

APRIL 12, 2007

The Town Board of the Town of Corinth held a regular meeting on April 12, 2007 at 7:00 PM at the Town Hall.

Present: Richard Lucia, Supervisor
Charles Brown, Councilman
John Major, Councilman
Edward Byrnes, Councilman
Mitchell Saunders, Councilman
Shawn Eggleston, Deputy Highway Superintendent
Robert Hafner, Attorney
Rose E. Farr, Town Clerk

Public: Joyce LaComb, Russ and Yvonne Melville, Francine Forte, Ted and Diana Jordan, Barbara and Charles Weatherwax, Ginny Ogden, Joyce Day, Jim Murray, Sr., Eric Butler, John D'Alessandro, Mary Williams, Mary Murphy, Leif Sandwick, Todd W. Morrow, Tim Hanchett, Scott Eagle, Jeff Fedor, and Attorney Michael O'Connor.

After Roll Call, Pledge of Allegiance and prayer the following business was conducted:

RESOLUTION #140

APPROVAL OF MINUTES

A motion was made by Councilman Major, seconded by Councilman Brown, and the following resolution was

ADOPTED Ayes 5 Lucia, Brown, Major, Byrnes, and Saunders
Nays 0

Resolved that the minutes for March 1st, 8th, 15th, and 22nd, 2007 be approved

RESOLUTION #141
APPROVAL OF ABSTRACTS

A motion was made by Councilman Saunders, seconded by Councilman Brown, and the following resolution was

ADOPTED Ayes 5 Lucia, Brown, Major, Byrnes and Saunders
Nays 0

Resolved that the abstracts of March 1st and 22nd, 2007 be approved as follows:

March 1, 2007

A - \$ 22,834.65
B - \$ 8,325.02
CD - \$ 11,478.00

DB - \$ 6,429.29
TA - \$ 16,793.93

March 22, 2007

A - \$201,450.21
B - \$ 11,233.13
CD - \$ 5,992.00
DA - \$ 1,785.14
DB - \$ 75,203.56
H1 (Landfill Upgrades) - \$8,208.00
SW - \$ 4,214.25
TA - \$ 8,973.67

**LOCAL LAW AMENDING THE TOWN CODE RELATING TO
DISPOSAL OF WASTE AND PROVIDING REFERRAL TO THE COUNTY
PLANNING BOARD**

Attorney Hafner explained that the proposed local law had been sent to the Planning Board for their recommendations and the Town Board had received their recommendations that included the following:

1. Section 71-4: recommend defining “natural organic materials”
Attorney Hafner said that his firm had made this recommended change.
2. Section 87-1: recommended that trailers of every kind, whether powered or not, be included in the junkyard law.

A motion was made by Councilman Major, seconded by Councilman Brown to open the matter up for discussion. Councilman Major spoke about the second recommendation. After a lengthy discussion which included Planning Board Member C. Eric Butler and Code Enforcement Officer Fred Mann it was decided

that the wording the Planning Board was asking for is located elsewhere in the Town of Corinth Code.

Councilman Major recommended to the Town Board that Article 71-5 be changed from Town Board to Zoning Board of Appeals and add the word Use before variance making it read as follows: “A person may apply to the Zoning Board of Appeals for a Use Variance to the provision of this Chapter,

Attorney Hafner stated state the change was up to the Town Board. He said that this had been discussed at length at the various meetings over the past year and it was the Town Board’s decision to specifically have it go to the Town Board and not a use variance but it is the Town Board’s call. He said the attorneys only do what the Town Board tells them to do.

Councilman Saunders asked why this should be changed now. Councilman Major said that the Zoning Board of Appeals if the entity that hears the variances and that is their job. Councilman Saunders said that for the last year the board has been discussing this and why now should it be changed. Councilman Major said he felt it was a better situation. Attorney Hafner said a “Use Variance” has a certain standard that has to be followed that set in statute and what the board expressed to the attorneys was that the board wanted to be able to deal with circumstances that may arise based on what the board felt was appropriate. Attorney Hafner said it was totally up to the board to decided what they wanted to do. Councilman Major told the board members that he felt the Zoning Board of Appeals is more qualified, this is their backbone. Councilman Saunders said he would just like to say that the Board had talked about every word and every sentence in this law and to start changing it now is inappropriate.

Councilman Brown said he had no problem changing it.

Councilman Byrnes said that he thought that is what the Zoning Board of Appeals is for to handle zoning laws and variances. Attorney Hafner told Councilman Byrnes that this is not a zoning law.

Todd Morrow asked if there could be public comment on this. Attorney Hafner told Mr. Morrow not at this state. Mr. Morrow asked if there could be legal comment and Attorney Hafner said not that the Town Board had legal counsel.

