

**Town of Northumberland
Town Board Meeting
March 14, 2024**

The Regular Monthly Meeting of the Northumberland Town Board was called to order @ 8:10 AM by Supervisor Willard Peck. Following the salute to the flag, roll call was taken. Those attending were Supervisor Willard Peck; Councilman John DeLisle; Councilman George Hodgson and Councilwoman Patricia Bryant. Councilman Paul Bolesh was absent. Also attending was Clerk Denise Murphy and Building and Zoning Administrator Michael Terry.

PUBLIC PARTICIPATION

There were no comments from the public.

APPROVAL OF MINUTES

1. Councilman George Hodgson made a motion to approve the minutes of the February 8, 2024 Regular Monthly Meeting. Councilman John DeLisle seconded the motion. All in favor, motion carried.

CORRESPONDENCE

1. Dog Control Report for February 2024: Ed Cross answered five (5) Complaints; issued four (4) Warnings and had one (1) Bite Case.

2. Received a copy of a Request from South Glens Falls School District to Saratoga County Board of Elections regarding Optical Scan Voting Machine for the May 21, 2024 School Vote.

3. The Town Board received a letter from Julie White, Hudson Crossing Park, requesting a donation for the purchase of Native Plants at Hudson Crossing Park. Town Clerk Murphy stated that historically the Town Board has donated for the purchase of plants at Hudson Crossing Park. Councilman Hodgson made a motion authorizing a onetime donation up to \$500. Councilman John DeLisle seconded the motion. All in favor, motion carried.

4. The Village of Hudson Falls provided a copy of their Resolution on their position on Saratoga BioChar.

**RESOLUTION OF VILLAGE OF HUDSON FALLS
POSITION ON SARATOGA BIOCHAR**

WHEREAS, the Village of Hudson Falls has the obligation to protect the residents of the village from potential environmental harm.

WHEREAS, Saratoga Biochar is proposing to build a sewage sludge derived biochar plant in the Moreau Industrial Park, directly west of the Village of Hudson Falls.

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WHEREAS, there is no scientific research or long-term studies available that can be presented to the board for review to ensure there will be no hazardous concerns or health risks that will be emitted from the proposed plant that may cause harm to the residents of Hudson Falls.

NOW THEREFORE BE IT RESOLVED, that based upon inadequate scientific facts and insufficient long-term studies of environmental and potential human health risks, the Village of Hudson Falls is opposed to supporting Saratoga Biochar.

FURTHER RESOLVED, that this opposing position will remain in effect until scientific facts are presented and studies are performed on a scale comparable to that of which can be demonstrated as interchangeably or one in the same, with the proposed scale or size of Saratoga Biochar.

I HEREBY CERTIFY that this is a true decision as result of the discussion of the Village Board of Trustees of Hudson Falls, NY, held at a Village Board Meeting on the 12th day of February 2024.

5. The Town Board received a “Notice of Petition to Amend Certificate of Environmental Compatibility and Public Need for Champlain Hudson Power Express Project”.

6. The Town Board received a request from Tabitha Slater to place a shed and refrigerator to be placed out near the “Blessing Box” out in front of the Town Hall. Supervisor Peck asked the Building/Zoning Administrator to inform the Board Members on his opinion of the request. Michael Terry stated that he had concerns with the project. Mr. Terry stated there are only 240 Volts out front so the refrigerator would have to be specially ordered. Mr. Terry also expressed concern with the refrigerator working properly in a shed with no heat and there is also the issue of who will be checking for spoilage. Another concern is with Liability in case someone eats spoiled food and gets sick. The Town Board stated that they do not feel they can support her request but thanked her for caring about our community.

7. County Trail Grant/Hudson Crossing Sensory Trail: Kate Morse, Executive Director of Hudson Crossing Park sent to the Town Board a copy of the Hudson Crossing Park Trails Enhancement Project Report. Ms. Morse stated that with volunteer help the project totaled out to be about \$78,000 and it was covered by the Hudson Valley Greenway Grant, Saratoga County, and donations from the public. Hudson Crossing will be holding a ribbon cutting ceremony in the springs.

