

April 24, 2008

The Town Board of the Town Of Corinth held a regular meeting on April 24, 2008, 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, Highway Superintendent
 Rose E. Farr, Town Clerk

Excused: Fred Mann, Building Inspector

Public Present: Ray Bush, Jim Murray, Sigrid Koch, Jim Hamm, Michelle Wyman, David Witte, Nancy Witte, Bruce Baker and Michelle Allen.

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

Supervisor Lucia gave an update on the Water problem. He said that Highway Superintendent Eggleston had checked the pond and it had gone down about two feet and the drainage in the farthest lower drain has hardly any drainage. Supervisor Lucia said that the Town would have our engineers look at this and get back to us before the Town lifts the Stop Work order.

Supervisor Lucia read the following five Proclamations given to the Doherty Family on April 15, 2008:

Proclamation

Whereas; The Town Board, Town Of Corinth, County of Saratoga, State of New York, Wishes to honor the memory of Albert F.Doherty, for being, One of The Five Doherty Brothers to be honored , as Saratoga County's, Corinth Deceased Veteran of the Month, at its April 15, 2008 Monthly Ceremony.

And Whereas; Albert "Ike" Doherty was born April 17, 1910, , and graduated from Corinth Central School. Mr. Doherty became a Papermaker at International Paper Company for 45 years, retiring in 1973.

And Whereas; Ike is the son of Stephen and Elizabeth Knobbs Doherty, he married Esther Doherty. He is one of twelve children of the Doherty Family coming to Ellis Island from Ireland.

And Whereas; On December 4,1942, "Ike" entered the United States Army, and was discharged on November 19, 1945 as a Corporal.. He was in England, Normandy, Czechoslovakia, and received the Meritorious Service Unit Badge, Good Conduct Medal, and the European Theater Operations Ribbon with 5 battle Stars.

*And Whereas; "Ike" is survived by many loving nieces and nephews;
And be it Resolved; that the whole Town of Corinth remembers with Pride, our Special Citizen, Albert F. "Ike" Doherty, Affixed with the Official Seal of Corinth this 10th day of April, 2008*

*Supervisor Richard B. Lucia
Councilman Charles Brown
Councilman John Major*

*Councilman Edward Byrnes
Councilman Mitchell Saunders
Town Clerk Rose E. Farr*

Proclamation

Whereas; The Town Board, Town Of Corinth, County of Saratoga, State of New York, Wishes to honor the memory of George. Doherty, for being, One of The Five Doherty Brothers to be honored, as Saratoga County's, Corinth Deceased Veteran of the Month, at its April 15, 2008 Monthly Ceremony.

And Whereas; George Doherty was born July 2, 1922, and graduated from Corinth Central School. Mr. Doherty , Graduated from Springfield College with a degree in Physical Education in 1951. George was a Physical Education Teacher, Coach and Athletic Director at Hadley Luzerne School from August 1952 to June 1972.

And Whereas; George is the son of Stephen and Elizabeth Knobbs Doherty, he married Louise Rogers Doherty September 9, 1946. He is one of twelve children of the Doherty Family coming to Ellis Island from Ireland. George was the proud father of son George R. Doherty and Daughter Cynthia Doherty Fosberry. Grandfather to Jennifer Alfonso, Michael Fosberry, and Joshua Fosberry, and Great Grandfather to Isabella Alfonso, Gustavo Alfonso, and Serephina Alfonso.

And Whereas; In March 1942, George entered the United State Marine Corps, and was discharged in March 1946 as a Sergeant. He was a mortar man, and saw overseas duty in Samoa, New Zealand, Guodal Canal, Bougainville.

And Whereas; George received the Good Conduct Medal, Sharp Shooters Medal, and several Athletic awards. In Bougainville, he contracted filarasis, and was sent to Camp Pendleton for training for the invasion of Japan.

And be it Resolved; that the whole Town of Corinth remembers with Pride, our Special Citizen, George Doherty, Affixed with the Official Seal of Corinth this 10th day of April, 2008

*Supervisor Richard B. Lucia
Councilman Charles Brown
Councilman John Major*

*Councilman Edward Byrnes
Councilman Mitchell Saunders
Town Clerk Rose E. Farr*

Proclamation

Whereas; The Town Board, Town Of Corinth, County of Saratoga, State of New York, Wishes to honor the memory of William Henry Doherty for being, One of The Five Doherty Brothers to be honored , as Saratoga County's, Corinth Deceased Veteran of the Month, at its April 15, 2008 Monthly Ceremony.

