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MARCH 13, 2008

The Town Board of the Town of Corinth held a regular meeting on March 13, 2008 at 7:00 PM at the Corinth Fire House.

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, Highway Superintendent
Fred Mann, Jr., Code Enforcement Office
Mary Ellen Hill-Pierce, Assessor

Public: Norm Baldwin, Glenn Tearno, Ray Bush, Michelle Eggleston, Joan Smead, Douglas Smead, Bruce Lemelin, Lynn Walker, Judy Walker, Joel Jenkins, Joanne Jenkins, Gail Robbins, Richard Robbins, Ken Carter, Shari Jensen, Cliff Jensen, Cheryl Hudak, Bob Hudak, Linda Adams, Linda Puffer, Patty Eisenhardt, Jim Hamm, Michelle Wyman, Beth Cervenak, Kathryn Fitzgerald, Bev Jacon, Eli LaBombard, John Yannaci, Desi Sirchia, Judy Sequin, Brad Winslow, Todd Morrow, Brad Morrow, Sigrid Koch, Warren Saunders, Edwin Eggleston, A. J. Sycuro, Joel Duguay, Andy Winslow, Sr., Miriam Saheim, Mike Briner, Donna Briner, David Falk, Sandra Berg, David Eggleston, Keith Powell, Carol Holley, Thomas Normile, Bill Fuller, Brian Martineau, Gary Williams, Peter Gunning, Mitchell Sequin, Russ Boggs, John Collura, Gary Randall, Dennis Morreale, Candy Morby, Milford Millington, Karen Saunders, Sun Shattuck, Joseph Duguay, Gregory Berg, James Hopkins, Renee Baker, Bruce Baker, Yvon Trottier, Stephen Tubbs, Jim Murray, Sr, Richard Burnham, Jr., Ralph Green, John Tangora and Michael Woodcock.

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

RESOLUTION #110
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 February 7th, 14th, 21st and 28th, 2008 be approved.

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RESOLUTION #111 **APPROVAL OF ABSTRACTS**

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

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

Resolved that the abstracts of February 7th and February 28th, 2008 be approved as follows:

<u>February 7, 2008</u>			<u>February 28, 2008</u>		
A	-	\$ 56,119.92	A	-	\$ 93,900.97
B	-	\$ 22,271.91	B	-	\$ 9,856.30
CD	-	\$ 16,186.70	CD	-	\$ 1,750.00
DB	-	\$ 41,421.28	DB	-	\$ 62,472.67
H1	-	\$ 5,992.14	H1	-	\$ 174.75
SF	-	\$173,542.00	T & A	-	\$ 9,007.69
T&A	-	\$ 13,530.23			

ASSESSMENTS

Assessor Mary Ellen Hill Pierce gave a presentation regarding the recent re-assessments. Assessor Hill Pierce told the public about her background, how the re-assessment came about and how a person can challenge their new assessment. With the assistance of Carol Holley of Saratoga County Real Property; along with Beth Cervenak and Kathryn Fitzgerald of New York State Office of Real Property, Assessor Mary Ellen Hill Pierce fielded questions from the public and attempted to answer the questions as best they could be answered. Corinth citizens: Dennis Morreale, Stanley Hoffman, Renee Baker, Joseph Duguay, James Hopkins, Russ Boggs, Todd Morrow and Bob Hudak questioned the re-assessments and the way it was done.

COMPREHENSIVE COMMITTEE

Glenn Tearno, Chairman of the Comprehensive Committee, told the Town Board that the survey that the committee sent out was answered exceptionally well. He said that out of the 3500 surveys that went out they received approximately 700 back. He said he had provided the Town Board with the raw survey data and that has not been reviewed by the committee as of yet. He told the public that on April 30th at 7:00 PM there would be a joint Town Board, Village Board, School Board and Comprehensive Committee meeting to go over the results of the survey.

Supervisor Lucia asked Mr. Tearno if his committee had any time line set yet and Mr. Tearno said they had no specific time frame as of yet.

Supervisor Lucia read into the record the following letter submitted on behalf of Jody Shattuck:

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Rose,

I would like the following letter distributed to the town board members and read by Dick at Thursday night's town board meeting.

Thanks !

