

June 11, 2009

The Town Board of the Town of Corinth held a regular meeting on June 11, 2009 at 7:00PM at the Town Hall.

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

Public: Jim Murray, Sr., Sigrid Koch, Arleen Springer, Linda Byrnes

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

RESOLUTION #

APPROVAL OF MINUTES

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 minutes for May 07, 14, 28, 2009 be approved.

RESOLUTION #

APPROVAL OF ABSTRACTS

A motion made by Councilman Saunders and 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 May 7th and May 28th 2009 be approved as follows:

May 07, 2009:

A Fund--\$27,114.36; B Fund--\$4,158.58; CDBG Fund--\$300.34; DB Fund--\$6,107.78; SL Fund--\$450.45; T&A Fund--\$54,317.13

May 28, 2009:

A Fund--\$35,107.58; B Fund--\$2,751.79; CDBG Fund--\$57.60; DB Fund--\$44,989.08; Capital Project/Landfill Fund--\$1,922.00; T&A Fund--\$108,963.29

OLD BUSINESS:

Fire contract:

RESOLUTION #

OPENING DISCUSSION ON FIRE CONTRACT

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

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

Resolved that the floor be open to discussion on the Fire contract between the Town and the Village.

The following discussion ensued on the fire contract:

Supervisor Lucia said that he spoke with the Fire Chief and asked him if he would attend the meeting for further explanation of the fire budget. Chief Kelley declined because he felt that he had already adequately presented the fire budget to the public and the Town Board. Supervisor Lucia said in regards to councilman Saunders statement that he was receiving many phone calls that he was unable to give answers to his constituents questions on the Fire contract; Supervisor Lucia said that Chief Andrew Kelley phone number is listed publicly and that the residents of the community should feel free to contact him at home if they have questions that they would like answered.

Councilman Saunders spoke about the following issues that he had with the contract:

- FEMA Grant – why the Village / Fire Department did not hold off on the budget process until the Fire Department/Village knew if the grant would be received or not. Supervisor Lucia said the grant was not available at the time of the budget
- Concern that the Fire Department Budget has increased over the last 3-4 years while all other department have cut back.
- Requested that the Fire Department change the name of the line item of “Janitorial Services in budget to other name that more accurately reflects what that line item is and this has not been addressed or changed. Supervisor Lucia said the Fire Department and the Village were comfortable with the current description.
- Concerned about what happens to the monies that the Town has already allocated to the Fire Department budget if the FEMA grant is approved, and wanted to know if this money would be returned to the taxpayers or if it could be applied towards next years budget. Supervisor Lucia said he understood Councilman Saunders concerns and if the FEMA Grant is received then the town should approach the Village on this issue
- Councilman Saunders also questioned that since the Fire Department budget has increased over 25% in the last 2-4 years why the Town could not look into what the costs

would be to have from protection from other municipalities such as Porter Corners, Greenfield or Wilton.

There was some further discussion relating to the Fly car and intimidation issues.

RESOLUTION #
AUTHORIZING SUPERVISOR TO SIGN AMENDED FIRE CONTRACT WITH VILLAGE.

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

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

Resolved that the Town Board Authorizes the Town Supervisor to sign the Fire Contract with the date on number #3 of page two to be changed from January 5th, 2010 to January 31st, 2010.

Roll Call Vote:

Lucia- Yes, Brown-Yes, Major-Yes, Byrnes-Yes, Saunders-Yes

BRIGNOLA: Attorney Hafner said he would be addressing any concerns on litigation at the Town Hall on Monday afternoon.

EMS BILLING CONTRACT:

Councilman Byrnes wanted to know when this contract referred to the Town of Corinth, who in the Town of Corinth was this referring to the Supervisor, the Town Board or the billing specialist. Supervisor Lucia said it should be the billing person because of the Hippa Laws and it would not be right to have five individuals reviewing the billing. Councilman Major wanted to know if the way this contract was written if it protected the Billing Specialist. Councilman Saunders wanted to know if the Town had a way for the people to access the Billing Specialist. Town Clerk Rose E. Farr said that she had her own phone extension, the number being the same as when calling any other Town Office and that she had her own email address also.

RESOLUTION #
AUTHORIZING SUPERVISOR TO SIGN EMS BILLING CONTRACT AND GRANTING EMS BILLING SPECIALIST THE AUTHORITY UNDER SECTION 6C.

