

**Town of Northumberland  
Town Board Meeting  
November 5, 2009**

The Regular Monthly Meeting of the Northumberland Town Board was called to order @ 8:00 PM. 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 (arrived @ 8:20 PM). Councilman Daniel Gale was absent. Also attending were Clerk Denise Murphy, Highway Sup't Neil Petteys, Building Zoning Administrator Richard Colozza and Town Attorney Douglas Ward.

**PUBLIC PARTICIPATION**

There were no comments from the public

**APPROVE MINUTES**

1. Councilman Paul Bolesh made a motion to approve minutes of the September 24, 2009 Special Town Board Meeting. Supervisor Willard Peck seconded the motion. All in favor, motion carried.
2. Councilman Paul Bolesh made a motion to approve minutes of the October 1, 2009 Regular Monthly Town Board Meeting. Supervisor Willard Peck seconded the motion. All in favor, motion carried.
3. Councilman Paul Bolesh made a motion to approve minutes of the October 14, 2009 Special Town Board Meeting. Supervisor Willard Peck seconded the motion. All in favor, motion carried.

**CORRESPONDENCE**

1. The Town Board received a letter from the Department of State regarding the 2007 Environmental Protection Funds – Agreement # C006876 – Old Saratoga on the Hudson Waterfront Revitalization Plan Implementation. The Town of Saratoga requested in August 2009 that the NYS Department of State remove the Town of Saratoga as the municipal contractor with New York State for the Old Saratoga on the Hudson Waterfront Revitalization Program – Contract # C006876. The Town of Northumberland submitted a letter requesting they be identified as the municipal contractor for the contract. Enclosed was an Agreement between the Town of Northumberland and the Department of State. Councilman George Hodgson made a motion authorizing Supervisor Willard Peck to sign the Agreement on behalf of the Town of Northumberland. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.
2. The Town Board received a copy of the “Open Burning Regulations” from New York State Department of Environmental Conservation. New open burning regulations went into effect October 14, 2009. A copy of the Regulations is available from New York State Department of Environmental Conservation. The Town of Northumberland has provided a link on our Web Site [townofnorthumberland.org](http://townofnorthumberland.org)

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3. The Town Board received a flyer from Saratoga County Planning Department regarding an “Unraveling the Mysteries of Purchase of Development Rights, Conservation Easements, Tax Implication” workshop to be held Tuesday, November 17<sup>th</sup> from 7:00 – 9:00 PM.

**OLD BUSINESS**

1. Schuyler Park: Supervisor Willard Peck stated he will be reporting tonight on behalf of Councilman Daniel Gale. The Committee continues to make excellent progress at Schuyler Park and their goal of completing the playing fields by winter is right on track. The Irrigation system went out for bid: bid was awarded to Rainbow Lawn Sprinklers and work has begun with the system installation.

2. Hudson Crossing Park: Councilman George Hodgson stated that Clear Enterprises has brought their equipment down to the Island and hope to start the grading and installation of the asphalt trail from the dock to the outlook pavilion and upper trail in the next few weeks. CG Stone will be starting the stone steps next week. Councilman George Hodgson reported that the Hudson Crossing Park has received notice that they received a grant from the Federal Highway Administration for Scenic Byways. Lakes two Locks Heritage Center and Hudson Crossing Park Application were approved in the amount of \$250,320. Councilman George Hodgson has been talking with Canal Corp and it looks like they will be issuing a work permit for the installation of the well and utilities. We are waiting for a Lease Permit. As soon as we receive the appropriate paperwork the well will be installed to meet the December 1 deadline. After December 1, the EPA no longer allows UV filters for well purification. Hudson Crossing has been working with Fil Fina, with Aztech Technologies regarding the well installation. Councilman George Hodgson stated Hudson Crossing has been approached by Chris Bowcutt regarding holding a Triathlon at Hudson Crossing Park. The event would be sanctioned by USA Triathlon. The total cost would be covered by sponsorships, entry fees and In-Kind Donations. There would not be a cost to the Towns. The event would be held, if successful, every year. The Hudson Crossing Park Committee would like an expression of support. Both the Town of Saratoga and the Village of Schuylerville have expressed support for the Triathlon. Supervisor Willard Peck stated that he was in support of the event as long as there was not a financial burden to the Town of Northumberland.

3. Town Budget for 2010: Supervisor Willard Peck stated he is recommending the following change to the proposed 2010 Town Budget. On the Summary of Fiscal Budget by Fund change the following in General Fund – decrease “Estimated Revenue” by \$23,297 (making it \$636,420.00) and increasing “Fund Balance” by \$23,297 (making it \$148,297.00) and in the Highway Fund – increase “Estimated Revenue” by \$23,297.00 (making it \$589,368) and the “Amount to be Raised by Tax” to be decreased by \$23,297.00 (making it \$470,682.00). This will be accomplished by decreasing the amount of sales tax (A1120) in the General Fund by \$23,297.00 and increase the sales tax (DA1120) in the Highway Fund by \$23,297.00.