Jody Shattuck

Town Board,

First of all I apologize for not being here in person but I have to work tonight. Attached to this letter is a copy of my 2008 tax assessment. I have already talked to several members of the board so this won't surprise them but look at my 2007 assessment compared to my 2008. According to this, my house over doubled in value virtually overnight! Unfortunately it also estimates that my tax liability doubles! My house went from an assessed value of \$94,900 in 2007 to an assessed value of \$218,600 in 2008! That is a \$123,000 increase! I realize in reality it's been three years since the last assessment but the increase is still excessive. I consider myself a fair and honest man and I'm willing to pay my fair share of taxes but this assessment is way out of line. The craziest part of this is now the burden is on me to prove otherwise. Over the last week I have talked to numerous people that feel the same way as me. I hope they came to the meeting tonight so the board members understand how serious this is. I've been to the assessor's office several times in the last week and judging by the constant influx of frightened, puzzled and sometimes angry people I've seen that something is wrong.

I have already had a meeting with the assessor and I have no idea what, if any changes will be made to my assessment. She made it very clear from the moment we sat down that all the burden was on me to prove to her that she was wrong about my assessment. She explained that she picked out three houses of similar size, acreage and age and took their selling price averaged it and that is where she got the new assessment. The three houses she picked still didn't average out to \$218,000! To this day she never showed me how she came up with her numbers. I found three houses while I was there I thought were similar to mine that had much lower assessments but she found faults with all of them. When I questioned her choices because at least two of the properties had more acreage, she told me the computer compensated for that. When my fifteen minutes were up she ended the meeting and told me I would receive notification of her decision the first week in May. It's like she's running some kind of dictatorship! I submit that there is too much potential for manipulation and abuse in the system she is using and she doesn't seem to have to answer to anybody. It's a good argument for electing assessors rather than appointing. I found her to be professional, but very arrogant and aloof. She doesn't appear to have any sympathy. I know her job isn't easy but a little compassion, understanding and compromise can go a long way! I hope this letter doesn't affect my assessment but my back is against the wall. If I can't get my assessment lowered substantially I may have to sell my house and not for \$218,000 either! I can't imagine

anyone on a fixed income or senior citizens getting an escalation in taxes like I got. Actually I'm a salaried employee and my income hasn't gone up in three years.

I don't pretend to understand the whole assessment process like our present assessor does and I'm not saying I know how to fix it. But I am saying fairness and common sense need to be incorporated in this as in all processes.

I know I'll think of a hundred more things I want to say after I close this but I'll save them for another day. Thank you for your time and feel free to contact me anytime.

Respectfully,

Jody Shattuck

RESOLUTION #112

CHANGING TIME OF APRIL 3RD TOWN BOARD MEETING

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

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

RESOLVED that the April 3rd Town Board meeting be changed from 4:00 PM to 7:00 PM.

RESOLUTION #113

RESOLUTION SCHEDULING PUBLIC HEARING ON PROPOSED LOCAL LAW REGULATING COMPOSTING FACILITIES AND NON-CONFORMING STRUCTURES AND USES AND PROVIDING FOR NOTICE THEREOF

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

WHEREAS, the Town has significant concerns regarding the potential impacts of all types of waste disposal facilities, and the Town Board previously established a moratorium on the review of applications for waste disposal facilities, including composting facilities, and on the establishment of such facilities in order to allow the Town Board time to investigate the relevant issues and adopt a Local Law regulating waste disposal facilities consistent with the development objectives of the Town; and

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WHEREAS, in 2007 the Town Board adopted a Local Law governing waste disposal facilities except for composting facilities and specifying that the Moratorium would continue and remain in effect with regard to composting facilities to enable the Town Board to develop provisions regarding composting facilities; and

WHEREAS, the Town has now developed a proposed Local Law regulating composting facilities; and

WHEREAS, the adoption of the proposed Local Law would revise the Town's Zoning Law and is subject to the State Environmental Quality Review Act at 6 NYCRR 617.4(b)(2);

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board shall meet on April 3, 2008 at 7:00 PM to hold a public hearing to hear all people who wish to comment on the proposed Local Law regulating composting facilities; and be it

FURTHER RESOLVED, that 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 Clerk is hereby authorized and directed to forward a copy of the proposed Local Law and Notice of Public Hearing to the Town Planning Board for its recommendation pursuant to Town Code Section 89-60; and be it

FURTHER RESOLVED, that the Town Clerk 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 Clerk is hereby authorized and directed to forward a copy of the proposed Local Law and Notice of Public Hearing at least ten (10) days prior to the date of the public hearing to those municipalities and entities as required pursuant to Town Code Sections 89-58 and 89-61A(1) and (2) and General Municipal Law Section 239-nn; 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

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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 Full 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 this Resolution shall take effect immediately.

