

**Town of Northumberland
Town Board Meeting
August 11, 2022**

The Regular Monthly Meeting of the Northumberland Town Board was called to order @ 8:24 AM by Supervisor Willard Peck. Following the salute to the flag, roll call was taken. Those attending included Supervisor Willard Peck; Councilman Paul Bolesh; Councilman John DeLisle and Councilman George Hodgson. Councilwoman Patricia Bryant was absent. Also attending were Clerk Denise Murphy; Town Attorney David Brennan; Highway Supt Richard D Coffinger and Building and Zoning Administrator Michael Terry.

PUBLIC PARTICIPATION

Drew Alberti with Flatley Read did a presentation for the Town Board Members. Mr. Alberti stated that Flatley Read offers environmental analysis, strategic planning, Grant writing and administration, project management and organizational training for communities of all sizes. Mr. Alberti stated that they are not an Engineering Firm. They are located in Schuylerville. Mr. Alberti stated that he has helped the Town of Saratoga obtain Grants from the State for numerous projects. The Town Board thanked Mr. Alberti for attending the Meeting and giving them a brief overview of the services, his company provides.

APPROVAL OF MINUTES

1. Councilman George Hodgson made a motion to approve the Minutes of the July 14, 2022 Public Hearing on amendment to Stonebridge Farm PUDD with the following correction/clarifications from Mr. Paul Woolley.

For Clarification, the annotated map provided by the applicant had handwritten text saying, "Proposed Home Location". However, the text is East of the actual proposed location and not connected to the proposed location with a leader line.

For clarification, Mr. Melfi has expressed interest in purchasing our home several times. While we're not looking to sell, we have always maintained that we would consider it for the right price. We provided an asking price to Mr. Melfi, which he characterized as unreasonable. When I expressed concern about the impacts of the proposed construction on our home, Mr. Melfi said he offered to buy our home, but we were being unreasonable.

Councilman John DeLisle seconded the motion. All in favor, motion carried.

2. Councilman Paul Bolesh made a motion to approve the minutes of the July 14, 2022 Regular Monthly Meeting. Councilman John DeLisle seconded the motion. All in favor, motion carried.

CORRESPONDENCE

1. Ed Cross, Dog Control Officer, submitted his report for July 2022. Mr. Cross answered 6 Complaints and issued 2 warnings.

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2. Amendment to Stonebridge Farm PUDD: Richard Cook, Esq with Hancock Estabrook submitted the following comments on behalf of Anthony Melfi:

*As you know, we represent GMP Farms LLC in connection with the captioned matter (the "**Applicant**"). Stone Bridge Farm PUDD consists of approximately 86.2 acres in the Town of Northumberland, County of Saratoga, New York (the "**Property**"). The Applicant is the current owner of the property purchased in July of 2021. This application seeks an amendment to the site plan adding a single-family dwelling.*

The PUDD divides the Property into three Districts; the Agricultural Use Area, the Commercial Use Area and the Agricultural/Commercial Use Area. Allowable Uses within the Agricultural Area of the PUDD include single-family dwellings (Section 5(A)). Unlike other Uses within the PUDD, no special permits are required (see Section 5(B)). The Applicant seeks to construct an approximately 1,800 square foot, ranch-style house within the Agricultural Use Area. It has filed an application for a building permit supported by drawings stamped by a licensed architect and a licensed engineer. Those plans are on file with the Town's Building Inspector.

This application was filed for approval of amendment to the site plan in accordance with Section 4(B) of the PUDD. A drawing filed with the application shows the site of the proposed single-family dwelling in the Agricultural Use District. No further approvals are necessary for the issuance of the building permit. The Applicant will, of course, be subject to all New York State Fire Protection and Safety codes, in the same manner as any other residential construction.

The owners of two neighboring properties; Paul Woolley of 646 Stonebridge Road and Donald Hoffman of 662 Stonebridge Road have raised an objection to the residential home based solely on the impact to their views. Courts in New York have held that absent an easement or other enforceable agreement, no landowner holds a legal right to maintain any particular view over that of a neighboring property. It would be inappropriate for the Town Board to deny the requested amendment based upon an impact to the neighbor's viewshed.

