

# FINAL

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**October 25, 2007**

The Town Board of the Town of Corinth held a regular meeting on October 25, 2007 at 4:00 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  
Fred Mann, Code Enforcement Officer  
Cathi Radner, Town Attorney  
Rose E. Farr, Town Clerk

Public: Ray Bush, Jim Murray, Sr., Diana and Ted Jordan, Joyce Day, Thom Rigg, Barbara Weatherwax, Mary Baugh, Matt Pettey and Sigrid Koch.

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

Councilman Major announced that there were two young men from Hadley Luzerne Government Class in attendance – Thom Rigg and Matt Petteys.

## **RESOLUTION #243**

### **SALES TAX**

Supervisor Lucia stated that it was necessary to make a resolution regarding how the Town would like the County to pay them the Town's share of the 2008 Sales Tax Revenue. 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

Resolved to make the Town of Corinth request the County of Saratoga to pay the Town's share of the 2008 Sales Tax Revenues by cash.

## **RESOLUTION #244**

### **AUTHORIZE SHARED MUNICIPAL SERVICES GRANT (EXCAVATOR)**

Motion By: Councilman Saunders

Seconded By: Councilman Brown

WHEREAS Town of Corinth and Village of Corinth desire to apply for funding from the New York State Department of State for a Shared Municipal Service Incentive Grant in the amount of \$75,000.00 to purchase a highway roller; now, therefore, be it

RESOLVED that the Town Board of the Town of Corinth and the Village Board of the Village of Corinth authorize and direct the Town Supervisor of the Town of Corinth and the Mayor of Village of Corinth to file an application for funds from the New York Department of State in the

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amount of \$75,000.00, with a required matching share of 10% for each municipality. The Town of Corinth is designated as lead applicant.

ADOPTED VOTE – AYES - 5                      NAYS - 0

**RESOLUTION #245**  
**AUTHORIZE SHARED MUNICIPAL SERVICES GRANT (EXCAVATOR)**

Motion By: Councilman Major  
Seconded By: Councilman Byrnes

WHEREAS Town of Corinth and Town of Greenfield desire to apply for funding from the New York State Department of State for a Shared Municipal Service Incentive Grant in the amount of \$165,000.00 to purchase a highway excavator; now, therefore, be it

RESOLVED that the Town Board of the Town of Corinth and the Town Board of the Town of Greenfield authorize and direct the Town Supervisor of the Town of Corinth and the Town Supervisor of Town of Greenfield to file an application for funds from the New York Department of State in the amount of \$165,000.00, with a required matching share of 10% for each municipality. The Town of Greenfield is designated as lead applicant.

ADOPTED VOTE – AYES - 5                      NAYS - 0

**FEASIBILITY STUDY FOR TOWN HALL EXPANSION**

Councilman Major said that he rated the Request for Proposals (RFPs) received for the Town Hall expansion as follows:

1. Butler & Rowland
2. C.T. Male
3. Rist Frost
4. LaBerge

Councilman Byrnes said he liked the details of C. T. Male's RFP. .  
Councilman Saunders said he like C.T. Male fist and then Butler & Rowland. He said we know the workmanship of Butler & Rowland because they did the new fire house.  
Councilman Brown said that he like Butler & Rowland. He also spoke about the electric work that needs to be done as well as possible asbestos removal. Councilman Byrnes told the board that he had spoke to someone regarding the electrical and the cost could be approximately \$10,000.00 but they suggested we wait until the expansion. Councilman Brown told the board that the transfer switch was not absolutely necessary. Councilman Byrnes spoke about the ventilation on the generator. He said that if the door is raised for ventilation then there is a security issue to consider.

Supervisor Lucia said that he scores Butler & Rowland first and C.T. Male second.

**RESOLUTION #246**  
**AWARD FEASIBILITY STUDY FOR TOWN HALL EXPANSION**

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

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

RESOLVED that the feasibility study for the Town Hall expansion be awarded to Butler & Rowland.

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

The Public Hearing opened with Town Clerk Farr reading the Legal Ad that was published in the Post Star on October 16, 2007. There were no people in opposition or in favor of this local law.

Councilman Byrnes asked the board leave the public hearing open and to publish a condensed version of the notice in the Pennysaver. He said that he did not feel enough citizens were being made aware of the public hearings with the notices being placed in the Post Star. Attorney Radner told the board that they had to publish the legal notice in the Post Star since that was the Town's legal paper but they could also publish it in another newspaper if they wished. Councilman Byrnes asked that the legal ads be placed in the Pennysaver for all future legal ads. Attorney Radner told him that she would encourage the board to make this decision on a case to case basis not publish every legal ad.

Town Clerk Farr read the following letter from Saratoga County Planning Board and the Town of Corinth Planning Board. She told the board that no reply from the Comprehensive Committee has been received to date.



