent with actual, permitted, and existing landfill uses; and

WHEREAS, except for the potential future consolidation of the Saratoga County and Finch Landfills, it likely would be technically and geographically infeasible for any other landfills besides the existing Saratoga Landfill and Finch Landfill to be constructed or operated in the proposed Landfill District because of factors such as steep topography, the existence of wetlands, the depth of bedrock, the existing Harrier Hawk habitat, and the location of existing ancillary landfill support facilities; and

WHEREAS, the proposed amendments to the Town Comprehensive Land Use Plan, the amendment of Local Law No. 1 of 1989, the repeal of Local Law No. 1 of 1992, and the amendment of Local Law No. 2 of 1991 (the Soil Disturbance Law), are each related to the creation of the Landfill District to make existing zoning and land use laws and guidance consistent with actual, permitted, and existing landfill uses; and

WHEREAS, the Proposed Amendments are consistent with the general underlying objectives of the Town Comprehensive Land Use Plan to preserve the Town's special agricultural, open space, and rural lifestyle by thoughtfully managing growth because landfilling in the Town will only be authorized in the Landfill District, and even within the district it is unlikely that any additional landfills besides the County Landfill and the Finch Landfill (and the potential consolidation of those two landfills) could be developed, constructed, or operated; and

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WHEREAS, pursuant to SEQRA (Article 8 of the New York Environmental Conservation Law) and SEQRA's implementing regulations at 6 NYCRR Part 617, the Town wishes to comply with SEQRA with respect to the Proposed Amendments; and

WHEREAS, the Town Board has reviewed the Full Environmental Assessment Form ("EAF") prepared for the Proposed Amendments together with supplemental information; and

WHEREAS, pursuant to the requirements of SEQRA, the Town Board has considered the significance of the potential environmental impacts of the Proposed Amendments by (1) using the criteria specified in SEQRA and 6 NYCRR Part 617, (2) reviewing the EAF for the Proposed Amendments, including all the additional documents incorporated into the EAF by reference, (3) reviewing the August 1992 Draft Environmental Impact Statement ("DEIS"), the January 1993 Final Environmental Impact Statement ("FEIS"), and the September 3, 1996 Findings Statement prepared by Saratoga County with respect to the County Landfill, and a decision by the NYSDEC Deputy Commissioner with respect to the County Landfill dated September 3, 1996, (4) reviewing the March 1992 DEIS, the June 1992 Supplemental DEIS, the March 1993 FEIS, and the March 31, 1993 Findings Statement for the Finch Landfill, (5) reviewing the current NYSDEC-issued Part 360 permits for the Saratoga Landfill and the Finch Landfill, (6) considering the public comments submitted at the August 29, 2013 public hearing on the Proposed Amendments, (7) considering the Saratoga County Planning Board's approval of the Proposed Amendments, (8) considering the Town of Northumberland Planning Board's advisory report recommending adoption of the Proposed Amendments, (9) thoroughly analyzing each relevant area of environmental concern; and

WHEREAS, the environmental impacts associated with operating the County Landfill and the Finch Landfill in the proposed Landfill District, including impacts to surrounding areas, have been the subject of comprehensive and historic analyses prepared under SEQRA. The previous SEQRA reviews examined, among other areas of relevant environmental concern, environmental impacts and mitigation in the following areas: site topography and soils; surface water; groundwater; vegetation and wildlife; endangered/threatened species; wetlands; agricultural resources; transportation/traffic; visual impacts; nuisance impacts; cultural resources; and economic impacts. As part of these historic SEQRA reviews, it was certified that operation of the County Landfill and the Finch Landfill minimize or avoid environmental effects to the maximum extent practicable.