NEW BUSINESS

1. Unleaded Gasoline: The Town Board did not receive a bid for Unleaded Gasoline last month, so it was reposted. The following was received from Ray Energy Corp. for unleaded gasoline with a firm differential of .17. Councilman John DeLisle introduced Resolution #38 of 2024 -

WHEREAS, On February 9, 2024, Ray Energy Corp submitted a signed bid (dated February 9, 2024) to the Town of Northumberland for Unleaded Gasoline for fiscal year 2024 with a firm differential of \$.17 per gallon, be it

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RESOLVED, The Town of Northumberland Town Board accepts Ray Energy Corp’s bid of a firm differential of \$.17 per gallon for Unleaded Gasoline and authorizes the Town Supervisor to execute this contract. And be it further

RESOLVED, pursuant to the Town Board’s approval of the submitted bid by Ray Energy Corp, the contract binding Ray Energy to provide Unleaded Gasoline with a firm differential of \$.17 over Albany Reseller Tank Car Average.

Councilman George Hodgson seconded the introduction of Resolution #38 of 2024.

2. Agreement to spend Highway Moneys: Highway Supt David Coffinger submitted the following roads to be paved in 2024. Highway Supt Coffinger is recommending Grange Hall – level and shim Topcoat; Stonebridge Rd – shim wheel ruts; Thomas Rd – Overlay/Topcoat; Jewell Road (from Route 32 to bridge) shim/Topcoat; Louden Road -shim/Topcoat and work on each road will be done utilizing paver, roller, and blacktop.

Councilman George Hodgson introduced Resolution #39 of 2024:

BE IT RESOLVED that the Town Supt of Highways for the Town of Northumberland, Saratoga County, New York, and the Northumberland Town Board.

Pursuant to the provision of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repairs and improvement of highways and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows;

1. **GENERAL REPAIRS:** The sum of \$490,000.00 shall be set aside to be expended for primary work and general repair upon 60.38 miles of town highways, including sluices and culverts.

2. **PERMANENT IMPROVEMENT:** The following Town Highways and repairs on various roads as needed:

Grange Hall – level and shim Topcoat; Stonebridge Rd – shim wheel ruts; Thomas Rd – Overlay/Topcoat; Jewell Road (from Route 32 to bridge) shim/Topcoat; Louden Road -shim/Topcoat and work on each road will be done utilizing paver, roller, and blacktop.

Councilman John DeLisle seconded the introduction of Resolution #39 of 2024 –

Supervisor Willard Peck – “Aye”
Councilman John DeLisle – “Aye”
Councilman George Hodgson – “Aye”
Councilwoman Patricia Bryant – “Aye”

Resolution #39 of 2024 Adopted

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3. Transportation Agreement: Councilwoman Patricia Bryant introduced Resolution #40 of 2024

WHEREAS, the Saratoga County Office for the Aging shall provide, through subcontract with AA & H Taxi Services Inc., transportation program for the transportation of senior citizens in the Town of Northumberland from January 1, 2024 to December 31, 2024. The program will provide transportation for medical and legal appointments, services and programs provided through the Senior Center, Nutrition Programs, when they exist and to other necessary services and events subject to the rules and regulations under Title III of the Older Americans Act of 1965, as amended.

THEREFORE, BE RESOLVED, for such services, the Town of Northumberland will pay the Saratoga County Office for the Aging, the sum of One Thousand Twenty-Two Dollars (\$1,022.00), be it further

RESOLVED, the payments will be made quarterly as follows:

January 1, 2024	\$ 255.50
April 1, 2024	\$ 255.50
July 1, 2004	\$ 255.50
December 1, 2024	\$ 255.50

Councilwoman Patricia Bryant seconded the introduction of Resolution #40 of 2024.