RESOLUTION #142
CHANGING LOCAL LAW AMENDING THE CORINTH TOWN CODE
RELATING TO DISPOSAL OF WASTE

A motion was made by Councilman Major, seconded by Councilman Byrnes, and the following resolution was read and the following action was taken:

RESOLVED that Local Law Amending the Corinth Town Code Relating to Disposal of Waste (v) Section 71-5, entitled “Variance”, is amended to read as follows:

A person may apply to the **Zoning Board of Appeals** for a **use variance** to the provisions of this Chapter, except that no variance may be granted that would allow deposit or disposal of any waste material on property other than that where it is created, generated or produced. The applicant for such a variance shall pay any costs incurred by the Town in reviewing the application.

ROLL CALL:	Councilman Byrnes	-	yes
	Councilman Major	-	yes
	Supervisor Lucia	-	no
	Councilman Brown	-	yes
	Councilman Saunders	-	no

Carried: 3-2

RESOLUTION #143
SCHEDULING PUBLIC HEARING ON PROPOSED
LOCAL LAW AMENDING THE TOWN CODE RELATING TO
DISPOSAL OF WASTE AND PROVIDING FOR REFERRAL
TO THE COUNTY PLANNING BOARD

A motion was made by Councilman Major, seconded by Councilman Brown, and the following resolution regarding scheduling a public hearing on proposed local law amending the Town Code relating to disposal of waste and providing for referral to the County Planning Board was read and the following action taken:

WHEREAS, the Town has significant concerns regarding the potential impacts of all types of waste disposal facilities and has prepared a Local Law regulating such facilities consistent with the development objectives of the Town to mitigate their impacts to the maximum extent possible; and

WHEREAS, Municipal Home Rule Law §20 requires the Town Board to hold a public hearing prior to the adoption of the Local Law; and

WHEREAS, the Town Board wishes to provide for review of the proposed Local Law under the State Environmental Quality Review Act (“SEQRA”);

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board shall meet on May 10, 2007 at 7:10 PM at Corinth Town Hall, 600 Palmer Avenue, Corinth, New York to hold a public hearing to hear all people who are interested in proposed Local Law No. 2 of 2007 – A Local Law Amending the Corinth Town Code Relating to Disposal of Waste. The Town Clerk is hereby authorized and directed to publish a Notice of Public Hearing in the *Glens Falls Post Star* not less than ten (10) days before the date of the public hearing; and be it

FURTHER RESOLVED, that the Town Board hereby determines that adoption of the proposed Local Law is a Type I action under the State Environmental Quality Review Act (“SEQRA”) and that the Town Board is the only involved agency and, therefore, is the lead agency for SEQRA review of the Local Law, and the Town Supervisor or Town Counsel are hereby authorized and directed to prepare Part 1 of a long form Environmental Assessment Form (“EAF”) for use by the Town Board in determining the environmental significance of adoption of the Local Law; and be it

FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to forward a copy of the proposed Local Law to the Saratoga County Planning Board for its recommendation pursuant to General Municipal Law Section 239(m); and be it

FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to forward a copy of the proposed Local Law to all municipalities within 500' of the boundary of the Town; and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

ROLL CALL:	Councilman Byrnes	-	yes
	Councilman Major	-	yes
	Supervisor Lucia	-	yes
	Councilman Brown	-	yes
	Councilman Saunders	-	yes

Carried: 5-0

SUPERVISOR

Supervisor Lucia stated that the following papers are on file in his office:

2007 Association of Towns Legislative Program

RESOLUTION #144

APPOINTING ASSESSOR

A motion was made by Councilman Major, seconded by Councilman Brown, and the following resolution was read and the following action was taken after the following discussion:

Supervisor Lucia said he thought Mary Ellen Hill Pierce was doing a good job. He said he checked with the County and she is very highly recommended for what she does. Supervisor Lucia told the Town Board that as of right now her health insurance was a family plan but effective May of 2008 she would be changing to a single person coverage saving the Town about Four Thousand Dollars (\$4,000.00) a year.

RESOLVED that Mary Ellen Hill Pierce be appointed as Town of Corinth Sole Assessor from October 1, 2007 to September 30, 2012, and be it further

RESOLVED that Mary Ellen Hill Pierce conduct a Tri-annual revaluation beginning with 2008, and be it further

RESOLVED that Mary Ellen Pierce be paid the amount of Five Dollars (\$5.00) per parcel during the tri-annual re-valuation which is the amount that the Town of Corinth will be receiving from the State of New York.

