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OCTOBER 11, 2007

The Town Board of the Town of Corinth held a regular meeting on October 11, 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  
Robert Hafner, Attorney  
Rose E. Farr, Town Clerk  
Shawn Eggleston, Deputy Highway Superintendent  
Fred Mann, Jr., Code Enforcement Officer

Public: Edwin Eggleston, Linda Byrnes, Jim Murray, Sr., Mary Baugh, Sigrid Koch, Mathohn D'Avignon, Joseph Duguay, Gail Decker, Ed Decker, Joyce Day, Richard Feulner, Barbara Weatherwax, Charlie Weatherwax, Don Shea, Bruce Baker and Vincent Inzerilli,

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

## **RESOLUTION #232**

### **APPROVAL OF MINUTES**

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

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

Resolved that the minutes for September 6<sup>th</sup>, 13<sup>th</sup>, and 27<sup>th</sup>, 2007 be approved.

## **RESOLUTION #233**

### **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 September 6<sup>th</sup> and September 27<sup>th</sup> 2007 be approved as follows

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September 6, 2007

A	-	\$56,192.86
B	-	\$ 9,846.61
DA	-	\$16,495.95
DB	-	\$29,554.84
SL	-	\$ 470.25
TA	-	\$ 2,841.43
Scenic Train	-	\$8,636.18
Depot Restoration	-	\$310.00

September 27, 2007

A	-	\$133,06.66
B	-	\$ 16,625.73
CD	-	\$ 23,131.27
DB	-	\$ 72,457.45
SW	-	\$ 4,403.00
TA	-	\$ 38,054.62

**RESOLUTION No.: 234**

**INTRODUCED BY: COUNCILMAN BYRNES**

**SECONDED BY: COUNCILMAN SAUNDERS**

**DATE: OCTOBER 11, 2007**

**RESOLUTION SCHEDULING PUBLIC HEARING ON  
PROPOSED LOCAL LAW AMENDING CORINTH LAND USE LAW  
TO ALLOW ARTISAN WORKSHOPS IN SOUTH CORINTH HAMLET DISTRICT**

**WHEREAS**, the Corinth Town Board (the "Town Board") is considering adopting a Local Law to amend the provisions of the Land Use Law to allow artisan workshops as a Site Plan Use in the South Corinth Hamlet (SCH) Land Use District; and

**WHEREAS**, pursuant to Town Code, the Town Board referred proposed Local Law of 2007 to the Corinth Planning Board for its review and advisory recommendation and received a favorable recommendation; and

**WHEREAS**, pursuant to General Municipal Law §239-m, the Town Clerk has forwarded a full copy of the proposed Local Law to the Saratoga County Planning Board for its review and advisory recommendation, and received a favorable recommendation; and

**WHEREAS**, pursuant to the State Environmental Quality Review Act ("SEQRA"), the Town Board is the lead agency for SEQRA review of the proposed Local Law and has authorized and directed preparation of Part 1 of an Environmental Assessment Form ("EAF") for use by the Town Board in determining the significance of adoption of the proposed Local Law; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF CORINTH, SARATOGA COUNTY, NEW YORK, AS FOLLOWS:**

**Section 1: Public Hearing; Notice** - The Town Board shall meet on Thursday, October 25, 2007 at 4:10 PM to hold a public hearing to hear all people who are interested in proposed Local Law of 2007 amending the provisions of the Land Use Law to allow artisan workshops as a Site Plan Use in the South Corinth Hamlet (SCH) Land Use District. 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.

**Section 2: Effective Date** - This Resolution shall take effect immediately.

The question of the adoption of this Resolution was duly put to a vote on roll call which resulted as follows:

ROLL CALL:	Richard Lucia	-	aye		
	Charles Brown	-	aye		
	John Major	-	aye		
	Edward Byrnes	-	aye		
	Mitchell Saunders	-	aye		
AYES:	5	NAYS:	0	ABSENT:	0

The Resolution was declared duly adopted by the Town Board.

