

**TOWN OF NORTHAMPTON
REGULAR MEETING
July 21, 2021**

A Public Hearing and the Regular meeting of the Town of Northampton was held on Wednesday, July 21, 2021. Supervisor Groff called the meeting to order at 7:00 p.m. in the Municipal Building at 412 South Main St., Northville, NY. Supervisor Groff led the salute to the flag.

PRESENT: Supervisor: James Groff
Councilmen: Darryl Roosa, William Gritsavage, Art Simmons
Councilwoman: Molly Zullo

RECORDING SECRETARY: Elaine Mihalik-Town Clerk

Other Town department representatives in attendance were:

Ken Cramer-Sacandaga Park Water/Sewer Maintenance Operator/Highway Superintendent
Bookkeeper- Nathaniel Matthews and Attorney-Michael Albanese

ALSO PRESENT: Michael Warner, Geoff Wyatt, Linda Soviarvong, and James Collamer

MOTION: Councilman Art Simmons motioned to approve the June 16, 2021 meeting minutes as presented by the Town Clerk. Seconded by Councilman Darryl Roosa and Adopted by
A vote of 5-Ayes: James Groff, William Gritsavage, Art Simmons, Darryl Roosa and Molly Zullo
Nays-0
Abstain-0
Motion Carried

MOTION ON WARRANTS

Councilman William Gritsavage approved paying the warrants, Seconded by Councilwoman Molly Zullo and passed by,
A Vote of 5-Ayes: James Groff, Darryl Roosa, William Gritsavage, Art Simmons and Molly Zullo
Nays-0
Abstain-0
Motion Carried

<u>2021 Warrants</u>	
General Fund "A"	\$ 27,425.29
General Fund "B"	4,782.04
Highway	19,618.58
Sacandaga Lighting District	1,111.00
Sacandaga Sewer District	3,072.77
Sacandaga Water District	<u>2,783.54</u>
Total Warrants	\$ 58,793.22

Supervisor Groff opened the meeting for Public Comment for the Public Hearing regarding Local Law 02 of the Year 2021 "Opting out of Licensing and Establishing Retail Cannabis Dispensaries and/or On-Site Cannabis Consumption Establishments within the Town of Northampton" and any other Public Comment at 7:03 p.m.

Geoff Wyatt stated that he owns property on Seven Hills Road. He mentioned that he would like have a campground and park placed on that property which is across from Lakeview Drive. It is a wooded area at the end of Seven Hills Road. He would like to know how he can apply for that and move forward. He feels that it would be good for the Town. There would be more people coming into the area and using the restaurants and for more real estate taxes from the property. I'm here to introduce the idea and see if the Town Board had any thoughts about it. At this point it is just an idea, explained Mr. Wyatt.

Supervisor Groff asked Mr. Wyatt if he had any plans put together for this proposal.

The response from Mr. Watt was that he did not have anything put together at this time as to how he would lay it out. I'm (Wyatt) looking at putting that together and possible have something for late winter or early spring. At one point I am looking at is I know that it is good to go and to have the engineering and all of that stuff when it is done and put together. It would be for camping and I would really like to make it a nice park area stated Mr. Wyatt. Right now, there is a metal structure there. It would be placed off the road a bit so that is something that the residents would not have to look at all the time. There is plenty of space to go way back in on the property. The thing that I do know is that I would like to put a different entrance into the property away from Lakewood Drive. I would like to have the entrance come back in and set back away from the road a little bit out of the way.

Councilman Gritsavage asked what the property is listed as?

It is residential stated Mr. Wyatt.

Supervisor Groff mentioned he should first go to the Town Planning with his proposal and he may have to go to the Town Zoning Board of Appeals. Supervisor Groff stated that he will mention to the Town Planning Board that you would like to discuss this with them at their next meeting.

James Collamer asked about the information on getting a permit on a permissive referendum on the Local Law 02 of the Year 2021 "Opting out of Licensing and Establishing Retail Cannabis Dispensaries and/or On-Site Cannabis Consumption Establishments within the Town of Northampton".

Supervisor Groff stated that the resident puts together the Petition with what the topic on the resolution and what the petition is for. Then you will have to go door to door to get the signatures. Attorney Albanese noted that the signatures needed are "of up to or equal to 5% of the total vote that was cast in said Town in the last General Election for Governor".

It was explained that the Village has opted in to the Establishing Retail Cannabis Dispensaries and/or On-Site Cannabis Consumption Establishments within the Village of Northville.