**SARATOGA COUNTY PLANNING BOARD**

TOM L. LEWIS  
CHAIRMAN

JASON KEMPER  
DIRECTOR

September 27, 2007

Rose E. Farr, Town Clerk  
Town of Corinth Town Hall  
600 Palmer Ave.  
Corinth, NY 12822

**RE: SCPB Referral Review #07-191 – Textual Amendment to Zoning Ordinance**  
Add “Artisan Workshop” to the list of uses allowed with site plan review in the South Corinth Hamlet District

Received from the town of Corinth Town Board on September 12, 2007.

Reviewed by the Saratoga County Planning Board on September 27, 2007.

**Decision:** No Significant County Wide or Inter Community Impact

**Comment:** In accordance with the Memorandum of Understanding (MOU) between the town of Corinth Town Board and the Saratoga County Planning Board the above-noted referral has been reviewed and deemed to present no countywide impact. The Board has determined that the proposed use conforms with the purposes outlined in the town of Corinth’s zoning ordinance for this particular district. We do note, however, that the definition of the proposed new use states that the workshop will be “a commercial facility or home occupation”. Under the district’s schedule of uses home occupations are a permitted use (Class I) and a use by special permit (Class II) whereas home occupations are not listed under the uses allowed with site plan review. Certainly the artisan uses proposed could be operated as home occupations with minimal impact to the district or a neighborhood. Counsel should advise the town board how to include “artisan workshop” within the district’s Site Plan uses (as site plan review is critical) while still allowing the use to function as a home occupation.

Handwritten signature of Michael Valentine in cursive script.

Michael Valentine, Sr. Planner  
Authorized Agent for Saratoga County

50 WEST HIGH STREET  
BALLSTON SPA, N.Y. 12020

(518) 884-4705  
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Town of Corinth  
Planning Department  
600 Palmer Ave  
Corinth, N.Y. 12822

TOWN OF CORINTH



600 Palmer Avenue  
Corinth, New York 12822  
Phone: 518-454-9237  
Fax: 518-454-1181

09/21/2007

September 10, 2007

Town of Corinth  
Supervisors and Town Board Members  
600 Palmer Avenue  
Corinth, N.Y. 12822

**RE: ADDITIONAL LANGUAGE FOR SOUTH CORINTH HAMLET**

Dear Supervisor Lucia and Town Board Members,

This letter is to inform you that the Town of Corinth Planning Board has reviewed resolution # 213 of the Town Board. The Town of Corinth Planning Board has made a motion to accept the additional language for Site Plan Use in the South Corinth Hamlet as written, with no further recommendations.

Yours truly,

Town of Corinth Planning Board

Very truly yours,

*Rose K. Farr*  
Rose K. Farr, RMC  
Town Clerk

ENC.

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## **RESOLUTION #247**

### **LEAVE PUBLIC HEARING OPEN ON SOUTH CORINTH HAMLET**

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

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

RESOLVED that the Town Clerk be instructed to place an ad in the Pennysaver regarding the Public Hearing and referring people to the Town of Corinth website, and be it further

RESOLVED that the Public Hearing on the Proposed Local Law Amending Corinth Land Use Law to Allow Artisan Workshops in the South Corinth Hamlet District remain open until Thursday, November 8, 2007 at 7:10 PM in order to give more citizens the chance to review same.

The Town Board with the assistance of Town Counsel Radner completed Part 1 and Part 2 of the State Environmental Quality Review Full Environmental Assessment Form.

## **RESOLUTION #248**

### **NO SIGNIFICANT IMPACT**

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 amending the Corinth Land Use Law to Allow Artisan Workshops in the South Corinth Hamlet District will not result in any large and important impacts and, therefore, is one which will not have a significant impact on the environment therefore a negative declaration was prepared.

## **PUBLIC**

### **Barbara Weatherwax**

Barbara Weatherwax asked if the Town Board had received a report from Delaware Engineering on Petruzzo. Supervisor Lucia told her that the Town Attorneys have the report and are going over it at the present time. He said as soon as they have reviewed same they will discuss it with the Town Board.

### **Sigrid Koch**

Sigrid Koch suggested that all public hearing be held at the 7:00 PM meetings so that more people could attend.

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## **TOWN CLERK**

Town Clerk Farr told the board that she had received a brochure and application from Rebuilding Together Saratoga County, Inc. She said this is a home repair community service program targeting low-income, elderly and disabled homeowners and families with young children. She said she also had an application from Saratoga County Economic Opportunity Council – Community Services Thanksgiving Basket Application if anyone knew any person that might be interested.

## **HIGHWAY**

Deputy Highway Superintendent Eggleston asked the Town Board for a speed reduction on Stark Road to 40 MPH. He said right now there is no speed posted on Stark Road which makes the speed limit 55MPH.