Supervisor Willard Peck – “Aye”

Councilman John DeLisle – “Aye”

Councilman George Hodgson – “Aye”

Councilwoman Patricia Bryant – “Aye”

Resolution #40 of 2024 Adopted

4. Nutrition Agreement: Councilwoman Patricia Bryant introduced Resolution #41 of 2024

WHEREAS, the Saratoga County Office for the Aging shall provide, through subcontract with Mazzone Hospitality, LLC a Dining Program and/or Home Delivery of Meals for the senior citizens in the Town of Northumberland from January 1, 2024 to December 31, 2024. The dining and/or home delivery program will provide meals and supportive services subject to the rules and regulations under Tittle III of the Older Americans Act of 1965, as amended.

THEREFORE, BE RESOLVED, for such services, the Town of Northumberland will pay the Saratoga County Office for the Aging, the sum of One Thousand Twenty-Two Dollars (\$1,022.00) be it further

RESOLVED, the payments will be made quarterly as follows:

January 1, 2024	\$ 255.50
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July 1, 2004	\$ 255.50

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December 1, 2024 \$ 255.50

Councilman George Hodgson seconded the introduction of Resolution #41 of 2024.

Supervisor Willard Peck – “Aye”

Councilman John DeLisle – “Aye”

Councilman George Hodgson – “Aye”

Councilwoman Patricia Bryant – “Aye”

Resolution #41 of 2024 Adopted

5. Saratoga PLAN’s application for Saratoga County Farmland Protection and Open Space Grant: The Town received an email from Tori Roberts, Conservation Project Manager, Saratoga PLAN. The Butler Family is seeking Town Board endorsement to apply for the Saratoga County Farmland Protection and Open Space Grant. The Butler’s own four parcels, three of which are on Route 32 and one on Stonebridge Road. They currently lease the parcel on Stonebridge Road to Barbers. The family is looking to complete a Conservation Easement only on the property located on Stonebridge Road (tax map # 117.-1-24).

Councilman John DeLisle introduced Resolution #42 of 2024 –

PROVIDING ENDORSEMENT OF SARATOGA PLAN APPLICATION FOR SARATOGA COUNTY FARMLAND PROTECTION AND OPEN SPACE GRANT

WHEREAS, Donald G. Butler and Sylvia Gwenne Rippon, Trustees of The Donald G. Butler and Sylvia Gwenne Rippon Living Trust dated October 20, 2015, the owners (the “Owners”) of certain real property consisting of 75± acres of viable agricultural land tax parcel in Saratoga County, also known as Butler Farm (the “Property”), desire to protect the Property for agricultural purposes by conveying a permanent conservation easement on the land;

WHEREAS, the Property is in active agricultural production as Butler Farm and features productive agricultural soils, including 77% Prime if Drained Soils, as defined by the U.S. Department of Agriculture Natural Resources Conservation Service;

WHEREAS, the Property is located within Saratoga County’s Agricultural District 1, Created pursuant to Article 25-AA of the New York State Agriculture and Markets Law. Section 300 states: “It is hereby found and declared that many of the agricultural lands in New York State are in jeopardy of being lost for any agricultural purposes. When nonagricultural development extends into farm areas, competition for limited resources results... it is, therefore, the declared policy of the state to conserve, protect and encourage the development and improvement of its agricultural land for production of food and other agricultural products... It is the purpose of this article to provide a locally initiated mechanism for the production and enhancement of New York State’s agricultural lands as a viable segment of the local and state economies and as an economic and environmental resource of major importance.”,

WHEREAS, Saratoga County an *Agricultural and Farmland Protection Plan* in December 1997 that recommends supporting local farmland conservation projects by encouraging : “partnerships between

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landowners, local governments, private organizations, and county to leverage access to existing state and federal funds for purchase of development rights; and by encouraging “landowners to learn more about conservation options like conservation easements and promote public-private partnerships to expand these efforts”;