And Whereas; William H. Doherty was born January 29, 1921, and graduated from Corinth Central School. Mr. Doherty , worked for the Village of Corinth for 36 years, in the Police department, and Was Chief for 22 Years. Bill was a Republican Councilman for the Town Of Corinth from 1988, until his death March 26, 2005.

And Whereas; Bill is the son of Stephen and Elizabeth Knobbs Doherty, he married Beverly Rogers Doherty, September 9, 1946. He is one of twelve children of the Doherty Family coming to Ellis Island from Ireland. Bill was the Very proud father of Daughters Dana Doherty Baker, and Kathi Doherty Raucci., Grandfather to Kiersten Baker DeLisle, Great Gransdfather to Code and Chase Delisle, and Loving Uncle to Many Nieces and Nephews.

And Whereas; On August 10, 1942, William, entered the United State Navy, and was discharged in January, 1946. He was in the Pacific Theatre, and was a Masters of Arms-Midway Island, served on the USS Sitkon Bay CVE 86, 2 ½ Years. Bill was also chosen to drive ex-Heavy Weight Boxing Champion, Gene Tunney on visits to Midway Island. He also played baseball as a Pitcher and Basketball on Navy Teams. Mr. Doherty received 3 Battle Stars and 5 Ribbons.

And be it Resolved; that the whole Town of Corinth remembers with Pride, our Special Citizen, William H. Doherty, Affixed with the Official Seal of Corinth this 10th day of April, 2008

*Supervisor Richard B. Lucia
Councilman Charles Brown
Councilman John Major*

*Councilman Edward Byrnes
Councilman Mitchell Saunders
Town Clerk Rose E. Farr*

Proclamation

Whereas; The Town Board, Town Of Corinth, County of Saratoga, State of New York, Wishes to honor the memory of James F. Doherty for being, One of The Five Doherty Brothers to be honored , as Saratoga County's, Corinth Deceased Veteran of the Month, at its April 15, 2008 Monthly Ceremony.

And Whereas; James F. Doherty was born August 04, 1908, and graduated from Corinth Central School. Mr. Doherty, worked for International Paper Company as a Paper Machine Supervisor for 45 years, from 1926 thru 1971. He passed away in Strafford Pa., April 2, 2004. Mr. Doherty was also very active in the First Presbyterian Church.

And Whereas; James is the son of Stephen and Elizabeth Knobbs Doherty, he was married To Dorothy Doherty. He is one of twelve children of the Doherty Family coming to Ellis Island from Ireland. Jim was the proud father of Daughter Joan M. Doherty Emmi, and Son Thomas J. Doherty.

And whereas; On April 7, 1942. Jim , entered the United States Army Air Corps and was discharged September 9, 1945 as a Master Sergeant. Jim was an Airplane Flight Chief in the 713th Bomber Squadron. He saw overseas Duty in England and Received the Bronze Star September 1944.

And be it Resolved; that the whole Town of Corinth remembers with Pride, our Special Citizen, James F. Doherty, Affixed with the Official Seal of Corinth this 10th day of April, 2008

*Supervisor Richard B. Lucia
Councilman Charles Brown
Councilman John Major*

*Councilman Edward Byrnes
Councilman Mitchell Saunders
Town Clerk Rose E. Farr*

Proclamation

Whereas; The Town Board, Town Of Corinth, County of Saratoga, State of New York, Wishes to honor the memory of Douglas Robert Doherty for being, One of The Five Doherty Brothers to be honored , as Saratoga County's, Corinth Deceased Veteran of the Month, at its April 15, 2008 Monthly Ceremony.

And Whereas; Douglas Doherty was born October 24, 1918, and graduated from Corinth Central School. Mr. Doherty, worked for the Village of Corinth as Police Chief for 14 years, from 1946 to 1960, and worked for the United States Postal Service for 23 years, from 1960 to his retirement in 1983. Mr. Doherty passed away October 3, 1992.