Is there anyone else that would like to speak on this Public Hearing asked Supervisor Groff. Hearing none at this time he announced he would continue with the regular Town Board meeting.

COMMUNICATIONS

- Monthly Transfers for Abstract of Audited vouchers
- Monthly Report of Revenues & Expenditures
- Charter Communications - Upcoming changes
- Newslines June and July issues
- Fulton Co. Board of Supervisors Resolution #167 – Resolution Authorizing 2021 Community Development Block Grant Application to the NYS Office of Community Renewal to Operate a Fulton County Small Business Assistance Grant Programs and Setting Date of a Public Hearing Regarding Said Application (U.S. CARES ACT)
- County Clerk of the Fulton County Board – RE: Job Opening for a Legislative Aide

Code Enforcement: A total of \$1,220.00 was collected in fees and a total of (18) permits were issued in June 2021; 3- Renewal permits; 2-Septic permits; 4-Well permits; 3-Deck permits; 1-Storage Building permit; 1-Roof permit; 1-Fence permit; 2-Garage permits; and 2-Single-Family Residence

MOTION: Councilman William Gritsavage approved the June 2021 Code Enforcement Report as presented. Seconded by Councilman Art Simmons and passed by,

A Vote of 5-Ayes: James Groff, Darryl Roosa, William Gritsavage, Art Simmons and Molly Zullo
Nays-0
Abstain-0
Motion Carried

Highway: June 2021 Report

Roads:

- Completed paving 1.7 miles on the south end of Bunker Hill Road
- Preparing Gifford Valley Road north for pavement resurfacing
- Roadside ditching
- 5 culverts replaced
- Shoulder/brush cutting
- 1st roadside mowing completed
- Repairing roadside washouts from daily rain storms

Repairs/Maintenance

-Replaced broken parking brake cable on cat loader
-Had Milton Cat replace pins and bushings on front end loader bucket 3-days total
-Weld repairs to cat loader bucket
-4 new tires – truck #2
- Spoke with Andy Bell and he has completed the application and has submitted it for NY Bridge for Spillway repairs/replacement on S. Main St. He believes the award will be made in the fall 2021 whether we make it or not with the first round.

New Business:

Began 3-month rental agreement for Bobcat mini-excavator
Stone shortage at Adirondack Natural resources (Pit)
Supervisor Groff inquired about hiring road crew. Mr. Cramer stated that he is going to have to advertise for that position again. None of his contacts panned out.

Justice:

MOTION: Councilman William Gritsavage motioned to accept the Justices' Report, there were a total of 16 cases handled and \$2,223.00 was collected in fines for the month, seconded by Councilwoman Molly Zullo and passed by,

A Vote of 5-Ayes: James Groff, William Gritsavage, Art Simmons, Darryl Roosa and Molly Zullo
Nays – 0
Abstain – 0
Motion Carried

Zoning: The Zoning Board meeting scheduled for June 23, 2021 was cancelled due to no new business.

The upcoming Zoning Board meeting scheduled for July 28, 2021 has been cancelled due to no new business coming before the board.

Planning Board: The Town of Northampton Planning Board cancelled the July 2021 meeting due to no new business coming before the board. The next scheduled meeting is for Wednesday, August 4, 2021. Supervisor Groff will speak with Chair Bob Smith to inform him of Mr. Geoff Wyatt's intention of coming to the August 4, 2021 Planning Board meeting to discuss with the Planning Board of his proposal and what is the process that Mr. Wayatt needs to proceed with.

Proposed Town of Northampton Comprehensive Plan

The Town Board will be holding a Special meeting on Wednesday, July 28, 2021 at 6:30 p.m. to review the proposed Town of Northampton Comprehensive Plan presented by the Town of Northampton Planning Board.

Youth/Rec.: Councilman William Gritsavage mentioned that they are running the movies on "Movie Night in the Park".

Historic: The Historian has provided the Northville Northampton Historical News Letter entitled "Emma Dunlop Shop".

Ambulance: No report

Hardfill: The month of June 2021 a total of \$54.00 was collected in Tire fees.

HAULING FEES: The month of June 2021 fees were as follows:

County Transfer Haul	52.70 Ton @ \$53	\$2,793.10
Municipal Direct Haul	87.44 Ton @ \$33	\$2,885.53
Curbside Recycling	10.86 Ton @ \$30	\$ 325.80
Transfer Station Recycling	5.34 Ton @ \$20	\$ 106.80
Metal Hauling Fee	4.34 Ton @ \$20	\$ 86.80
Electronics-Transfer Station	2.15 Ton @ \$00	<u>\$ 00.00</u>
Total		\$6,198.02

SACANDAGA PARK WATER & SEWER:

June 2021

Water:

-June 2020 usage – 1,875,000 gallons pumped

-June 2021 usage –1,309,000 gallons pumped

Meters

-Reading meters and billing according to usage.

