

**Town of Northumberland  
Town Board Meeting  
October 14, 2021**

The Regular Monthly Meeting of the Northumberland Town Board was called to order @ 8:00 AM by Supervisor Willard Peck. Those attending included Supervisor Willard Peck; Councilman Paul Bolesh; Councilman John DeLisle and Councilwoman Patricia Bryant. Councilman George Hodgson was absent. Also attending were Clerk Denise Murphy and Town Attorney David Brennan.

**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: Edward Cross submitted his Dog Control Officer's Report for September, 2021. Mr. Cross answered three (3) Complaints and issued three (3) Warnings.
  
2. Internet Service: The Town received a letter from the Public Service Commission regarding high-speed internet and broadband service in New York State. The Comprehensive Broadband Connectivity Act, enacted in May of this year, amended the Public Service Law to add a new section 224-c. Among other things, the Act requires the Public Service Commission (PSC or the Commission) to study the availability, reliability and cost of high-speed internet and broadband services in New York State, and produce and publish on its website, a detailed internet access map of the state, indicating access to internet service by location. The Department of Public Service and ECC Technologies will employ an online broadband service survey as the main element of the consumer data gathering effort. The weblink for the online survey can be found at [www.empirestatebroadband.com](http://www.empirestatebroadband.com). The Town Clerk was asked to place the information on the Town's Webpage and Facebook encouraging residents to participate in the survey.
  
3. Permit Renewal: The Town of Northumberland was informed that the Title V Permit renewal was issued by New York State Environmental Conservation for Waste Management – Green Ridge RDF LLC.
  
4. The Town Board received a letter from Cheryl Wood requesting that the Town Board take action to remove a TRUMP 2020 sign from a resident's home across from the Gansevoort Cemetery. It was the consensus of the Town Board Members to take no action since similar signs representing both parties are scattered throughout the Town, County and State.

**Town of Northumberland  
Town Board Meeting  
October 14, 2021**

**NEW BUSINESS**

1. 2022 Town Budget: Supervisor Willard Peck presented his 2022 Budget. The proposed 2022 Town Budget is \$7,000 below the Tax Cap. Supervisor Peck stated that he has proposed raises for elected and appointed officials. Supervisor Peck feels this is a good balanced Budget. Councilman John DeLisle made a motion to hold a Public Hearing on the proposed 2022 Town Budget on Thursday, November 4, 2021 @ 8:00 AM. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.

2. 225<sup>th</sup> Anniversary of the Town of Northumberland: Town Historian Georgia Ball wanted to inform the Town Board Members to start planning for Year 2023 – 225<sup>th</sup> Anniversary of the Town of Northumberland. Councilman Paul Bolesh asked if we could plan to do something on the open space in front of the Town Hall to coincide with the Celebration. Supervisor Peck asked the Town Board Members to start thinking of ideas.

3. Intermunicipal Agreement for the Saratoga County Animal Shelter: Supervisor Willard Peck stated that the Town Board needs to adopt a Resolution regarding an Intermunicipal Agreement for the Saratoga County Animal Shelter. Councilman John DeLisle introduced Resolution #56 of 2021:

**WHEREAS**, the **COUNTY** owns and operates the Saratoga County Animal Shelter (hereinafter “Shelter”) located at 6010 County Farm Road, Ballston Spa, New York 12020; and

**WHEREAS**, **COUNTY’S** Shelter provides certain services to contracting municipalities relative to the care and impoundment of animals delivered to the Shelter by municipal animal or dog control officers within Saratoga County; and

**WHEREAS**, **COUNTY’S** shelter also provides other services to contracting municipalities such as cremation services; and

**WHEREAS**, **TOWN** desires to enter into an agreement with **COUNTY** for the provision of shelter and other services offered by **COUNTY’S** shelter;

**NOW, THEREFORE**, for and in consideration of the mutual covenants contained in this Agreement, **COUNTY** and **TOWN** agree as follows:

1. The **COUNTY** will maintain and operate a shelter for the care and impoundment of seized and stray dogs in accordance with Article 7 of the Agriculture and Markets Law and its applicable rules and regulations. The **COUNTY’S** shelter will also provide for the care and impoundment of seized cats delivered to the Shelter by **TOWN**.