And Whereas; "Duffy" is the son of Stephen and Elizabeth Knobbs Doherty, he married Mary Murphy Doherty on November 2, 1946. He is one of twelve children of the Doherty Family coming to Ellis Island from Ireland.

"Duffy" was the proud father of Daughters, Sheila Doherty Edwards, and Denise Doherty Anderson, and Sons, Stephen Doherty and Joseph Doherty And Whereas; On October 15, 1940, Douglas entered the United States Army Infantry, and was discharged on November 12, 1945, as a First Sergeant., a member of the 27th Division, 105th Infantry. He was in the Pacific Theatre for 39 months, and "Duffy" was awarded the Bronze Star Medal, Purple Heart, Asiatic-Pacific WW2 Victory Medal, Campaign Medal with Bronze Arrowhead and 3 Bronze Service Stars.

And Whereas; Mr. Doherty was wounded in April 1945, with Artillery Shell Fragments during invasion of Okinawa and surrounding Islands.

And be it Resolved; that the whole Town of Corinth remembers with Pride, our Special Citizen, Douglas Robert "Duffy" Doherty., Affixed with the Official Seal of Corinth this 10th day of April, 2008

*Supervisor Richard B. Lucia
Councilman Charles Brown
Councilman John Major*

*Councilman Edward Byrnes
Councilman Mitchell Saunders
Town Clerk Rose E. Farr*

RESOLUTION #132

RESOLUTION AUTHORIZING SOLICITATION OF BIDS FOR REMOVAL OF MOBILE HOMES FORM PROPERTY AT 165 HOWE ROAD

Supervisor Lucia told the board that they need to pass a resolution to authorize solicitation of bids for removal of the mobile homes located on property known as 165 Howe Road in the Town of Corinth. On a motion of Councilman Brown and seconded by Councilman Major, the following resolution was

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

WHEREAS, the New York State Supreme Court issued a Decision and Order authorizing the Town to remove, or arrange for the removal, of approximately 161 dilapidated mobile homes from property located at 165 Howe Road, with the costs of such removal to be a charge against the property, and

WHEREAS, the Town Board believes that the removal of such mobile homes from the property at 165 Howe Road is necessary in order to protect the health, safety and welfare of the public, and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes solicitation of sealed bids for the removal of approximately 161 dilapidated mobile homes from property at 165 Howe Road, with such bids to be prepared and submitted in accordance with the “Request for Proposals for Services for Removal of Mobile Homes in the Town of Corinth” hereby approved by the Town Board, and be it

FURTHER RESOLVED, that any sealed bids received in accordance with the Request for Proposals shall be held by the Town Clerk until the Town Board meeting scheduled for 4:00PM on May 15, 2008, at which meeting the bids shall be publicly opened and read aloud, and be it

FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to publish an Invitation to Bid, consistent with this Resolution and the Request for Proposals, at

least 5 days before the date specified for the opening of bids and to provide a copy of the Request for Proposals to anyone who requests it, and be it

FURTHER RESOLVED, that the Town Supervisor, Town Clerk, Town Zoning Officer and Town Counsel are authorized and directed to take any and all further actions necessary to effectuate the provisions of this Resolution; and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.
Supervisor Lucia and the Town Board went over the bids specifications and the Invitation to bidders.

Supervisor Lucia told the Town Board that he had in his office the changes in the Wicks Law if anyone was interested in reading them.

Supervisor Lucia also told the board that he had the 2008 Parks and Recreation application for funding in his office.

RESOLUTION #131
APPOINTMENT OF BRUCE BAKER AS TEMPORARY MEMBER OF BOARD OF ASSESSMENT REVIEW

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

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

RESOLVED that Bruce Baker be appointed temporary member of the Town of Corinth Board of Assessment Review for the term of one (1) year.

Supervisor Lucia reminded the board of the Comprehensive Planning Committee meeting to be held on Wednesday, April 30th, at 7:00 PM at the Corinth Fire House.

Supervisor Lucia told Highway Superintendent Eggleston that Harold Clements had spoke to him about the Town borrowing the Village vacuum sweeper since there is so much dust that comes from the sweeper. Highway Superintendent Eggleston said that his department has already started to clean the roads and due to the large number of roads the Town has it would not be beneficial to use the Village sweeper.