-Replacing meters with reading errors and correcting backward running meters as necessary.

Repairs/Maintenance

-No problems to report.

Wastewater

-June 2020 daily average flow – 10,700 gallons

-June 2021 daily average flow – 25,685 gallons

Repairs/Maintenance:

-Still waiting for computer for wastewater treatment plant to enable me to connect to flow meter.

TOWN CLERK:

MOTION: Councilman Darryl Roosa motioned to approve the Town Clerk’s June 2021 monthly report as presented by the Town Clerk. Seconded by Councilwoman Molly Zullo and passed by,

A Vote of 5-Ayes: James Groff, William Gritsavage, Darryl Roosa, Art Simmons and Molly Zullo
Nays-0

Abstain-0

Motion Carried

07/01/2021

Page

1

**Town Clerk Monthly Report
June 01, 2021 - June 30, 2021
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Account#	Account Description	Fee Description	Qty
Local Share			
A1255	Conservation	Conservation	44
50.24			
	Marriage Certificate	Marriage Certificate	1
	10.00		
	Town Clerk Fees	Marriage License	3
	37.50		
			Sub-Total:
			\$97.74
A2130	Hardfill Site	Hardfill Site	2
60.00			
	Transfer Station	Transfer Station	112
	1,110.00		
			Sub-Total:
			\$1,170.00
A2544	Dog Licensing	Exempt Dogs	1
0.00			
		Female, Spayed	50
		350.00	
		Female, Unspayed	5
		65.00	
		Male, Neutered	52
		364.00	
		Male, Unneutered	7
		91.00	
			Sub-Total:
			\$870.00
A2770	Minor Sales	Fax	23
23.00			

	Photo Copy 4.50	Photo Copy	18	
				Sub-Total: \$27.50
B2555 1,220.00	Building Permits	Building Permits	18	
				Sub-Total: \$1,220.00
				Total Local Shares Remitted: \$3,385.24
Amount paid to:	New York State DOH for Marriage Licenses		67.50	
Amount paid to:	NYS Ag. & Markets for spay/neuter program		138.00	
Amount paid to:	NYS Environmental Conservation		859.76	
Total State, County & Local Revenues:	\$4,450.50	Total Non-Local Revenues:		
\$1,065.26				

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Elaine Mihalik, Town Clerk, Town of Northampton during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.

Supervisor	Date	Town Clerk	Date
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SUPERVISOR: The Town has received from the NYS Department of Taxation and Finance the Certificate of Final Special Franchise Full Value for the 2021 Town Assessment Roll.

OLD BUSINESS: Discussion regarding the proposed Cable Television Agreement between Spectrum Northeast LLC, Franchise renewal. Attorney Albanese mentioned that the board needs to review the material provided and discuss it at the next Town Board meeting.

Councilman William Gritsavage mentioned that his concern was that we (Town Board) had asked for 5 years and they are proposed 15 years. I do not see why we can't. Also, any adjoining jurisdictions, they get a better deal than we can get. I do not know what their particular feeling is about this stated Attorney Albanese but that seems to be the communications that went back and forth.

Councilman Art Simmons stated that 15 years is too long. The other thing that I did not see in the agreement and maybe I missed it I think it should be included in the agreement that they are going to provide us at no charge cable service to the Fire Department, the Ambulance, and the Town.

It was stated that it is thought that that was part of the Franchise Law and that free service has to be provided to the Municipality and the School.

The Attorney wasn't sure if the contact says that or not.

It was suggested to possibly offer 10 years instead of 5 years mentioned Supervisor Groff.

Councilwoman Zullo mentioned that she did not understand what this was for. The response from Councilman Gritsavage was for the Cable Television Agreement between Spectrum Northeast LLC, Franchise renewal contract. This is so they can use our telephone poles. The old contract was dated April 1, 2015 responded Councilman Simmons. Councilman Gritsavage suggested making this contract

retroactive from 2015 if signing for the 15 years which it would then make it 10 years. Attorney Albanese will check into this request with Spectrum. Attorney Albanese stated that he will compose a letter and have the Board review and comment on whether it covers everything the Board is requesting before sending it out.