Notwithstanding, as promised during the public hearing, Anthony Melfi, Manager of the Applicant, met with Mr. Woolley and walked the site in an attempt to find a location for the alternatives to move the house, the only location acceptable to Mr. Woolley would leave the house with a mere 10 feet of setback from Sherman Lane, which is desirable neither aesthetically nor from a safety standpoint.

It was stated at the public hearing that Mr. Melfi intends to move his Saratoga Springs Bed and Breakfast operations to the Property. While it is true that Mr. Melfi operates two Bed and Breakfasts in the City of Saratoga Springs in conformance with that City's ordinances, it is difficult to see any wisdom or rationale as to why the operations conducted in those two buildings would somehow be moved 14 miles away to the Property. As a result, the Applicant respectfully submits that the proposed single-family dwelling is an Allowable Use within the PUDD and requests the Town Board approve the amendment to the site plan as proposed for such use.,

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3. The Town Board Members received a proposal from Kirsten Catellier, RLA with “Studio A” regarding a Review of Town of Northumberland 2003 Comprehensive Land Use Plan and related Zoning Ordinance. Ms. Catellier stated that they are prepared to begin work immediately on this project. Studio A is recommending a three-month period to accomplish the tasks. Studio A and its project Team propose to perform the tasks identified in the Scope of Services for a lump sum fee of \$4,500. This fee is inclusive of related expenses for travel and printing costs.

Councilman John DeLisle introduced Resolution #54 of 2022

BE IT RESOLVED, that the Town of Northumberland accepts “ Studio A” proposal for Planning Services – Review of the 2003 Town of Northumberland Comprehensive Land Use Plan, and be it

FURTHER RESOLVED, to accept “Studio A” and its project team to perform the tasks identified in the Scope of Services for a lump sum fee of \$4,500. This fee is inclusive of related expenses for travel and printing costs.

Councilman George Hodgson seconded the introduction of Resolution #54 of 2022.

Supervisor Willard Peck – “Aye”

Councilman Paul Bolesh - “Aye”

Councilman John DeLisle – “Aye”

Councilwoman Patricia Bryant – “Aye”

Resolution #54 of 2022 Adopted

4. NYMIR: The Town of Northumberland had an insurance survey with Henry J. van den Heever, Senior Risk Control Specialist, with NYMIR. Mr. van den Heever provided a detailed breakdown of recommendations for improvements. Town Clerk Denise Murphy stated that all the recommendations have been resolved regarding the Town of Northumberland. Clerk Murphy stated that she has talked with Kate Morse, Hudson Crossing Park, regarding areas of concern. Ms. Morse stated that the areas of concern at Hudson Crossing will be completed by fall of 2022. Clerk Murphy stated that she will put together responses and submit them to NYMIR as required within the 60-day window.

5. NYS Agriculture and Markets: The Town of Northumberland received a letter from Christina Cookingham, Animal Health Inspector, with NYS Agriculture and Markets. On July 22, 2022 an inspection related to Agriculture and Markets Laws and Regulations was done. The Dog Shelter Services were rated “Satisfactory”. There were no comments noted.

6. “Notice of Claim” Thomas and Clare Ciccarelli: The Town of Northumberland received a Notice of Claim for Thomas and Clare Ciccarelli regarding an accident at the intersection of State Route 32 and US Route 4. Marie Barker, Esq with NYMIR responded that the location of this loss, the intersection of State Route 32 and US Route 4, Northumberland are not roads owned, controlled, designed, built or maintained by the Town of Northumberland. Therefore, we must respectfully decline to make any payment in connection with this claim.