**PUBLIC HEARING ON LOCAL LAW AMENDING TOWN OF CORINTH ZONING MAP**

The Public hearing was opened at 7:10 PM with the Town Clerk reading the Legal Ad published in the Post Star on September 29, 2007. Supervisor Lucia read the following note from Vincent Inzerilli:

“Good evening everyone. My name is Vincent Inzerilli the new owner of 732 County Route 24, the old Trim Line building. I’m here tonight to introduce myself and my company. I am a family man, married with 4 children and live in the North County. My company is Priority Bus

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and Van Sales. We manufacture and sell handicap vans and shuttle buses. We work closely with agencies like: Life' Wores, Association for the help of Retarded children (AHRC) and the Epilepsy Foundation. Along with manufacturing and up fitting our vehicles, we propose to perform electric hydraulic lift repair and service for personal and commercial mobility products. We plan on employing people from our immediate area in the spring of 2008 in order to get this project under way. I would like to thank everyone for their time and I would be happy to answer any questions you may have.”

Mr. Inzerilli was present and said he would be glad to answer any questions anybody had.

There was no opposition.

At 7:15 PM a motion was made by Councilman Major and seconded by Councilman Byrnes that the public hearing be closed.

**RESOLUTION NO.: 235**

**INTRODUCED BY: COUNCILMAN BROWN**

**SECONDED BY: COUNCILMAN SAUNDERS**

**DATE: OCTOBER 11, 2007**

### **RESOLUTION ADOPTING LOCAL LAW AMENDING TOWN OF CORINTH ZONING MAP**

**WHEREAS**, the Corinth Town Board (the "Town Board") wishes to change the boundary between the I - Industrial Zone and the R-1 – Residential One Acre Zone so that the Industrial Zone will be extended to include the property having tax map #74.-2-10.2 which is adjacent to the I – Industrial Zone and located on County Route 24; and

**WHEREAS**, proposed Local Law No.5 of 2007 would accomplish the desired map amendment; and

**WHEREAS**, pursuant to Town Code, the Town Board referred proposed Local Law No. 5\_ of 2007 to the Corinth Planning Board for its review and advisory recommendation and received a favorable recommendation; and

**WHEREAS**, pursuant to General Municipal Law §239-m the Town Board referred proposed Local Law No.5 of 2007 to the Saratoga County Planning Board for its review and advisory recommendation and received a favorable recommendation with future site plan review by the Town Planning Board; and

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**WHEREAS**, pursuant to Municipal Home Rule Law §20 the Town Board held a public hearing on proposed Local Law No.5 on October 11, 2007; and

**WHEREAS**, the Town Board has reviewed Part 1 and completed Part 2 of the SEQRA EAF relating to Local Law No.5, and determined that adoption of the proposed Local Law will have no significant adverse environmental impacts;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF CORINTH, SARATOGA COUNTY, NEW YORK, AS FOLLOWS:**

1. Adoption of proposed Local Law No.5 of 2007 will not result in any significant adverse environmental impacts and issuance of a SEQRA Negative Declaration is authorized.
2. Local Law No. 5 of 2007 is hereby adopted.
3. The Town Clerk is authorized and directed to file Local Law No.5 with the New York State Secretary of State in accordance with the provisions of the Municipal Home Rule Law .
4. The Town Clerk and Town Counsel are authorized and directed to take any and all further actions necessary to effectuate the provisions of this Resolution.
5. The Local Law shall become effective upon filing with the New York Department of State.

The question of the adoption of this Resolution was duly put to a vote on roll call which resulted as follows:

<b>ROLL CALL:</b>	Richard Lucia	-	aye
	Charles Brown	-	aye
	John Major	-	aye
	Edward Byrnes	-	aye
	Mitchell Saunders	-	aye

**AYES:           5                   NAYS:           0                   ABSENT:       0**

The Resolution was declared duly adopted by the Town Board.