ROLL CALL: Councilman Byrnes - yes
 Councilman Major - yes
 Supervisor Lucia - yes
 Councilman Brown - yes
 Councilman Saunders - yes

Carried: 5-0

Attorney Hafner asked Supervisor Lucia about salary. Supervisor Lucia told him that her salary is set at organizational time. Attorney Hafner said then her current salary will continue from October 1, 2007 until January 1, 2008. Supervisor Lucia said her salary change will be as all other Town of Corinth employees at the organizational meeting in January 2008.

SUPERVISOR

Supervisor Lucia stated that the following papers are on file in his office:
(continued)

- Ballston Spa Bi-Centennial – 8/18/07 parade
- Reminder of Corinth Fire Department Old Timer’s Night – 4/14/07
- List of Corinth Fire Department Officers
- Council of Arts Certificate – Town of Corinth Youth Commission
- Eagle Scout Proclamation

RESOLUTION #145

APPROVAL OF PAYMENT OF ONE-HALF OF COST OF LAPTOP FOR EMERGENCY MANAGEMENT

A motion was made by Councilman Major, seconded by Councilman Brown, and the following resolution was

ADOPTED Ayes 5 Lucia, Brown, Major, Byrnes and Saunders
 Nays 0

RESOLVED that the Town of Corinth will pay for one-half of the cost of a Laptop to be used by the Emergency Management Coordinator in the amount of Six

Hundred Fifty-Four and 50/100 Dollars (\$654.50) and the other one-half will be paid for by the Village of Corinth.

SUPERVISOR

Supervisor Lucia read the following letter from Joseph Mastrianni:

JOSEPH E. MASTRIANNI, INC.
CITY PLANNING AND DEVELOPMENT CONSULTANTS

242 UNION STREET, SCHENECTADY, NEW YORK 12305
518-372-4739

April 2, 2007

Richard Lucia, Supervisor
Town of Corinth
600 Palmer Avenue
Corinth, NY 12822

Dear Richard:

Over the past three to four years, a reorganization of staff responsibilities has taken place at Joseph E. Mastrianni, Inc. aimed at replacing me as president of the firm and placing increased responsibility on department heads in the areas they supervise.

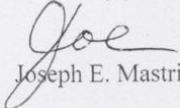
That reorganization is now complete.

As of this date, James E. Mastrianni has been named president of Joseph E. Mastrianni, Inc. Jim has twenty years of experience with the firm and a clear understanding of the assisted housing industry. He started writing software for us when he was in high school, co-founded HAPPY Software, Inc. and was responsible for the software that is currently used by over four hundred housing authorities across the United States. Jim holds a Bachelors degree in Sociology from Hobart College and a Masters in Business Administration from Cornell University. He is well qualified to head our firm and I am certain he will provide excellent service to our clients.

Gregg Gallucci will continue to be responsible for program finances and inspections, and Terri Ray will continue to supervise tenant admissions. Amy Daniels and Natalie Smarro will combine their efforts in supervising our family self-sufficiency and home ownership programs. Meredith Jenkins will continue as our firm's comptroller and human resources director. Together, our department heads form an outstanding management team and I know they will continue to provide the high level of services our clients expect.

While I will be available on a consulting basis, my future role with the operation of the company will be limited. During the past thirty-two years I have been privileged to provide services to many wonderful clients and enjoyed the support of many dedicated employees. I am truly thankful for that experience.

Very truly yours,


Joseph E. Mastrianni

SUPERVISOR

Supervisor Lucia stated that the following papers are on file in his office:
(continued)

Mortgage Tax Receipts - \$13,906.00 for March 2007

Outdoor Furnace Booklet to be given to Code Enforcement Officer

Program Rights Foundation Letter

Reverse 911 Policy and Procedures

Rural Features

Sales Tax - \$44,275.00 for March 2007

Saratoga County Fire Advisory Board Minutes

Saratoga County IDA Minutes

Saratoga County Public Health Annual Report

School News Letter

Self Sufficiency Program Report

Senior Sentinel

Sheriff Bowen Press Release Re: 911

Spruce Moose

Supervisor Lucia read the following regarding a Middle Class STAR Rebate Program:

The 2007-08 State Budget includes a Middle Class STAR Rebate Program

The new program essentially marries the Middle Class STAR proposal put forth by Governor Spitzer with the STAR Rebate program of 2006. Rebate checks will be available to property owners who receive Basic and Enhanced STAR exemptions on their school tax bills.

The amount of Middle Class rebate checks will be based on 2005 New York State income data. For taxpayers with incomes of up to \$90,000 the rebate check will be equivalent to 60% of the 2006-07 school tax savings due to the STAR exemption. For incomes of \$90K - \$150K, the rebate check will be 45% of that STAR savings and, for \$150K-\$250K the rebate check will be 30%. However, incomes greater than \$250K are not considered middle class, therefore no rebate will be available.