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NEW BUSINESS

1. Stone Bridge Farm PUDD: Supervisor Willard Peck informed the public that the Public Hearing was closed earlier. Supervisor Peck asked the Town Board Members if they wish to take any action. Supervisor Willard Peck made a motion to take no action tonight so that the Town Board Members can review Mr. Woolley's concerns. Councilman George Hodgson seconded the motion. All in favor, motion carried. Town Attorney David Brennan stated that the Town Board has up to 62 days to take action.

2. Moratorium for Solar Arrays: Supervisor Peck stated that the Moratorium on certain Solar Energy Systems is set to expire on September 20, 2022. Supervisor Peck stated that Studio A is doing a review of the Town of Northumberland's Comprehensive Plan and is expected to have it complete this winter. Supervisor Peck stated that he would like to extend the Moratorium until March 20, 2023. Town Attorney David Brennan will prepare a proposed Local Law and prepare a Public Hearing notice. Councilman George Hodgson made a motion to hold a Public Hearing on proposed Local Law #3 of 2022 – A Local Law Extending the Moratorium on Certain Solar Energy Systems on Thursday, September 8, 2022 @ 8:00 AM. Councilman Paul Bolesh seconded the Motion. All in favor, motion carried.

3. Town of Northumberland's Policy Against Discrimination and Harassment: Clerk Murphy provided the Town Board Members with an updated New York State Sexual Harassment Policy. The Town of Northumberland must make employees aware that New York Employees may now call 1-800-427-2773 to obtain free legal counseling for any complaint of sexual harassment in the workplace. Councilman John DeLisle made a motion to adopt the amended Policy Against Discrimination and Harassment which reflect the mandated changes. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

4. 250th Anniversary of the Revolutionary War: Supervisor Peck stated that he has been approached by Bill Gifford regarding a 250th Celebration for the Town of Northumberland. Mr. Gifford stated that he would be happy to sit on a committee to plan an event. Supervisor Peck asked Councilman Bolesh if he would also sit on the Committee with Mr. Gifford to come up with some ideas. The Anniversary will be commemorated through the fall of 2027. Clerk Murphy suggested that Town Historian Georgia Ball be asked to also sit on the Committee.

OLD BUSINESS

1. Pole Barn: Supervisor Peck asked Highway Supt Coffinger if he has received anything from Charlie Baker, Town Engineer, regarding plans for a pole barn at the Highway Department site. Highway Supt Coffinger stated that he hasn't heard anything. Highway Supt Coffinger stated he will reach out.

2. Transfer: Councilman George Hodgson stated that they met with Charlie Baker, Town Engineer on July 20th at the Transfer Station to look at redesigning where the dumpsters are and drainage. Mr. Baker suggested a drone flyover which would provide all elevation information as a good first step. Mr. Baker stated the drone survey of the facility will be \$2,800 - \$3,300. Councilman Hodgson stated that after talking with the Town Board he gave permission to Mr. Baker to do the drone survey.

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3. Highway Supt Coffinger thanked the Town Board for purchasing the used Plow Truck.

DESIGNATIONS

1. Approval of Vouchers: Councilman Paul Bolesh introduced Resolution # 55 of 2022

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

A (General Fund) Vouchers # 194 - # 222 Total: \$ 28,019.62

DA (Highway Fund) Vouchers # 211 - # 240 Total: \$ 69,549.55

SS (Sewer Fund) Voucher # 20 Total: \$ 26.94

Councilman John Delisle seconded the introduction of Resolution #55 of 2022

Supervisor Willard Peck – “Aye’

Councilman Paul Bolesh – “Aye”

Councilman John DeLise – “Aye”

Councilman George Hodgson – “Aye”

Councilman Hodgson made a motion @ 9:21 AM to go into Executive Session to discuss employee and possible Litigation. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

Councilman Paul Bolesh made a motion @ 9:49 AM to reconvene the Regular Monthly Meeting. Councilman John DeLise seconded the motion. Supervisor Willard reported that no action was taken.

Councilman Paul Bolesh made a motion to adjourn the Regular Monthly Meeting. Councilman George Hodgson seconded the motion. All in favor, motion carried.

Respectfully submitted,

Denise Murphy
Town Clerk

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