Attorney Hafner asked that the board agree that the attorneys may amend the wording in paragraph D. Restoration and E. Expansion may be changed since the board agreed to 0% increase. The board agreed.

SUPERVISOR

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

- AARP presentation and assistance with Tax Stimulus Package at Senior Center on March 19th at 10:30 to Noon
- American Red Cross Letter
- Animal Control Officer Inspection by Dept. of Agriculture & Markets
- CCSPD Parent Newsletter
- Family Self Sufficiency Program
- Honor a Deceased Veteran – March 18th at 2:30 PM – Alexander Shoutis and Harold Shoutis, US Army, WWII, from Town of Galway
- HVCC Report
- Joint Workshop – Village & Town – March 20th at 4:00 PM
- Corinth Emergency Squad celebrating 62 years on March 16th
- March 15th Ceremony regarding Fire February 11th
- Mortgage Tax Receipts - \$19,092.92
- NYS DEC Letter
- Sales Tax - \$51,403.00
- Saratoga County 2008 Rabies Clinics
- Saratoga County Fire Advisory Board Minutes
- Senior Sentinel
- Sunshine Week
- Time Warner Letters
- USDA 2007 Progress Report
- Veterans Corner
- Yellow Ribbon Day

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

- Assessors
- Building
- Animal Control
- Fire Department
- Highway
- Justices
- Town Clerk
- Zoning
- Senior Citizens
- Supervisor's Report

RESOLUTION #114

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 February 2008.

PUBLIC SPEAKING

Edwin Eggleston told the Town Board that the legion was again sending three boys to Boys State this year. He also said the Auxiliary is sending at least one girl and possibly two.

Jim Murray, Sr. read the following letter into the record regarding the request for fencing at the fire site on Main Street in the Village: .

Jim Murray Sr. March 13, 2008

At the last workshop meeting, Town Councilman Mitch Saunders bought up for discussion and permission with the Town assisting the village on erecting a professional looking fence around the buildings that burned on main street.

There was a lot of discussion that centered around that the burned buildings were private property.

I strongly urge that the town revisit the request of Councilman Saunders for the following reasons:

The Bill of Rights and United states Constitution guarantees the people of the United States, a government "by the people, for the people".

The town of Corinth has spent monies and time for the scenic railroad, which will be eventually run by a non-government ~~eternity~~, for the people.

The town of Corinth DPW, Shawn Eggeston and his crews knocked down high snow banks, some of which were probably on private property so the public can see around the corners and exiting driveways. Shawn made this statement at one of the Town Board meetings. This was also done for the people and the safety of the people.

It is my understanding that there is possibly asbestos within the debris of the building so I believe that a secure professional looking fence needs to be erected around the debris for the people's safety, prevent scavenging and hide/contain the debris until they can be properly removed.

According to my private insurance company, New York Central Mutual, just about all liability insurance companies that operate in New York State will reimburse costs of securing a damaged property. That will minimize the liability of the property for the insurance carrier and property owner.

Why do you think private and public construction projects have security fences around the during work phases, for the safety and security of the people.

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TOWN BOARD

Councilman Saunders asked about advertising for the joint meeting with the Village on Share Services/Consolidation for March 19th. Supervisor Lucia told him that it was a Village meeting and it was up to the Village to advertise. Supervisor Lucia said that we would make sure that we have our public notice in the legal paper as prescribed by law.

Councilman Saunders also requested that the Town erect a professional fence around the fire scene on Main Street in the Village.

Councilman Brown told the public that there would be an Emergency Management Meeting on Monday, March 17th at 6:00 PM at the Fire House.

ATTORNEY

Attorney Hafner told the Town Board that the Judge had decided in the lawsuit brought by Petruzzo against each town board member personally and the Town Board as a whole to dismiss the lawsuit against each Town Board Member personally and to dismiss two counts of the lawsuit against the Town.

HIGHWAY

Highway Superintendent Shawn Eggleston told the Town Board that he is advertising for the posting of the roads this week and his department would start posting the roads next week.

RESOLUTION #115

ADJOURN TO EXECUTIVE SESSION

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
 Nay 0

RESOLVED that the at 9:10 PM the Town Board adjourn to Executive Session on a particular person with no decision being made

With no further business, on a motion of Councilman Major and seconded by Councilman Saunders the meeting was adjourned at 9:25 PM.

Respectfully submitted,

Rose E. Farr, RMC
Town Clerk