Supervisor Lucia gave each board member a copy of letter that Village Mayor Winslow was going to put in the Pennysaver regarding the Consolidation Committee that is being formed.

Supervisor Lucia told them that Mayor Winslow wanted the Town Board to approve the letter before it was sent to the paper.

PUBLIC INPUT

James Hamm

James Hamm asked the Town Board how they plan to recoup the money they will be spending on the Howe Road project. Supervisor Lucia said that the amount it costs the Town will be added to the property owners Town and County Tax bill. Councilman Byrnes told Mr. Hamm that this is why the project is going out for bids.

Mr. Hamm told the Town Board that he had contacted other Towns and was told that if a person contacts the Building Department and asks for permits they are given all information needed to complete their job. He said that he wishes to speak to the Town Attorney regarding this since it is not what the Town Attorney said. Supervisor Lucia told him he could call our attorney. Mr. Hamm said that he wished to speak to the Town Attorney at an open meeting. Supervisor Lucia told Mr. Hamm that the Town Attorney would be present at the May 8th 7:00PM meeting. Mr. Hamm said that he should have been given the correct information from the Building Department. Councilman Saunders told Mr. Hamm that he recognizes his circumstances that Mr. Hamm was put in but some of Mr. Hamm's problems were very unusual. Mr. Hamm told the Town Board that he was not going to proceed with the re-zoning. Councilman Saunders said that he was not against trailers in Corinth. Supervisor Lucia also said that he was not against trailers. Mr. Hamm said that he still felt the Town was liable for what has happened to him. Supervisor Lucia told Mr. Hamm that the Town is willing to work with him.

Jim Murray

Jim Murray spoke to the Town Board about a matter that he had spoke to them about a year ago. This matter is having a hazardous material garbage pick up day in the Town. He said this includes television and computer screens, etc. Supervisor Lucia told Mr. Murray that he had contact neighboring towns and none of them wanted to join Corinth in having such material picked up. Supervisor Lucia said that it was expensive for only one town to do this. Supervisor Lucia told Mr. Murray that he has been waiting for the County Recycling to get back to him regarding ways to dispose of these items. Highway Superintendent Eggleston told Mr. Murray that a person can dispose of televisions and computer monitors at the landfill. Mr. Murray said he was told at the Landfill that they could not dispose of them there. Highway Superintendent Eggleston told Mr. Murray that they could not be placed in the recycling bins but could be disposed of in the C & D.

Nancy Witte

Mrs. Nancy Witte asked about the water problems. Supervisor Lucia told her what had been said earlier. She said that this year has been the worse she has ever seen. She said he septic stopped working because of the water. She said that it has gotten worse just since the Passeralli development has gone in.

Thomas Clothier

Thomas Clothier asked the board if Greenfield had been contacted about the property on Howe Road. He said some of the property is in Greenfield. Supervisor Lucia told him that the portion of the property where the mobile Homes are in located in the Town of Corinth. Mr. Clothier said that if someone was to purchase the property they would purchase both the Town of Corinth and Town of Greenfield properties. Supervisor Lucia said that he would check that out with Greenfield before May 15th.

Michelle Allen

Michelle Allen said that she has lived at her property for nine years and this year is the first year she has had a problem with water in her basement. She said that once this year she had a back yard full of sewage and ten months out of this year she has had water in her basement. She said the problem started when the building commenced. She said that she now had mold and mushrooms in her basement and the back yard had an area that is sunken. Supervisor Lucia asked her if she had contacted the Building Inspector for him to inspect the property. Ms. Allen said that she had not. The board suggested that Friday afternoon she contact the Building Inspector and have him inspect her property. Supervisor Lucia also told her what had been said at the beginning of the meeting regarding the Stop Work Order and the Town's engineer.

Town Clerk

Town Clerk Rose E. Farr thanked Supervisor Lucia and the department heads for taking the office help to lunch for Professional Assistant's Day.

Town Clerk Farr also reminded the Town Board that her office will be closed Monday, Tuesday and Wednesday for her and her staff to attend the New York State Town Clerk's Conference.