2. The **COUNTY** Shelter shall be staffed by **COUNTY** employees and will be open Monday through Saturdays (excluding holidays) from 10 A.M. to 4 P.M. The **COUNTY** shall provide the **TOWN** with a key to access the Animal Control area of the Shelter at all times.

**Town of Northumberland  
Town Board Meeting  
October 14, 2021**

3. The **COUNTY** is responsible for the maintenance of the Shelter's records including the disposition of each animal delivered to the Shelter. The **COUNTY** shall provide the **TOWN** with a monthly Animal Control Officer/Dog Control Officer report detailing each stray and seized dog delivered to the Shelter from within the municipal boundaries of the **TOWN**. The **COUNTY** shall also provide the **TOWN** with a monthly report of all cats delivered to the Shelter by **TOWN'S** Animal or Dog Control Officer. The **TOWN** shall have forty-five (45) days from the receipt of each monthly report submitted by **COUNTY** to dispute any entry in the report by notifying the Shelter's Supervisor, in writing, of any disputed entry or entries.

4. The **COUNTY** will accept trapped feral cats brought by the **TOWN** to the Shelter to be vaccinated and spayed/neutered, subject to **TOWN'S** agreement to take back and recover the cat from the Shelter and release it back into the area in which it was found. If a feral is Leukemia or Aids positive, or has serious health issues, the Shelter will humanely euthanize the animal.

5. The **COUNTY** will not accept from the **TOWN** deceased wildlife/roadkill such as deer, fox, skunk and opossum for cremation at the Shelter unless there is suspected concern of rabies, which must be supported by appropriate documentation of symptoms and behavior observed, and the prior approval of Saratoga County Public Health Services to test the deceased animal for rabies has been obtained.

6. The **COUNTY'S** Shelter staff will not response to emergency or rabies-related incidents when the **TOWN'S** animal control person is unavailable.

7. For shelter services rendered to animals either delivered to the Shelter by **TOWN** or for which services **TOWN** is otherwise responsible for the payment of pursuant to state law or regulation, **COUNTY** shall charge, and **TOWN** agrees to pay, a fee of \$40.00 per dog, \$20.00 per puppy or kitten.

8. For the cremation of animals either delivered to the Shelter by the **TOWN** to the Shelter or for which the **TOWN** is otherwise responsible for the payment of the cremation of, **COUNTY** shall charge and **TOWN** agrees to pay, a fee determined by the weight of the animal cremated in accordance with the following schedule:

0-25 lbs.	\$15.00
26-50 lbs.	\$20.00
51-75 lbs.	\$ 30.00
76-100 lbs.	\$35.00
Over 100 lbs.	\$40.00

9. The **COUNTY** will collect and remit impoundment fees to the **TOWN**.

10. The **TOWN** will pay the **COUNTY** for all services rendered by the **COUNTY** pursuant to this agreement during the period from January 1, 2022 through December 31, 2022, as documented in the monthly reports submitted by the **COUNTY** to the **TOWN**. The **COUNTY** shall submit bills for services to the **TOWN** during the month of April 2023 for said services rendered in 2022, which sum shall be due and payable by **TOWN** on or before September 1, 2023.

**Town of Northumberland  
Town Board Meeting  
October 14, 2021**

**BE IT FURTHER RESOLVED**, the Northumberland Town Board authorizes Supervisor Peck to sign the Intermunicipal Agreement for Shelter Services rendered January 1, 2022 – December 31, 2022.

Councilwoman Patricia Bryant seconded the introduction of Resolution #56 of 2021.

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh – “Aye”

Councilman John DeLisle – “Aye”

Councilwoman Patricia Bryant – “Aye”

Resolution #56 of 2021 Adopted

**OLD BUSINESS**

1. Local Law Opting out of Adult Use Cannabis Retail Dispensaries and On-Site Consumption Sites:  
Supervisor Peck presented the following proposed Local Law for the Town Board’s consideration.

**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/NewYork Cannabis Law**

**Be it enacted by the Town of Northumberland Town Board as follows:**

**Section 1. Legislative Intent**

It is the intent of this Local Law to opt out of allowing cannabis retail dispensaries on-site cannabis consumption sites in the Town of Northumberland that would otherwise be allowed under Cannabis Law Article 4.