WHEREAS, Saratoga County adopted a *Green Infrastructure Plan* in November 2006 that’s vision is to “Maintain a productive core of working agricultural and forestry lands that provide substantial benefits to Saratoga County’s economy and communities.” This can be achieved through one of the goals for working lands, which states: Maintain large blocks or tracts of land adequate to support the viability of the agricultural and forestry industries in Saratoga County;

WHEREAS, the Town of Northumberland adopted a *Comprehensive Land Use Plan* in November 2003 that recommended preserving the rural character of the town and encouraging agricultural uses in the Town by supporting programs for purchase of development rights for farmland;

WHEREAS, Saratoga PLAN is a New York not-for-profit corporation within the meaning of Article 49, Title 3 or the Environmental Conservation Law of the State of New York, is organized for, among other purposes, conserving real property, is a tax exempt and qualified organization within the meaning of Sections 501(c)(3), 509(a) and 170(b)(1)(A)(vi) of the Internal Revenue Code, and is a “qualified organization” to accept, purchase, and hold conservation easements under Section 170(h) of the Code of Treasury Regulation Section 1.170A-14(c);

WHEREAS, Saratoga PLAN determined that accepting an Easement on the Property will enhance the long-term agricultural values of the Property and promote the use of soil conservation practices, which will further Saratoga PLAN’s charitable purposes of protecting the distinctive rural character of Saratoga County and its lands and waters of a significant historic and ecological value; and

WHEREAS, the Owners and Saratoga PLAN agree that the purpose of the agricultural conservation easement will conserve viable agricultural land by preventing the conversion of the Property to non-farm uses. In achieving such prevention, the Property shall be forever reserved for continued agricultural use;

NOW THEREFORE, BE IT RESOLVED that the Town of Northumberland Town Board endorses the submission of an application from Saratoga PLAN to the Saratoga County Farmland protection and Open Space Grants Program for funding from Saratoga County and make same funding available for Saratoga PLAN; and for Saratoga PLAN to hold and uphold a perpetual conservation easement on the land.

Councilman George Hodgson seconded the introduction of Resolution #42 of 2024.

Supervisor Willard Peck – “Aye”

Councilman John DeLisle – “Aye”

Councilman George Hodgson – “Aye”

Councilwoman Patricia Bryant – “Aye”

Resolution #42 of 2024 Adopted

6. Verizon Wireless: Verizon Wireless is requesting a Zoom Call with the Town Supervisor and Building/Zoning Inspector regarding the possible placement of a Cell Tower on Barber’s property.

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OLD BUSINESS

1. 2023 (Draft) Northumberland Comprehensive Plan: It was the consensus of the Town Board Members to meet on March 28th @ 3:00 PM to do a total review of the Draft Comprehensive Plan.
2. Stonebridge Farm PUD: Representatives and/or Owner will be attending April's Town Board Meeting to discuss proposed changes to their PUD.
3. Waste Management: Representatives of Waste Management Green Ridge will be at April's Town Board Meeting to discuss their proposed Phase 6 Project.

APPOINTMENT

1. Planning Board: Susan Martindale's term on the Planning Board expires on 09/30/2024. Mrs. Martindale wishes to be reappointed. Councilman John DeLisle made a motion to reappoint Susan Martindale to the Planning Board (term will expire 09/30/2031). Councilman George Hodgson seconded the motion. All in favor, motion carried.

DESIGNATIONS

1. Approval of Vouchers: Councilman John DeLisle introduced Resolution # 43 of 2024

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

A (General Fund) Vouchers # 56 - # 88 Total: \$ 47,912.43
DA (Highway Fund) Vouchers # 58 - # 94 Total: \$ 48,605.60
SS (Sewer Fund) Voucher #2 Total \$ 56.43

Councilwoman Patricia Bryant seconded the introduction of Resolution # 43 of 2024.

Supervisor Willard Peck – “Aye”
Councilman John DeLisle – “Aye”
Councilman George Hodgson – “Aye”
Councilwoman Patricia Bryant – “Aye” Resolution # 43 of 2024 Adopted

ADJOURNMENT

Councilman John DeLisle made a motion @ 9:50 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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