This summer, the New York State Department of Taxation and Finance will mail postcards to property owners who received Basic STAR exemptions on their 2006 school bills. These postcards will contain information on how to apply for the new Middle Class rebates and a code to facilitate the process via mail or the web. The **application** will require social security numbers of all resident owners and their resident spouses. The application deadline is November 30, 2007.

Also, this summer the New York State Department of Taxation and Finance will mail rebate checks equivalent to 25% of 2006-07 STAR school tax savings, to property owners who received Enhanced STAR exemptions for 2006 school taxes.

Unlike last years rebate program, those who are not already receiving Basic and Enhanced STAR will not be able to submit applications for the 2007 rebate program. Only those receiving Basic and Enhanced STAR on the 2007 assessment roll for 2007 school tax purposes will be eligible for the rebates.

For both Basic and Enhanced STAR rebates, percentages will increase for 2008 and 2009, respectively and the income brackets will increase starting in 2010.

SUPERVISOR

Supervisor Lucia stated that the following papers are on file in his office:
(continued)

Time Warner Cable Letter

USDA 2006 Progress Report

Veteran's Corner

Veterans Float secured for Town of Corinth Memorial Day Parade

Wilton Adopt A Solder – 5/19/2007 – Noon to 8PM

Supervisor Lucia read the following letter received by Town Clerk Rose E. Farr recently appointing her as District Director for the New York State Town Clerks Association:

:

Office of the Town Clerk

TOWN OF SCHODACK
265 SCHURMAN ROAD
SCHODACK, NY 12033



DONNA L. CONLIN
TOWN CLERK

KAREN A. VECCHIONE
DEPUTY

LOIS CICCOLELLA
DEPUTY

TELEPHONE (518) 477-7590
FAX (518) 477-2439

April 11, 2007

Hon. Rose E. Farr
Corinth Town Clerk
600 Palmer Avenue
Corinth, NY 12822

RE: District Director-District #4

Dear Rose,

The Executive Committee met in March and unanimously voted to place your name in nomination at our annual business meeting April 30, 2007, to serve in the position of Director for District 4. Your term of office will run from July 1, 2007 to June 30, 2010.

Preceding the banquet on Tuesday, we will be meeting outside the **Grand Ballroom** at **6:00 p.m.** for individual and group pictures for the *Recorder*. Additionally, we request your presence at the breakfast meeting with the Executive Committee on **Wednesday, May 2**, to receive your information packet. It will be held in the **Wilmorite Room** in the **Hyatt Regency** from **7:30 a.m. – 8:30 a.m.** Also that afternoon, we ask that you make an effort to attend the **Executive Committee meeting at 2:00 p.m.** We realize that everyone wants to get on the road so we try to be brief (about an hour). We understand that due to travel arrangements, you may not be able to attend or may have to leave early, but, hopefully, we will see you there.

A synopsis of the position is as follows: There are three regional meetings a year which normally take place in March, September and December. The Committee business meeting takes place on Sunday afternoon and a half-day seminar with area clerks follows on Monday morning. Lodging, tolls, partial reimbursement for mileage (currently \$.40/mile) and meal costs (other than Monday lunch) are covered by the Association. You will need to provide a brief "bio" to Rebecca Connelly, editor of the *Recorder*. You should contact her for more details. Her information is in the Directory under Committee Chairs.

Our goal in promoting the professional development of Town Clerks as administrative leaders could not be met without the dedication of members, such as yourself, who volunteer to serve in the essential role as liaison between the Executive Committee and clerks in their district.

If you have any questions, please do not hesitate to give me a call at (518)-477-7590.

Sincerely,

A handwritten signature in cursive script that reads "Donna Conlin".

Donna Conlin, RMC
Nominating Committee Chair

Cc: Patricia Favreau, President

The following reports are on file in the Supervisor's office:

- Assessors
- Building
- Animal Control
- Fire Department
- Highway
- Justice
- Planning
- Zoning
- Senior Citizens
- Supervisor

Supervisor Lucia asked Town Attorney Hafner to look into the matter he had previously asked him to regarding the Animal Control.

Town Clerk asked where her report was. Supervisor Lucia said he received same and did not know where it was.

RESOLUTION #146

APPROVAL OF MOTION TO ACCEPT SUPERVISORS MONTHLY REPORT

A motion was made by Councilman Major, seconded by Councilman Brown, and the following resolution was

ADOPTED Ayes 5 Lucia, Brown, Major, Byrnes and Saunders
Nays 0

Resolved that the Town of Corinth Town Board accepts as presented the Supervisor's monthly financial report for March, 2007.