**Section 2. Authority**

This Local Law is adopted pursuant to Cannabis Law § 131 which expressly authorizes the Town of Northumberland Town Board (“Town Board”) to adopt a local law, subject to permissive referendum governed by §24 of the Municipal Home Rule Law, requesting the Cannabis Control Board to prohibit the establishment of cannabis retail dispensary licenses and/or on-site consumption licenses for adult use cannabis within the jurisdiction of the Town.

**Section 3. Local Opt-Out**

The Town Board hereby opts out of allowing cannabis retail dispensaries and on-site cannabis consumption sites from being established and operated within the Town’s jurisdiction.

**Section 4. Request to Cannabis Control Board**

The Town Board hereby requests that the Cannabis Control Board prohibit the establishment of retail dispensary licenses and on-site consumption licenses for adult-use cannabis within the jurisdiction of the Town of Northumberland.

**Town of Northumberland  
Town Board Meeting  
October 14, 2021**

**Section 5. Severability**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 6. Permissive Referendum/Referendum on Petition**

This Local Law is subject to a referendum on petition in accordance with Cannabis Law §131 and the procedure outlined in Municipal Home rule Law §24. If a valid petition protesting this Local Law is filed, a special election of the qualified electors shall be held.

**Section 7. Effective date**

This Local Law shall take effect immediately upon filing with the Secretary of State.

Supervisor Peck stated that the Town Board can Opt-In back in at any time. Councilman John DeLisle made a motion to hold a Public Hearing on **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** on November 4, 2021 immediately following the Public Hearing on proposed 2022 Town Budget. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.

2. November's Town Board Meeting: It was the consensus of the Town Board Members to hold November's Town Board Meeting on Thursday, November 4<sup>th</sup> following the Public Hearing on the 2021 Town Budget @ 8:00 AM and the proposed Local Law to Allow the Town of Northumberland to Opt-Out of the Retail Dispensary License and On-Site Consumption, which follows.

**DESIGNATIONS**

1. Approval of Vouchers: Councilman Paul Bolesh introduced Resolution # 60 of 2021

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

A (General Fund) Vouchers # 246 - # 267 Total: \$ 81,928.95  
DA (Highway Fund) Vouchers # 247 - # 271 Total: \$ 85,396.93  
SS (Sewer Fund) Voucher # 9 Total: \$28.01

**Town of Northumberland  
Town Board Meeting  
October 14, 2021**

Councilman John DeLisle seconded the introduction of Resolution # 60 of 2021

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

Resolution # 60 of 2021 Adopted

2. Supervisor Willard Peck previously presented the Supervisor’s Report for August, 2021 for the Town Board’s consideration. Councilman Paul Bolesh introduced Resolution # 61 of 2021 -

**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 August 2021:

**GENERAL**

Balance as of 07/31/2021	\$	2,126,637.02
Increases	\$	138,720.43
Decreases	\$	464,653.81
Balance as of 08/31/2021	\$	1,800,703.64

**HIGHWAY**

Balance as of 07/31/2021	\$	437,067.44
Increases	\$	400,013.29
Decreases	\$	344,267.04
Balance as of 08/31/2021	\$	492,813.69

**SEWER DISTRICT #1**

Balance as of 07/31/2021	\$	10,644.49
Increases	\$	0.27
Decreases	\$	2,522.70
Balance as of 08/31/2021	\$	8,122.06

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

**Town of Northumberland  
Town Board Meeting  
October 14, 2021**

Councilman George Hodgson seconded the introduction of Resolution # 61 of 2021.

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh – “Aye”

Councilman John DeLisle – “Aye”

Councilwoman Patricia Bryant – “Aye”

Resolution #61 of adopted

Councilman John DeLisle made a motion to go into Executive Session to discuss Teamster’s negotiations @ 8:35 AM. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

Councilman John DeLisle made a motion to reconvene the Regular Monthly Meeting @ 9:00 AM. Councilman Paul Bolesh seconded the motion. Supervisor Willard reported that no action was taken.

Councilman Paul Bolesh made a motion @ 9:05 AM to adjourn the Regular Monthly Meeting. Councilman John DeLisle seconded the motion. All in favor, motion carried.

Respectfully submitted,

Denise Murphy  
Town Clerk