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## **SUPERVISOR**

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

Senior Sentinel  
Honor a Deceased Veteran – 10/16 @2:30 PM – Carl Leonard Seymour, US Air Force,  
Town of Northumberland  
Saratoga County Fire Advisory Board Minutes  
Schedule of Flu Shots – Corinth Senior Center – 10/22 from 1PM – 3PM call 654-2040  
for appointment

## **RESOLUTION #236**

### **RESOLUTION SUPPORTING NEW YORK STATE ASSOCIATION OF COUNTY CLERKS OBJECTING TO THE DMV POLICY ALLOWING ILLEGAL ALIENS TO OBTAIN A VALID NEW YORK STATE DRIVER'S LICNESE AND NEW YORK STATE NON-DRIVER IDENTIFICATION**

A motion was made by Councilman Saunders and seconded by Councilman Brown to adopt the following resolution:

WHEREAS, Governor Spitzer has recently issued an executive order that would require County Clerks to issue valid New York State Drivers Licenses to illegal aliens, reversing policies that have been in place since the tragedy of 9-11, and

WHEREAS, New York Drivers Licenses are often used as picture ID's to gain entry to airports, federal buildings, and other sensitive areas, and

WHEREAS, the New York State County Clerks Association under the direction of County Clerk Kathy Marchione, has strongly opposed the new policy and has petitioned the Governor to rescind his executive order, and

WHEREAS, the Corinth Town Board agrees that driving is a privilege that should be reserved for law abiding residents and legal immigrants of the United States of America, and

WHEREAS, 18 of the 19 hijackers involved in the 9-11 attacks obtained drivers licenses or state issued ID cards to get through various security check points, and

WHEREAS, the bipartisan 9-11 commission made recommendations to improve the security in the issuance of drivers licenses and ID cards which were incorporated into the Federal Real ID Act of 2005, and

NOW, THEREFORE, BE IT RESOLVED, the Corinth Town Board strongly supports County Clerk Kathy Marchione's decision to refuse to issue drivers licenses to illegal aliens, and

BE IT FURTHER RESOLVED, the Corinth Town Board asks the Saratoga County Board of Supervisors to petition the Governor to reconsider his executive order and limit the issuance of drivers licenses to law abiding citizens and legal immigrants, and

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BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Spitzer, Senator Schumer, Senator Clinton, Congresswoman Gillibrand, Senator Bruno, Assemblywoman Sayward and the Saratoga County Board of Supervisors.

Roll Call vote resulted as follows:

Richard Lucia	-	aye
Charles Brown	-	aye
John Major	-	aye
Edward Byrnes	-	aye
Mitchell Saunders	-	aye

**AYES:           5                   NAYS:           0                   ABSENT:       0**

The Resolution was declared duly adopted by the Town Board.

### **SUPERVISOR**

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

CDTA Budget  
American Red Cross Report

### **RESOLUTION #237**

#### **PLACE A QUARTER PAGE AD IN 2008 YEARBOOK**

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

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

RESOLVED that the Town of Corinth take a quarter page ad out in the 2008 Corinth Yearbook at a cost of Fifty Dollars (\$50.00).

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

Office of Aging Public Hearing – 10/31 from 1PM to 2PM at Saratoga Springs Senior Center.

### **RESOLUTION #238**

#### **SECTION 8 HOUSING CHOICE VOUCHER PROGRAM**

On a motion of Councilman Major and seconded by Councilman Saunders, the following resolution was

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

Resolved that the Town Board of the Town Of Corinth will hold a public hearing on December 13, 2007 at 7:10PM at the Town Hall, 600 Palmer Avenue, Corinth, New York, 12822 for the

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purpose of receiving comments from the public on the Town's proposed Agency Plan for 2008 for the Section 8 Housing Choice Voucher.

### **SUPERVISOR**

Supervisor present Edwin Eggleston with a certificate from the Saratoga County Board of Supervisor s for his participation each month in the Honor a Deceased Veteran Ceremonies.