SUPERVISOR

Supervisor Lucia read the rules set by the Town Board for the Public speaking at a Town Board meeting.

Public Comment:

Mr. Todd Morrow:

Mr. Morrow spoke about raising the public littering fine from \$50.00. Attorney Hafner said that the Town Board had responded to this issue and the fines are set through New York State. Attorney Hafner said that the fines are much more than \$50.00, the problem is that the signs are out of date and need to be changed. Mr. Morrow also spoke about a tire reclamation program to help clean up the area. Mr. Morrow said that he feels that there were other things that need to be disposed of in a town wide clean up day. The board explained that it would cost the tax[ayers money if the Town were to have a free clean up day. The Town Board felt that it was something that needed to be looked and they told Mr. Morrow they would look into how other town do this at little or no expense.

Mr. Scott Eagle:

Mr. Scott Eagle spoke about the junkyard licenses and the issues that he had with the wording. He said he felt that the Town Board needed to be more creative and create things like material handler's licenses or light industry. Mr. Eagle also said that mobile homes and manufactured housing are listed under automobiles. Mr. Eagle said that New York State Motor Vehicle does not recognized mobile homes or manufactured housing to be a part of Motor Vehicle Law. Mr. Eagle feels that therefore the wording in this law needs to be changed because if not everyone in the Town of Corinth that lives in a Mobile home would have to move it because it is impossible to register a mobile home. Mr. Eagle felt that the classification of mobile homes and manufactured housing needs to be looked at a little closer.

Dianna Jordan:

Mrs. Jordan said that several weeks ago she stood before the board, and Attorney Hill was the attorney at that time, and stated that the so called negotiations the Town was doing with Philmet allowed them the opportunity to open the landfill. She said she was told by Attorney Hill and the board that this had not even cross their minds. She read from "updates from the Village Mayor on 11-02-05" who said he a chance encounter with the project manager for Philmet and among the many things that they said they wanted to do was "The existing landfill contents will be exhumed and the contents gasified. The land now used for the landfills (Over 30 acres) will eventually be used for an expansion of an industrial park with

other industrial tenants.” She said the Town was forewarned a year and half ago. and stated that the Town Board had said that Philmet would never open up the Landfill She said yet all this time that is what Philmet wanted to do and the Town Board has allowed them to do it.

Barbara Weatherwax:

Mrs. Weatherwax spoke about the Moratorium intent versus the Zoning Amendments. She said that Philmet now has access to use the landfill enabling disposal and to exhume paper sludge and other industrial waste that Philmet negotiated for and obtained. She said that the Town Board wrote an exception to the landfill adding paper sludge and wood ash. She said that she wanted to confirm that the “use variance” will be seen by the ZBA and this is for the composting. Mrs. Weatherwax wanted to know if this was correct. Attorney Hafner said that was not correct, that this variance was dealing with dumps and dumping. Attorney Hafner said that Mrs. Weatherwax was talking about zoning and under zoning composting is being deleted as a special permit use; therefore it will no longer be an allowed use under special permit. Attorney Hafner said that changed the variances regarding dumps and dumping that previously the Town Board had said it would be considered a variance and would now come before the Zoning Board of Appeals and the Town Board has changed this to a “use variance”. Attorney Hafner said that the current Town Zoning Board has a provision that under the industrial zone if a person gets a “Special Use Permit”, which would come from the ZBA, the person may be able to get a composting facility put in. Attorney Hafner said that the local law which the Town Board is proposing for a public hearing next month will get rid of composting facility so it will no longer be a special use. He said that if things are not listed in our Zoning Ordinance they are not allowed. He said that if someone came forward their only method would be under a “use variance” which is to the ZBA. Mrs. Weatherwax said she was happy with this. She said that conspicuously missing from the permit uses are paper sludge, industrial waste, sewerage sludge and processing and burning of waste. She said these are the very issues of the two trash industries that the Town is facing. She said she is very upset about this. She said the four pages of zoning are very disappointing for fifteen months of work under the moratorium. She said that she feels that the agreements Philmet negotiated with the Town and Village are a horrible disservice to the community and a sorry error in judgment. She said they have had the agreements looked over and they are quite concerned. She said the Village voted under extreme duress and the Town voted willingly. She said that with these agreements with Philmet to build a gasification plant Philmet can apply to the Town or the Village to import industrial waste to burn in

the gasification plant and this is everything they have ever asked for. She said she feels that Philmet sealed the deal and trash industry will reap the benefits. She said without the landfill none of the negotiations would have had any meaning. She said that the terms of the agreements leave the Town and Village at a terrible disadvantage.