NOW THEREFORE, BE IT RESOLVED, that the Northumberland Town Board assumes lead agency status with regard to the SEQRA review of the Proposed Amendments; and

BE IT FURTHER RESOLVED, that based upon an examination of the EAF and the other available supporting information and documentation mentioned above, and considering both the magnitude and importance of each relevant area of environmental concern, and considering any long-term, short-term, direct, indirect, and cumulative impacts, and based further upon the Town Board's knowledge of the areas impacted by the Proposed Amendments and such further investigations of the Proposed Amendments and their potential environmental impacts as the Town Board has deemed appropriate, the Town Board makes the following findings and determinations: (1) the Proposed Amendments constitute a Type I action under SEQRA; and (2) no significant adverse environmental impacts are noted in the EAF for the Proposed Amendments and none are known to the Town Board. Therefore, the Town

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Board hereby determines that the Proposed Amendments will not have a significant adverse environmental impact and will not require preparation of an environmental impact statement; and

BE IT FURTHER RESOLVED, that as a consequence of such determination and in compliance with the requirements of SEQRA, the Town Board directs the Town Supervisor to prepare a Negative Declaration for the Proposed Amendments in accordance with 6 NYCRR § 617.12(a); and

BE IT FURTHER RESOLVED, that, in accordance with 6 NYCRR § 617.12 (b, c), the Town Board directs the Town Supervisor to file a copy of the Negative Declaration for the Proposed Amendments in his office, in the office of the Town Clerk, and with any person who has requested a copy; and the Town Supervisor is further directed to publish notice of the Negative Declaration for the Proposed Amendments in the *Environmental Notice Bulletin* and to incorporate notice of the Negative Declaration into other subsequent notices of the Proposed Amendments required by law; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Councilwoman Patricia Bryant seconded the introduction of Resolution #64 of 2013.

Supervisor Willard Peck – “Aye”
Councilman Paul Bolesh – “Aye”
Councilman Daniel Gale – “Aye”
Councilwoman Patricia Bryant – “Aye” Resolution #64 of 2013 Adopted

Town Attorney Douglas Ward stated that the Planning Board met on Monday, September 9, 2013 and adopted the following Resolution:

Resolution Adopting Advisory Report Recommendations on Proposed Amendments to the Town Zoning Ordinance to Create Landfill District

WHEREAS, the Town Board of the Town of Northumberland (“Town”) is considering amendments to the Town Zoning Ordinance to create a Landfill District; and

WHEREAS, the proposed amendment to the Zoning Ordinance would amend the zoning map to change the zoning district designation of approximately 267 acres of tax parcels 104.-1-84.21, 104.-1-85.1, and 104.-1-85.2 from Agricultural Protection District to Landfill District; and

WHEREAS, The Town Board is considering complimentary amendments to the Town Comprehensive Land Use Plan, amendments to Local Law No. 1 of 1989, the repeal of Local Law No. 1 of 1992, and amendments to Local Law No. 2 of 1991 (Soil Disturbance Law) to effectuate the creation of the Landfill District and limit Landfill operations in the Town to this District only; and

WHEREAS, the Landfill District would comprise property currently owned by Finch Paper LLC (“Finch”) and Saratoga County; and

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WHEREAS, Finch currently operates on its property within the proposed Landfill District facilities known as the Finch Paper Sludge Management Facility ("Finch Landfill"), which is an existing landfill with a current New York State Department of Environmental Conservation ("NYSDEC") Part 360 operating permit; and

WHEREAS, Saratoga County has built a landfill ("County Landfill") on its property in the Landfill District, and the County Landfill has a current NYSDEC Part 360 operating permit; and

WHEREAS, the proposed amendments to the Zoning Ordinance to create the Landfill District are being proposed to make the zoning consistent with actual, permitted, and existing landfill uses and to limit any landfill operations to the Landfill District only; and

WHEREAS, The Town board referred the amendments to the County Planning board pursuant to GML§239(1) and (m), and the County Planning board has recommended approval of the Amendments; and

WHEREAS, On August 29, 2013, the Town Board held a hearing on the proposed Amendment pursuant to the Town Zoning Law Article XV(C)..