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

Sales Tax - \$54,077 for September  
Self Sufficiency Stats  
Rural Features  
School Newsletter

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

Assessors  
Building  
Animal Control  
Highway  
Justices  
Town Clerk  
Planning  
Zoning  
Senior Citizens  
Supervisor's Report

### **RESOLUTION #239**

#### **APPROVAL OF SUPERVISOR'S REPORT AS PRESENTED**

A motion was made by Councilman Byrnes, seconded by Councilman Saunders, 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 September 2007.

### **RESOLUTION #240**

#### **OPEN PUBLIC SPEAKING**

Supervisor Lucia told the board that he thought we should re-open the public speaking portion of the board meeting with the understanding that all rules as read prior to the public speaking were abided by. A motion was made by Councilman Major and seconded by Councilman Saunders

RESOLVED that the public comment portion of the Town Board be reinstated with the understanding that all the rules read prior to the public speaking be abided by.

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Roll Call vote resulted as follows:

Richard Lucia	-	aye
Charles Brown	-	aye
John Major	-	aye
Edward Byrnes	-	aye
Mitchell Saunders	-	aye

**AYES: 5                      NAYS: 0                      ABSENT: 0**

The Resolution was declared duly adopted by the Town Board.

Supervisor Lucia then read the rules for public comment.

## **PUBLIC INPUT**

Edwin Eggleston made a plea for parents to have their children enter the American Legion Historical contest. He said that this is open to students from 9<sup>th</sup> grade through 12<sup>th</sup> grade. He said the subject is the Constitution. Any further information can be obtained by calling Mr. Eggleston at 654-9071.

## **TOWN BOARD**

Councilman Byrnes asked the Supervisor if the legal ads could also be placed in the Pennysaver. He said many people don't even read the Post Star Legal Ads.

Councilman Byrnes said he wanted to thank Councilman Brown for securing donations for the SPOT. Councilman Saunders asked how many of the youth in he community have been served. Councilman Byrnes said he thought the figure was approximately 80 youth from our community were served last year.

Councilman Byrnes said that he was very glad that the board unanimously decided to reinstated the public comment portion of the Town Board meetings. He said he thought it was very important to hear what the public had to say about the things that were discussed at the meetings.

## **TOWN ATTORNEY**

Attorney Hafner told the Town Board that he sent them a copy of a letter that was sent to the attorney for a developer that is developing a parcel of land off Eggleston Street by the school. The developer has asked for a water district and the attorney has written to his attorney advising the steps necessary to establish a water district. Supervisor Lucia told the public that the Town Board would not be accepting a Water District if it were connected to the Eggleston Street line since the Village is having quite a bit of trouble with the old lines on Eggleston Street.

Attorney Hafner told the board that they have now finished the first phase of the local laws on waste disposal. He said that his law firm is discussing the composting part of the law with the Town Engineers and he expected that by October 31<sup>st</sup> the Town Board would have something to start looking at and working with.

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Councilman Saunders asked the Town Attorney when the moratorium runs out. Town Attorney Hafner said that he would check that and have the date at the next board meeting.

### **HIGHWAY**

Deputy Highway Superintendent Shawn Eggleston told the board that Morris Excavating has finished Trout Pond Road and Wedgewood Way. He said the Depot concrete is gone and the hole is filled and all that is left is a vacant lot. Supervisor Lucia thanked the highway department for all that they have done at the Depot property and the repairs that they have done at the Senior Center.

### **CODE ENFORCMENT**

Code Enforcement Officer Mann thanked the Highway Department for the repairs to the ramp and door that they have been making at the Senior Center.

Councilman Brown told Code Enforcement Officer Mann that both bids that were received for the replacement of the roof on the Senior Center include putting the vent in the roof for nothing.

With no further business, on a motion of Councilman Brown and seconded by Councilman Major, the meeting was adjourned at 7:55 PM. Carried unanimously.

Respectfully submitted,

Rose E. Farr, RMC  
Town Clerk