Joyce LaComb

Mrs. LaComb asked about if there was anything in the works that would cover all the issues of the moratorium. Councilman Saunders said that this was only the first issue. She mentioned the junkyard license since she does antiques. She spoke about the Town Board minutes on the website not being done in a timely manner. She said that currently there are no 2007 minutes on the website. Supervisor Lucia told her that they were all up on the web except March 2007. He told her that March will be sent to the webmaster tomorrow morning. She said she must have looked in the wrong spot. She said the minutes she did find she found little information regarding the seriousness on the Town Board's part to have zoning laws to outlaw trash in Corinth. She said the Composting Draft was talked about last August as being distributed to the Town Board for review however she said she found nothing printed about what it contained. She said she is concerned about the changes made to the landfill on the Philmet property. She said the petitions, e-mails and statements given to the board over the last year are very clear that the citizens want clean industry. She said when the Philmet agreements are signed they are not going to be a good thing. She said that she did not feel that the Town or Village are adequately addressing the majority of the people.

Councilman Major asked her if she has read the documents between the Town, Village and Philmet. She said she thinks she did but was not sure if she read the final documents. She said that Philmet's application for paper sludge and industrial waste whatever is what they wanted all along and they got it.

Tim Hanchett

Mr. Hanchett said that when the Village voted on the Philmet agreements one member of the Village Board stated that he said that the Village Board had not seemed to talk to the Town Board. He asked about what the Town Boards' policy was regarding the negotiations with Philmet and the Village Board.

Supervisor Lucia explained that it was decided that the discussions would be with the Town Attorneys, Village Attorneys and Philmet's Attorneys. He said then the attorneys would bring the matters back to the various boards.

Mr. Hanchett asked how the attorneys were given their authority. Supervisor Lucia told him the Town Board collectively gave the Town Attorneys their authority to discuss with the other attorneys. Mr. Hanchett asked if there ere any discussions between the whole Town Board and the whole Village Board. Supervisor Lucia said only by the attorneys. Councilman Brown said that they were negotiating for different things.

Mr. Hanchett asked why the amendment dealt with disposal and not processing at all. He said the Village Zoning talks about prohibiting and not regulating processing. He asked why the Town and Village are not the same. Attorney Hafner said that to allow something in the town it has to be listed in the Town Zoning Ordinance and he does not believe that anywhere in the Town Zoning Ordinance is processing of waste mentioned.

Mr. Hanchett asked that as the proposed zoning went through as it is written now would or wouldn't it be possible to build a municipal solid waste incinerator about 100 feet from the Village line. Attorney Hafner said that it would not be allowed in the Town but he could not speak for the Village. Attorney Hafner suggested that Mr. Hanchett look under Industry Manufacturing the Town made some changes to make sure that some of the more things are specifically listed as not included.

Mr. Hanchett said that paper sludge and wood ashes are being added to the landfill. He said he thinks that contrary to the moratorium and he doesn't understand why that was specifically added unless it was specifically for a specific company. Attorney Hafner said it was for any properties in the Town that have a landfill and also on the property would burn wood.

Mr. Hanchett said that the website is up through February.

Jim Murray, Sr.

Jim Murray, Sr. told the Town Board that regarding to a Town-wide Collection Day. He said there is reimbursement from the State for those and there are two companies that have done it. He said Clean Harbour Environmental Services just outside of Albany and Environmental Products and Services in Albany. He said that if the Town contacted them they could tell the Town what to do. He said he

believes that Saratoga Springs, Ballston Spa, Schenectady and Scotia have had them. He said that there is state money that comes through he believes the DEC.

Jeff Fedor

Jeff Fedor asked about what was found out about the rental person that was being given the money. Supervisor Lucia said that this was a rental person who is now a homeowner and everything is okay.

Jeff Fedor said that maybe the Comprehensive Plan Committee could be looking in to the beautification of Corinth including what Mr. Morrow spoke about and the power, cable and telephone lines being buried.

Yvonne Melville

Yvonne Melville asked the Town Board if they read the letter submitted to them by Tim Hanchett. The Town Board except for Councilman Major said that they read the letter. Mrs. Melville said the letter speaks for her. She asked if the Town was getting somewhere. Supervisor Lucia said he thinks they are.