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Councilman Paul Bolesh introduced Resolution # 29 of 2009

**WHEREAS**, the Northumberland Town Board having, on November 5, 2009 at 7:00 pm, duly held a Public Hearing on the preliminary budget approved with changes recommended by Supervisor Willard Peck and filed with the Town Clerk for the fiscal year commencing January 1, 2010, 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 preliminary budget approved and filed as aforesaid, is hereby adopted and established as the annual budget for this Town for the fiscal year beginning January 1, 2010, and that such annual budget as so adopted is detailed in the minutes of the proceeding of this Town Board, and be it further

**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 she shall present such copy to the Board of Legislators of the County as required by law.

Councilman George Hodgson seconded the introduction of Resolution #29 of 2009.

Supervisor Willard Peck – “Aye”

Councilman George Hodgson – “Aye”

Councilman Paul Bolesh – “Aye”

Councilwomen Patricia Bryant – “Aye”      Resolution #29 of 2009 Adopted

**NEW BUSINESS**

1. Highway Sup’t Neil Petteys stated that the Town Board needs to pass a Resolution authorizing his department to install a 3 way stop sign at the intersection of Pettis Road and Stump Street.

Councilman George Hodgson introduced Resolution #30 of 2009

**BE IT RESOLVED**, the Northumberland Town Board authorizes Highway Sup’t Neil Petteys to install a 3-Way Stop sign at the intersection of Pettis Road and Stump Street, and be it further

**RESOLVED**, the 3-Way Stop sign shall be installed and maintained in accordance with the Vehicle and Traffic Law and conforming to the Manual of Uniform Traffic Control Devices of the Department of Transportation.

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Councilman Paul Bolesh seconded the introduction of Resolution #30 of 2009

Supervisor Willard Peck – “Aye”

Councilman George Hodgson – “Aye”

Councilman Paul Bolesh – “Aye”

Councilwoman Patricia Bryant “Aye”            Resolution #30 of 2009 – Adopted

2. Speed Reduction: Highway Sup’t Neil Petteys asked the Town Board to adopt a Resolution requesting NYS Department of Transportation to establish a maximum speed on both Brampton Lane and Stafford Way.

Councilman George Hodgson introduced Resolution #31 of 2009

**WHEREAS**, the Town Board of the Town of Northumberland shall forward to Saratoga County Commissioner of Public Works to request the Department of Transportation, pursuant to Section 1622.1 of the Vehicle and Traffic Law, to establish a lower maximum speed at which vehicles may proceed on Brampton Lane a Town Highway off Colebrook Road and Stafford Way a Town Highway off Colebrook Road, and be it

**RESOLVED**, Upon receipt of the notice that the regulation herein requested has been established, the Town of Northumberland, will provide, install and maintain signs in accordance with the Vehicle and Traffic Law and conforming to the Manual of Uniform Traffic Control Devices of the Department of Transportation.

Councilwoman Patricia Bryant seconded the introduction of Resolution #31 of 2009

Supervisor Willard Peck – “Aye”

Councilman George Hodgson – “Aye”

Councilman Paul Bolesh – “Aye”

Councilwoman Patricia Bryant – “Aye”            Resolution #31 of 2009 – Adopted

3. Recyclables at the Transfer Station. Highway Sup’t Neil Petteys stated he has been talking to Earth Waste Systems regarding come of the recyclables. Highway Sup’t Neil Petteys stated he will report back when he has further information.

4. Six-Year Plan for re-inspection, reappraisal and maintaining assessment at 100% on an Annual Basis Resolution. Supervisor Willard Peck stated he would like to table this until he has an opportunity to discuss this further with Walter Smead, Sole Assessor.

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5. Councilman Paul Bolesh stated he contacted some local dealers regarding the cost to vinyl side the Town Hall. Two bids were received and ranged from \$29,000 to \$95,000. The Town Board rejected both bids due to the cost, it was determined that this would need to go out to a formal bid based on the town's Procurement Policy. Building Inspector Richard Colozza will prepare a spec list for potential bidders. The Town Board will have the opportunity to reject any or all bids.