## **RESOLUTION #249**

### **SPEED REDUCTION ON STARK ROAD**

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 a request be forwarded to Saratoga County requesting that the speed limit on Stark Road be reduced to 40 miles per hour.

## **CODE ENFORCEMENT**

Code Enforcement Officer Mann said that he has checked on the Christopher Schuh property today and Mr. Schuh continues to work even though he was issued a Stop Work Order.

## **RESOLUTION #250**

### **RESOLUTION AUTHORIZING LEGAL ACTION TO CURE VIOLATION OF TOWN CODE**

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

WHEREAS, the Building Permit Ordinance found at Chapter 63 of the Town Code provides that it is unlawful to construct, relocate or alter any structure unless a valid permit has been issued by the Building Inspector or Code Enforcement Officer; and

WHEREAS, Christopher Schuh has been constructing an addition to his property at 20 Old River Road for which he has not obtained a Building Permit, and

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WHEREAS, the Town Code Enforcement Officer issued a Stop Work Order to Mr. Schuh on October 1, 2007, and

WHEREAS, Mr. Schuh responded to the Stop Work Order by sending a letter to the Town dated October 5, 2007 which clearly indicates that he does not intend to abide by the Stop Work Order or obtain a Building Permit; and

WHEREAS, Mr. Schuh has continued construction of the structure without applying for or obtaining a Building Permit;

NOW, THEREFORE, BE IT

RESOLVED, that the Corinth Town Board hereby authorizes and directs Town Counsel to initiate appropriate legal action to halt construction of the structure by Christopher Schuh in violation of the Town Code, to require its immediate removal and to seek penalties for violation of the Town Code.

Attorney Radner told the Town Board that now that this resolution has been passed she will file a petition in Saratoga County Supreme Court to have the structure removed, etc.

## **TOWN BOARD**

### **Councilman Brown**

Councilman Brown told the Town Board that the Emergency Management Committee struggled during the recent power outage to obtain a list of names, addresses and telephone numbers of disabled and elderly people in Corinth. He said the committee is working on a program called RUOK. He said that they want to place a brochure in the Pennysaver so that a master list of the elderly and disabled people in Corinth can be made.

### **RESOLUTION #251**

#### **SHARE THE EXPENSE OF PLACING A BROCHURE IN THE PENNYSAVER**

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 will share with the Village of Corinth the expense of placing a brochure in the Pennysaver in an attempt to comprise a list of elderly and disabled people within the Town and Village of Corinth.

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## **Councilman Major**

Councilman Major told the Town Board that he was very pleased with the joint meeting that the School Board, Village Board and Town Boards had on October 23<sup>rd</sup>. He said he thought it was very important to plan. He also said it was nice to see so many people involved.

## **Councilman Byrnes**

Councilman Byrnes also said that he felt the joint meeting was excellent. He said he felt Dr. Starr is a great leader and we have a great school board.

## **RESOLUTION #252**

### **MOTION TO PAY BILLS AS AUDITED WITH NO EXCEPTION**

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

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

RESOLVED that the board pays bills as audited with any exceptions as follows:

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## Vouchers For 10/25/07

### General Fund/Town Wide – A:

#20071520, 1524, 1533-1557, 1591-1606, 1613-1620

\$77,180.75

### General Fund/Outside Village – B:

#20071518, 1521, 1525, 1558-1572, 1607, 1621

\$10,707.68

### Community Development Grant – CD:

#20071519, 1529-1532

\$16,915.00

### Highway/Town Wide – DA:

\$0

### Highway/Part Town – DB:

#20071526, 1573-1590, 1608

\$24,935.88

### Capital Project/Landfill Upgrades – H1:

\$0

### Fire Protection – SF:

\$0

### Street Lighting – SL:

P#20071622-1624

\$515.78

### Sewer/Water – SW:

\$0

### Trust & Agency – TA:

#20071522-1523, 1527-1528, 1609-1612

\$6,234.20

### Scenic Train –

\$0

### Depot Restoration –

\$0

On a motion of Councilman Saunders and seconded by Councilman Major the meeting was adjourned at 5:05 PM to bill paying. Carried unanimously.

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At 5:45 PM the Town Board re-convened and the following business was transacted:

### **RESOLUTION #253**

#### **SET DATE FOR PRELIMINARY BUDGET MEETING**

Supervisor Lucia stated that the Town Board that it was now necessary to set the Hearing date for the Preliminary Budget. 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

RESOLVED that the Public Hearing for the 2008 Preliminary Budget of the Town of Corinth be scheduled for November 7, 2007 at 4:00 PM, and be it further

RESOLVED that the Town Clerk publish a Legal Notice in the Post Star advising the public of this meeting.

With no further business, on a motion of Councilman Saunders and seconded by Councilman Major the meeting was adjourned at 5:50 PM to bill paying. Carried unanimously.

Respectfully submitted,

Rose E. Farr, RMC  
Town Clerk