Ginny Ogden

Ginny Ogden asked the board that if Philmet decided that they wanted to open the landfill and take out the sludge that is stored in the landfill and burn it could this be done. Councilman Byrnes said that Philmet would have to apply to the Village to do that. Councilman Byrnes said that the agreement with Philmet does not allow them to import sludge into the landfill. He said it only allows sludge that is generated on the property, as well as the wood ash. Councilman Byrnes said in order to burn the sludge that is being stored in the landfill Philmet would have to go to the Village to obtain a permit. Diana Jordan asked if the agreement gave them the right to exhume what is on the land. Attorney Hafner said that there was nothing in the agreement about exhuming the sludge stored in the landfill. Councilman Byrnes said that the only thing that was changed was that the wood ash that was generated on site could be deposited in the landfill. Councilman Saunders said that only natural resources that are out there, such as field oil and wood ash, are okay. He said any other than that they want to use for any type of energy source then Article 1 kicks in. He said that once Article 1 kicks in they have to do a full SEQR process and the Village Board has the option to get the consultations to validate the data presented by Philmet at no cost to the taxpayers. Councilman Saunders said that there are three or four other things they must go

through. He said that Article 1 protects us. Councilman Brown said that there was not enough sludge to make it worthwhile and they cannot bring in more sludge.

Ginny Ogden asked that if Philmet decided to use the Town land and build an incinerator on Town property what then. Councilman Saunders said that processing is not allowed in the Town. He said they could come to the Zoning Board and ask for a use variance. Councilman Saunders said that the Town Board has had the advantage of going through this line by line for the last year. Councilman Saunders said that the Town Board is going to do the very best to protect the Town.

Councilman Major asked Ginny Ogden if she read the document. She said she has read so many documents. She said yes. Councilman Major said that if any one was to go onto Town property in an Industrial Zone burning waste is prohibited.

Councilman Byrnes told the public that they could not import any paper sludge on that property. He said they could only put in the landfill that which is generate on that property. Councilman Byrnes said that what the public is concerned about is if Philmet is going to pull the sludge out of the landfill and burn it in the Village. He said the Village has to handle that.

Councilman Major said that Attorney Michael Hill addressed that. Councilman Major said they discussed this and if they were to exhume the paper sludge to burn it, which is a non permitted use in our Town, they would have to apply for a variance for it. He said they would create a secondary type of waste stream that is not permitted under the dumping law that is being discussed right now. Diana Jordan asked if this would be the case with the new negotiations with Philmet. Councilman Saunders said that wasn't new it was the latest negotiations. Mrs. Jordan said she would have to read it again because that is not how she is reading it. Councilman Saunders told the public that it would be great if we could go over line by line but Attorney Hill did a great job explaining this. Councilman Byrnes said he asked if the public had any questions of Attorney Hill and everybody seemed to be satisfied. He said that only about four people asked questions.

Joyce Day

Joyce Day read her gripes to the Town Board. Among the things she said were the following: She said that the Corinth government is not a government of the people, by the people of for the people. She sad she believes that the board members, minus one Village Board member, have their own agendas and not the will of the majority of the taxpayer citizens in Corinth. She said that they have

ignores the petitions with thousands of names and then and listened to a small group of people that have not produced one name on a petition. She asked if the board members read the information presented or listened to the public at the board meetings. She said the board members were elected to the board to protect the health and welfare of this community. She said the board members seem to think that jobs and lower taxes are a good trade for the citizens' health. She spoke about the people choose to be on the comprehensive committee and how only one person from her group was chosen to be on the committee. Councilman Saunders said that the entire board had a say in who was chosen for the committee and they did not look at who was in which group they looked at the peoples' qualifications. She spoke about jobs at Philmet not being given to people from Corinth. Supervisor Lucia told Mrs. Day that the Town could not speak for what happens in the Village.

Russell Melville

Russell Melville said he could just see the asthma floating up the river and settling on the old Boggs Farm. He said he thought the owner of that property is going to be awful upset with the way he handled this situation back in 2007.

Councilman Byrnes said he did not have anything to do with allowing a gasification plant in the Village. He said it was not in the Town's jurisdiction and the Town Board cannot tell the Village what to do.

TOWN BOARD

Councilman Saunders

Councilman Saunders asked Attorney Hafner to explain what the difference between a variance and use variance is as referred to in Dumping Law in Article 71-5. Attorney Hafner told him that a use variance is something that is defined under state law and is usually a process for allowing a different use under your Zoning Ordinance. Attorney Hafner said this section is not part of the Town's Zoning Ordinance and this was explained to the Town Board so therefore the attorneys and Town Board did not think that it was a normal use variance. Attorney Hafner said that if the Town Board wanted to use those standards and let the Zoning Board of Appeals be the ones to make those decisions that was up to the Town Board. Attorney Hafner said that every discussion that the Town Board and Town Attorneys have had in the past it was decided that it was that the variance go to the Town Board based the criteria that they deemed appropriate and now it is going to be with the Zoning Board with criteria that would be related to a use variance which is a very difficult standard. Councilman Saunders said they

discussed this at length over a period of eight months. He said he was very upset regarding this change that changes this Local Law significantly and for three board members to sit there after all our discussions and come in at the last hour and request the change it doesn't seem right. Councilman Saunders asked counsel if this was a significant change. Attorney Hafner said that it is a tougher standard and the Town Board won't have control which is what he understood was the Town Board's goal. Councilman Saunders said he thought it would have been nice to now this was coming down tonight so that it could be discussed further and have a better understanding. Councilman Saunders asked the attorney if he saw this change placing the agreement that the Town has with Philmet in jeopardy. Attorney Hafner said it may he doesn't know. Councilman Saunders said he hoped the three members of the Town Board that voted for the change realized exactly what they were doing.