NOW, THEREFORE, BE IT

RESOLVED, that the Planning Board hereby supports the Town Board's proposed amendments to the Town Zoning Ordinance and related local laws and the Town's Comprehensive Plan in order to create the Landfill District be adopted; and finds

1. The proposed amendments to the Town Zoning Ordinance, related local laws and the Comprehensive Plan, in confining landfill operations to the Landfill District, where such operations are presently vested uses, are consistent with the purposes of the Ordinance which are aimed at limiting such use to the extent practicable.
2. The areas in the Town that are subject to the proposed amendments of the Zoning Ordinance are the approximately 267 acres comprising the proposed Landfill District - the area in which such activities are already vested, In conforming the District to the boundaries of the vested landfill uses therein, the Amendments will not create any new effects.
3. Adequate public services and supports facilities exist for the two landfill facilities that comprise the Landfill District: the Finch landfill facility is operational and the County Landfill has been constructed pursuant to a DEC Part 360 Permit.

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4. The indirect implication of the amending the Town Zoning Ordinance and related local laws, and Comprehensive Plan is to limit landfilling activities in the Town to that area where such activities are already vested uses.

5. The proposed amendments to the Town Zoning Ordinance and related local laws and Comprehensive Plan to create a Landfill District are consistent with the general underlying objectives of the town Comprehensive Land Use Plan general underlying objectives of the town Comprehensive Land Use Plan (including the proposed amendments thereto) to limit landfilling in the Town to the extent practicable in order to preserve the Town's special agricultural, open space, and rural lifestyle.

Councilman Daniel Gale introduced Resolution # 65 of 2013

WHEREAS, the Northumberland Town Board held a Public Hearing on August 29, 2013 to receive the public's comments on proposed Local Law #2 of 2013 – A Local Law Amending Local Law No 1 & 2 of the year 1989, and

THEREFORE BE IT RESOLVED, the Northumberland Town Board adopts Local Law #2 of 2013 – A Local Law Amending Local Law No 1 & 2 of the year 1989.

Councilwoman Patricia Bryant seconded the introduction of Resolution # 65 of 2013.

Supervisor Willard Peck – “Aye”
Councilman Paul Bolesh – “Aye”
Councilman Daniel Gale – “Aye”
Councilwoman Patricia Bryant – “Aye” Resolution # 65 of 2013 Adopted

Councilwoman Patricia Bryant introduced Resolution # 66 of 2013

WHEREAS, the Northumberland Town Board held a Public Hearing on August 29, 2013 to receive the public's comments on proposed Local Law #3 of 2013 – A Local Law Amending Local Law no 2 of the year 1991 (Soil Disturbing Activities Law), and

THEREFORE BE IT RESOLVED, the Northumberland Town Board adopts Local Law #3 of 2013 – A Local Law Amending Local Law No 2 of the year 1991 (Soil Disturbing Activities Law).

Councilman Daniel Gale seconded the introduction of Resolution #66 of 2013

Supervisor Willard Peck – “Aye”
Councilman Paul Bolesh – “Aye”
Councilman Daniel Gale – “Aye”
Councilwoman Patricia Bryant – “Aye” Resolution # 66 of 2013 Adopted

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Councilwoman Patricia Bryant introduced Resolution # 67 of 2013

WHEREAS, the Northumberland Town Board held a Public Hearing on August 29, 2013 to receive the public's comments on proposed Local Law #4 of 2013 – A Local Law Repealing Local Law No. 1 of the year 1992

THEREFORE BE IT RESOLVED, the Northumberland Town Board adopts Local Law #4 of 2013 – A Local Repealing Local No. 1 of the year 1992.

Councilman Daniel Gale seconded the introduction of Resolution #67 of 2013

Supervisor Willard Peck – “Aye”
Councilman Paul Bolesh – “Aye”
Councilman Daniel Gale – “Aye”
Councilwoman Patricia Bryant – “Aye” Resolution # 67 of 2013 Adopted

Councilwoman Patricia Bryant introduced Resolution # 68 of 2013

WHEREAS, the Northumberland Town Board held a Public Hearing on August 29, 2013 to receive the public's comments on amending the Town of Northumberland's Comprehensive Land Use Plan to include the following wording:

- Allow for solid waste landfills with a valid Permit issued under 6 NYCRR Part 360 to be located in a landfill district only
- Provide for the proper disposal of solid waste which would be confined to facilities located wholly within a landfill district but prohibit the disposal of hazardous, nuclear or similar wastes in the Town.
- Recognize that the “Saratoga County Landfill and Finch Landfill are also in the town.”
- Include “Operation of the Saratoga County Landfill, Finch Landfill and a potential joining or consolidation of these landfills is compatible with the town's open space and view sheds goals and values provided such landfills are located wholly in a single landfill zone. The landfills are subject to permitting and oversight by the New York State Department of Environmental Conservation, and the landfills will eventually be closed under NYSDEC oversight such that the resulting space will be compatible with preservation of open space and view sheds.”
- Include, “Community facilities also include the Saratoga County Landfill and Finch Landfills, off (or on) Kobor Road in the Town of Northumberland.”
- Include, “Allow for the continued existence of the Saratoga County and Finch Landfills, and allow for the potential creation joining/consolidation of these landfills provided that such facility is wholly located in a single landfill zone.”
- Include, “Provide for the continued operation of the Saratoga County Landfill and the Finch Landfill, and the potential joining/consolidation of these landfills.”
- Include, “Adopt site plan review and buffer requirements for new uses, except landfills, located within a specified distance of historic sites and structures.”

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THEREFORE BE IT RESOLVED, the Northumberland Town Board adopts the amendments to the Town of Northumberland's Comprehensive Land Use Plan.

Councilman Daniel Gale seconded the introduction of Resolution #68 of 2013.

Supervisor Willard Peck – "Aye"
Councilman Paul Bolesh – "Aye"
Councilman Daniel Gale – "Aye"
Councilwoman Patricia Bryant – "Aye" Resolution # 68 of 2013 Adopted

Councilwoman Patricia Bryant introduced Resolution # 69 of 2013

WHEREAS, the Northumberland Town Board held a Public Hearing on August 29, 2013 to receive the public's comments on proposed Local Law #5 of 2013 – A Local Law Amending Zoning Ordinance to Create Landfill District, and

THEREFORE BE IT RESOLVED, the Northumberland Town Board adopts Local Law #5 of 2013 – A Local Law Amending Zoning Ordinance to Create Landfill Districts

Councilman Daniel Gale seconded the introduction of Resolution #69 of 2013

Supervisor Willard Peck – "Aye"
Councilman Paul Bolesh – "Aye"
Councilman Daniel Gale – "Aye"
Councilwoman Patricia Bryant – "Aye" Resolution #69 of 2013 Adopted

NEW BUSINESS

1. October's Town Board Meeting: Town Clerk Denise Murphy asked the Town Board if they would consider changing the date of October's Town Board Meeting since she will be out of town. Councilman Paul Bolesh made a motion to hold October's Town Board Meeting on Thursday, October 17, 2013. Councilman Daniel Gale seconded the motion. All in favor, motion carried.
2. The Town Board received a letter from Town Justice James Evans requesting authorization to apply for a grant from the Justice Court Assistance Program for construction of the courtroom and court offices at the new Town Hall in the amount of \$30,000. Councilman Daniel Gale introduced Resolution #70 of 2013

WHEREAS, the Northumberland Town Court has a total budget for 2013 in the amount of \$51,495.00 to cover all costs associated with the Northumberland Court System, and

WHEREAS, the Northumberland Town Court is in need of funds for the construction of a court office and court room at the new Town Hall

THEREFORE BE IT RESOLVED, that the Northumberland Town Board authorizes the Justice Court to apply for a grant in the amount of \$30,000 from the Justice Court Assistance Program.

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Councilman Paul Bolesh seconded the introduction of Resolution #70 of 2013.

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh – “Aye”

Councilman Daniel Gale – “Aye”

Councilwoman Patricia Bryant – “Aye”