6. Maintenance Bond reduction for Di Siena Subdivision. Gary Bordeau, President of Bordeau Builders sent a letter requesting a reduction in their Letter of Credit. Mr. Boreau is requesting the amount held in the maintenance bond be \$4,600, this amount represents 20% of the value of the top course install. They are requesting the reduction of their Letter of Credit in the amount of \$79,295, the remaining \$4,600.00 to be held by the Town for one year from completion. The Town Board received a letter from Tia Kilburn, Planning and Zoning Clerk. The Planning Board recommends the request for a reduction in the Performance Guarantee Bond for Di Siena Subdivision off Colebrook Road, Stafford Way, and dated October 5, 2009 be approved the Town Board. James Mitchell, Town Engineer and Neil Petteys, Highway Sup't have reviewed and agree 20% of the value of the project, or \$4,600 is sufficient to be retained for at least a one year period from completion, as originally agreed upon for this letter of credit. Town Attorney Douglas Ward stated he has not had an opportunity to review these documents.

Councilwoman Patricia Bryant introduced Resolution #32 of 2009

**WEREAS**, Bordeau Builders have provided a Performance Bond for the Di Siena Subdivision off Colebrook Road, Stafford way in the amount of 479,295, and

**WHEREAS**, Bordeau Builder requests the amount held in the maintenance bond be \$4,600, representing 20% of the value of the Top Course installed, and

**WHEREAS**, Bordeau Builder is requesting the reduction of their Letter of Credit in the amount of \$79,295, the remaining \$4,600 to be held by the Town for one year from completion, and

**WHEREAS**, the Planning Board recommends the request for a reduction in the Performance Guarantee Bond for Di Siena Subdivision off Colebrook Road, Stafford Way, dated October 5, 2009 be approved, and

**WHEREAS**, James Mitchell, Town Engineer and Neil Petteys, Town Highway Sup't have reviewed and agree 20% of the value of the project, or \$4,600 is sufficient to be retained for at least one year period from completion, as originally agreed upon for this Letter of Credit, be it

**RESOLVED**, the Northumberland Town Board approves the reduction in the Performance Guarantee Bond for Di Siena Subdivision off Colebrook Road in the amount of \$4,600, 20% of the value of the

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project, to be retained for at least one year period from completion as originally agreed upon for this Letter of Credit contingent upon Attorney Douglas Ward's review and approval.

Councilman George Hodgson seconded the introduction of Resolution #32 of 2009

Supervisor Willard Peck – "Aye"

Councilman George Hodgson – "Aye"

Councilman Paul Bolesh – "Aye"

Councilwoman Patricia Bryant – "Aye"      Resolution #32 of 2009 Adopted

7. December's Town Board Meeting: Clerk Denise Murphy asked the Town Board to consider changing December's Town Board Meeting from December 3<sup>rd</sup> to December 10<sup>th</sup>. The Town Clerk will be not be available December 3<sup>rd</sup>. It was the consensus of the Town Board to change December's Town Board Meeting from December 3<sup>rd</sup> to December 10<sup>th</sup> and to post the change in the Post Star and Saratogian Newspaper.

8. Farmer's Market: Clerk Denise Murphy stated she has been approached by Linda Gifford, President of the Fort Edward Farmer's Market about moving the market to the Town Hall during the winter months. They would like to hold the market every other Saturday starting November 21<sup>st</sup>. They would like to have the hours run from 11:00 – 1:00 PM. They will hold it in the gym area and clean up after themselves. It was the consensus of the Town Board to authorize the Farmer's market use of the gym every other Saturday from 11:00 – 1:00 PM contingent upon them cleaning up afterwards.

**DESIGNATIONS**

1. Councilman George Hodgson made a motion to approve vouchers for payment as presented. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.

**COMMITTEES**

Insurance – Supervisor Willard Peck stated that he would like the Town to adopt a three year policy for Insurance quotes unless there is a substantial change in the Insurance market. The Town Clerk and Highway Sup't spent a lot of time reviewing the Town's Insurance Policies with David Meager, Adirondack Trust Insuranc, so he could obtain quotes. Councilman George Hodgson made a motion to adopt a three year policy for Insurance quotes unless there is a change in the insurance market. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

Town Attorney Douglas Ward stated the town adopted 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. The

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Local Law will expire December 10, 2009. Town Attorney Douglas Ward provided Board Members with three (3) Town's Ordinances regarding Telecommunication Towers, Town of Malta, Town of Saratoga and the Town of Orleans. The Town Board needs to work on continuing reviewing the town's Comprehensive Plan and/or Zoning Ordinance. Councilman George Hodgson made a motion to hold a Public Hearing on Thursday, December 10, 2009 @ 7:15 PM on proposed Local Law #3 of 2009 – A Local Law continuing 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. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.

Councilman Paul Bolesh made a motion @ 9:30 PM to adjourn the Regular Monthly meeting. Councilman George Hodgson seconded the motion. All in favor, motion carried.

Respectfully submitted

Denise Murphy  
Town Clerk