Councilman Brown

Councilman Brown asked the attorney if the agreement with Philmet had been signed. Attorney Hafner said it had not. Attorney Hafner said that he can't be sure if this will make a difference since the agreement with Philmet was made with the understanding that the Town Board would hear the variances. Attorney Hafner said he wouldn't be able to know how this would effect the agreements without discussing it with Philmet's attorneys.

Town Attorney

Attorney Hafner told the Town Board that Town Clerk Farr had received a Notice of Claim from Mr. Petruzzo's attorneys giving the Town formal notice that he is considering filing a lawsuit. He said that he has instructed the Town Clerk to forward it on to the Town's insurance Company notifying them that a lawsuit may be forth coming.

Attorney Hafner spoke about the Town Board has had discussions about the comprehensive land use plan and how it is being updated. He said that the Town Board had discussions that they would re-affirm the comprehensive plan.

RESOLUTION #147

**RESOLUTION AFFIRMING COMPREHENSIVE MASTER PLAN AND
CONFIRMING ITS ADOPTION**

A motion was made by Councilman Brown, seconded by Councilman Saunders, and the following resolution was

ADOPTED Ayes 5 Lucia, Brown, Major, Byrnes and Saunders
Nays 0

WHEREAS, pursuant to NYS Town Law Section 263 and 272-a the Town Board may prepare and enact a comprehensive plan for the Town, and

WHEREAS, the Town developed such a comprehensive plan in the early 1990s (the “Master Plan”); and

WHEREAS, the Town Board has consistently followed the guidance provided in the Master Plan and has adopted land use regulations in accordance with the Master Plan;

NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby affirms the Master Plan dated March 19, 1992 and ratifies and confirms its adoption as the Town’s comprehensive plan under NYS Town Law Section 272-1; and be it

FURTHER RESOLVED, that the Town Board hereby ratifies and confirms the actions of the Town Board, Planning Board and Zoning Board of Appeals previously taken in reliance upon the Master Plan; and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

Attorney Hafner spoke about material given to him by the Supervisor some time ago regarding the First Wilderness Corridor, dealing with the grant, and dealing with the rail lines. He said the Town has in the past entered into an agreement as one of the many towns along the rail line and there was a grant the Town of Johnsbury obtained and they want to have all the involved municipalities sign an extension amendment of the agreement or a continuation of the prior one that expired,

RESOLUTION #148
RESOLUTION AUTHORIZING PARTICIPATION WITH
WARREN COUNTY AND OTHER COMMUNITIES FOR ACTIONS
RELATING TO CONTINUED IMPLEMENTATION OF THE FIRST
WILDERNESS HERITAGE CORRIDOR

A motion was made by Councilman Major, seconded by Councilman Byrnes, and the following resolution was

ADOPTED Ayes 5 Lucia, Brown, Major, Byrnes and Saunders
Nays 0

WHEREAS, as part of the continued implementation of the First Wilderness Heritage Corridor Plan, the Town of Johnsburg applied for and received grant funds from the NYS Department of State Coastal Resources Program in the amount of \$150,000.00 in which matching funds will be provided in the form of administrative salaries, in kind services and County project funds, and

WHEREAS, the Town of Corinth wishes to participate with the Town of Johnsburg's efforts to further the effort initiated with the First Wilderness Heritage Corridor Plan, and

WHEREAS, a municipal resolution is required for the Town of Corinth to enter into an Extension and Amendment Agreement of the 2003 Intermunicipal Agreement (authorized by Resolution #103 of 2003 between Warren County and participating municipalities), and

WHEREAS, the Extension & amendment Agreement requires no out of pocket expenditure of Town funds, now, therefore, be it

RESOLVED, that the Town Supervisor of the Town of Corinth be and hereby is authorized and directed to enter into an Extension & Amendment Agreement to the march 2003 Agreement with Warren County and participating municipalities to continue to implement the First Wilderness Heritage Corridor as defined under the 2006 grant work program executed by the Town of Johnsburg.

With no further business, on a motion of Councilman Saunders and seconded by Councilman Major, the meeting was adjourned at 9:10 PM. Carried unanimously.

Respectfully submitted,

Rose E. Farr, RMC
Town Clerk