Ambulance Contract

Attorney Albanese mentioned that he will contact the Association of Towns to see if they have sample contracts for an Ambulance Service. The letter from the Town of Benson should be also sent to the Town Municipality Insurance Agency for their review and comment.

Councilman Gritsavage mentioned that he does believe that the Town of Benson understands that there are two types of Ambulance Service. There is a total volunteer Ambulance Corp, like we have and then there is a paid Ambulance Corp. Approximately (10) years ago the Town did a study as to why are we not doing a paid Ambulance Corp. We decided at the time that we should bill because they are doing fine at that time. I have changed my mind and feel we should go full bill and collect what we can collect and I realize it will not cover the cost but we are not covering the cost anyway. The Town of Hope has agreed to the contract and the Town of Benson was not a part of our Ambulance Service because they did not like our deal. At the time they had Fulton County Ambulance that could come up. To transport someone to the hospital the cost is \$400.00 and a non-transport medical issue is \$200.00. That is a lot different than billing Medicare or Blue Shield. We are kind of in a crisis's right now where we are having trouble getting the volunteers than we did 10 years ago.

The Town of Benson Board may have to meet with the Town of Northampton Board and discuss how you are going to handle it. This board should get all your revenues and expenses together. Or possibly write a letter to The Town of Benson Board and say "this is in response to your letter and here is our position. I don't think the Town of Benson realizes how many paid and billing Ambulance Services have gone out of business this year explained Supervisor Groff. It's a statewide problem.

Local Law 02 of the Year 2021 Entitled "Opting Out of Licensing and Establishing Retail Cannabis Dispensaries and/or On-Site Cannabis Consumption Establishment Within the Town of Northampton". A motion was made as follows.

MOTION: Councilman William Gritsavage motioned, that upon hearing no further comments from the public, to close the Public Hearing on Local Law 02 of the Year 2021 Entitled "Opting Out of Licensing and Establishing Retail Cannabis Dispensaries and/or On-Site Cannabis Consumption Establishment Within the Town of Northampton" at 7:45 p.m. Seconded by Councilman Darryl Roosa and passed by, A Vote of 5-Ayes: James Groff, William Gritsavage, Darryl Roosa, Art Simmons and Molly Zullo

Nays-0

Abstain-0

Motion Carried

Resolution #2021-12: Resolution Authorizing Adoption by Northampton Town Board of Local Law No. 02 of 2021 Entitled: "Opting Out of Licensing and Establishing Retail Cannabis Dispensaries and/or On-Site Cannabis Consumption Establishment Within the Town of Northampton".

Councilman William Gritsavage offered the following Resolution and voted its adoption:

WHEREAS, pursuant to Chapter 7A of the New York State Laws entitled “Cannabis Law,” requiring towns in New York State to opt out of allowing retail dispensaries for the sale of marijuana or on-site consumption of marijuana; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Northampton; and

WHEREAS, said public hearing was duly held on July 21, 2021 at 7:15 p.m. at Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition of said Proposed Local Law, or any part thereof; and

WHEREAS, the Town Board of the Town of Northampton, after due deliberation, finds it in the best interest of the Town to adopt Local Law No. 02 of 2021 prohibiting retail dispensaries for the sale of marijuana within the Town of Northampton,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Northampton hereby adopts said Local Law No. 02 of 2021 entitled “Opting Out of the Licensing and Establishing Retail Cannabis Dispensaries and/or On-Site Cannabis Consumption Establishment with the Town of Northampton,” a copy of which is attached hereto and made a part of this resolution, be it further

RESOLVED, that upon the expiration of forty-five days and if no valid petition is filed requiring a mandatory referendum upon a proposition, the Town Clerk is hereby directed thereafter to file a certified copy of Local Law No. 02 of the Year 2021 with the Secretary of the State of New York in accordance with Municipal Home Rule Law §24.

Seconded by Councilman Art Simmons and adopted by the following Roll Call vote:

James Groff	Aye	William Gritsavage	Aye
Art Simmons	Aye	Molly Zullo	Aye
Darryl Roosa	Aye		

The next Town Board meeting will be held on Wednesday, August 18, 2021 at 7 p.m.

Adjourn: Councilman William Gritsavage motioned to adjourn the meeting at 7:48 p.m. Seconded by Councilwoman Molly Zullo.

A Vote of 5-Ayes: James Groff, William Gritsavage, Darryl Roosa, Art Simmons and Molly Zullo
Nays-0
Abstain-0

Respectfully submitted,

Elaine Mihalik
Town Clerk