Resolution #70 of 2013 Adopted

3. Chickens: The Town Board asked the Building and Zoning Administrator to see what other towns are doing regarding chickens on private property outside the Agricultural District. Mr. Colozza informed the Town Board that presently chickens are allowed in the R-3 and APD with 10 acres. Mr. Colozza asked the Town Board if they want to allow chickens in all Districts or by Ordinance. Also do we want to put in acreage requirements and limit the number of chickens if allowed in all districts? Also would we want to put set back requirements in regarding placement of a coop? Also, would we want to limit the size of the coop or are we going to allow free range. Also, what happens when the chickens stop laying eggs, do we address slaughtering of chickens on private property. Also, how do we address chicken waste and chicken carcasses? Mr. Colozza also asked do we require a Permit and if so what would the fee be? Mr. Colozza asked about enforcement issues such as chickens running at large, smell stock piling of waste, carcasses, insects and rodents. It was the consensus of the Town Board Members that this issue should be referred to the Planning Board for their review and recommendations.
4. Maintenance on Foreclosed Properties: Building and Zoning Administrator Richard Colozza was asked to contact the surrounding towns to see how they deal with maintenance on Foreclosed Properties. Mr. Colozza stated that the Village of South Glens Falls has their highway department mow tall grass for abandoned properties lawns then they place a lien on the parcel for the cost of mowing the property. The Village of Schuylerville will only mow around the sidewalk adjacent to abandoned properties. Liability concerns was an issue with the Town Board Members. It was the consensus of the Town Board Members to continue what is being done by the Building Department which involves contacting the Bank making them aware of the property’s disrepair.

DESIGNATION

1. Transfers: Councilwoman Patricia Bryant introduced Resolution # 71 of 2013:

WHEREAS, the following accounts are over with expenses:

A1355.4 (Assessor/Cont)	\$ 115.00
A1640.4 (Garage/Cont)	\$2, 148.00
A3310.4 (Traffic/Cont)	\$3,725.00
A7310.1 (Youth/Per)	\$1,327.00
DA9089.8 (Uniforms)	\$ 131.00

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BE IT RESOLVED, the Town authorizes the transfer the money from the following account to cover these expenses:

A7310.2 (Youth/Equipment)	\$ 500.00
A7310.4 (Youth/Cont)	\$1,680.00
A7320.4 (Joint Youth)	\$2,000.00
A1990.4 (Contingency)	\$1,711.00
A1620.4 (Building/Cont)	\$1,424.00
DA5140.4 (Misc/Cont)	\$ 131.00

Councilman Daniel Gale seconded the introduction of Resolution # 71 of 2013

Supervisor Willard Peck – “Aye”
Councilman Paul Bolesh – “Aye”
Councilman Daniel Gale – “Aye”
Councilwoman Patricia Bryant – “Aye” Resolution #71 of 2013 Adopted

2. Approval of Vouchers: Councilman Paul Bolesh introduced Resolution # 72 of 2013

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

A (General Fund) Vouchers # 338 - # 375 Total: \$ 25,706.16
DA (Highway Fund) Vouchers # 203 - # 222 Total: \$ 106,740.94
SS (Sewer Fund) Voucher # 9 Total: \$ 28.18

Councilwoman Patricia Bryant seconded the introduction of Resolution # 72 of 2013

Supervisor Willard Peck – “Aye”
Councilman Daniel Gale – “Aye”
Councilwoman Patricia Bryant – “Aye”
Councilman Paul Bolesh – “Aye” Resolution # 72 of 2013 Adopted

2. Councilman Daniel Gale introduced Resolution # 73 of 2013

BE IT RESOLVED, pursuant to Section 125 of the Town Law, Supervisor Willard Peck rendered the following detailed statement of all money received and disbursed during the month of August 2013:

BE IT RESOLVED, the Town Board has reviewed and approved August 2013 Monthly Report by Supervisor as presented.

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Councilwoman Patricia Bryant seconded the introduction of Resolution # 73 of 2013.

Supervisor Willard Peck – “Aye”

Councilman Daniel Gale – “Aye”

Councilman Paul Bolesh – “Aye”

Councilwoman Patricia Bryant – “Aye”

Resolution # 73 of 2013 Adopted

Councilman Daniel Gale made a motion @ 9:00 PM to go into Executive Session to discuss personnel issues. Councilman Paul Bolesh seconded the motion. All in favor, motion carried. Councilman Daniel Gale made a motion @ 9:20 PM to reconvene the Regular Monthly Meeting. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried. No Action was taken during Executive Session. Councilman Paul Bolesh made a motion @ 9:25 PM to adjourn the Regular Monthly Meeting. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.

Respectfully submitted,

Denise Murphy
Town Clerk