Highway

Town Highway Superintendent Shawn Eggleston told the board that his department has been cleaning up the roads and shoulders.

Building Inspector

Supervisor Lucia told the board and the public that the Building Inspector is at school tonight on Elgin Systems.

Town Board

Councilman Saunders said that he was concerned with the increasing prices for gasoline and fuel oil that it would be escalating out of control. He asked Supervisor Lucia who he should speak to at the County level.

Councilman Saunders asked how the Sales Tax Revenue was determined. He asked if it was based on the population. Supervisor Lucia told him that population and other thing.

Councilman Saunders said that he was pleased that the Town and Village have decided to form a Consolidation Committee to review the feasibility of a consolidation.

Councilman Brown said he wanted to thank everyone who sent cards, etc. regarding the recent death in his family.

Councilman Brown said that the Emergency Management Committee has been concerned with a breach of the Conklingville Dam. He said he learned that the alert system was scheduled to go as far down only as Hadley. He said he recently learned that FERQ had ordered the Hudson River Black River Regulating District to bring the alert system down to Corinth.

Councilman Major asked if the Town Board was going to be meeting with the Zoning Board of Appeals as they did with the Planning Board. Supervisor Lucia told him that he hoped to set up a meeting within the next month.

Councilman Byrnes said that he had confirmed the meeting on May 15th with Ed Hawling on offering an incentive to the squad.

RESOLUTION # 132

AUDIT OF CLAIMS

On a motion of Councilman Saunders and seconded by Councilman Brown 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:

General Fund A	-	\$46,856.54
General Fund B	-	\$ 6,984.17
Highway Fund DB	-	\$18,227.03
Trust & Agency	-	\$19,449.46

RESOLUTION #133

ADJOURN TO BILL PAYING

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

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

RESOLVED that the meeting be adjourned to bill paying.

RESOLUTION #134

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 at 5:15 PM the Town Board adjourn to Executive Session on litigation with possible decision to be made.

At 5:30 PM a motion was made by Councilman Major and seconded by Councilman Byrnes to reconvene the Town Board meeting

RESOLUTION #135

RESOLUTION AUTHORIZING REVIEW OF PETITIONER'S SUBMITTALS IN ASSESSMENT LITIGATION

Supervisor Lucia told the public that the litigation brought by MHC Alpine. 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
 Nay 0

WHEREAS, MHC Alpine owns property within the Town and filed a Petition seeking Court review of the assessment on its property, and

WHEREAS, representatives of MHC Alpine have had discussions with the Assessor and Town Counsel and indicated MHC Alpine's desire to attempt to settle the matter, and MHC Alpine has provided the Assessor with a partial appraisal and other information in an effort to support its request for a reduction in its assessment, and

WHEREAS, the amount in dispute in the litigation could result in a significant refund and reduced future tax revenues if Petitioner prevails in the litigation, and

WHEREAS, the Assessor and Town Counsel believe it would be prudent for the Town to engage an appraiser to review the materials provided by MHC Alpine and evaluate its request for assessment reduction, and

WHEREAS, the appraisal firm Upstate Appraisal Services in Clifton Park is well-qualified to review the materials submitted by MHC Alpine and provide advice, and

WHEREAS, the fee for Upstate Appraisal Services to review material from MHC Alpine and make recommendations would be \$1,200 to \$1,600, which would be credited toward the cost of an appraisal for the Town if it becomes necessary for the Town to file an appraisal,

NOW, THEREFORE, BE IT

RESOLVED, that the Town shall retain Upstate Appraisal Services to review materials submitted by MHC Alpine and evaluate its request for an assessment reduction, with the cost for such review service not to exceed \$1,600 without prior approval of this Board, and

BE IT FURTHER

RESOLVED, that Upstate Appraisal Services shall submit its report and any recommendations directly to Town Counsel.

Duly adopted this 24th day of April, 2008, by the following vote:

AYES : Lucia, Brown, Major, Byrnes and Saunders

NOES : none

ABSENT : none

With no further business, on a motion of Councilman Major and seconded by Councilman Byrnes the meeting was adjourned at 5:45 PM.

Respectfully submitted,

Rose E. Farr, RMC
Town Clerk