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

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

Resolved that the Town Board Authorizes the EMS Billing Contract

OLD BUSINESS:

- Sundae on the Farm- Sunday June 21, 12-4pm Koval Bros. Dairy 313 Burke Rd. Stillwater
- APA Permits- 1. Gary and Debra Akrop-Mtn Vine Winery, permit granted
2. William and Patricia Nikas- granted an amended permit
- CCSD Newsletter
- Celebrate 400 years brochure- Explore 2009 in Saratoga County. The Town of Corinth will be celebrating the Quadricentennial Celebration on August 29th, 2009 with river races and Log rolling competitions and river excursions including a Flotilla. Councilman Byrnes said there was going to be a softball tournament as a fundraiser for the occasion on the weekend of August 1st.
- Honor Deceased Veterans- Tuesday June 16 2:20pm Ballston Spa Honoring Lawrence Ruff from the Town of Saratoga.
- Image Committee Letter-July 4th Independence Day celebration, application for all individuals and groups for floats, marching, decorated cars and trucks or bicycles
- Local Government Connection- Pamphlet addressing budget management in times of fiscal stress, cost saving strategies and a Training Calendar
- Locator Maps- Supervisor Lucia thanked Sigrid Koch for all her hard work put into the locator maps which provide the public with a brief history of Corinth and a calendar of events that are scheduled through December 2010.
- NERCA- Motor Car Excursion tentatively scheduled for July 25th and July 26.
- Rail Resolution- FYI Warren Counties letter of Support in regards to the Adirondack Branch Scenic Rail requesting the release of funds to the Town of Corinth for the upgrade of the rail line to a class II status.
- Resolution-

RESOLUTION #

TO APPROVE THE FOLLOWING INCREASE AND TRANSFERS OF FUNDS

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

ADOPTED Ayes 5 Lucia, Brown, Major, Byrnes, Saunders

Nays 0

**June 11, 2009
Resolution**

Increase Revenue Account 2770.01 (Unclassified Revenues) and Appropriation Account 16204.01 (Buildings Contractual) in the amount of \$802.99 for Refund of Closed Frontier Accounts.

Transfer \$1608.16 from 51104.01 (General Repairs Contractual) to 51302.04 (Machinery Equipment) to cover shortage.

Increase Revenue Account 0410.01 (State & Federal Aid) and Appropriation Account 75204.01 (Historical Property Contractual) in the amount of \$2914.00 for Grant Received for Archives-Historical Property.

Increase Appropriation Account 86684.05 (Community Development Grant Rehab) in the amount of \$153.87 for Refund of Prorated 5/2009 Rent.

BE IT FURTHER RESOLVED, that the above mentioned transfers and increases be approved.

- Saratoga County Fair- July 14- July 19 This year the fair is having a Supervisors Demolition Derby.
- Saratoga County IDA- From April 20, 2009
- Saratoga County Rural Preservation Quarterly- Hire a Vet and discussion on the Guardian house for homeless woman veterans. Supervisor Lucia also spoke of A Summer steak and chicken Barbeque fundraiser for the Guardian House Project for Homeless Woman Veterans on August 15th, 2009 from 1:00pm- 6:00pm at the Fraternal Order Eagles Lodge at 373 Crescent Ave Saratoga Springs. Cost is \$25.00 per person, Children under 10 free with paying adult.
- Senior Sentinel- Food Safety issues and the Barbecue on wheels coming to Corinth July 22,2009
- State Dormitory Visit June 18- NYS will be attending the 4pm meeting along with Mr. Howenstein and his Attorney Mr. Avigdor in regards to the property located on First street.
- Thank you Card- From Attorney Hafner

- Time Warner- New Updates
- Unlimited Potential Incorporated- Unlimited Potential an organization that has been providing a wide range of service to mentally disabled Saratoga County residents for over 30 years. Supervisor Lucia said they have sent a 7 minute DVD on their scope of services. Supervisor Lucia said this DVD s available in his office for viewing. Supervisor Lucia said he is on this Board at the County and this program is remarkable.
- Veterans Article- How the VA reaches out to veterans and their spouses.

Public Speaking:

Supervisor Lucia opened the floor for public speaking. Arleen Springer said that she did want to speak but asked the Supervisor if she could wait to speak until after the Code Enforcement Officer Mann spoke.

Town Board:

Councilman Saunders: Councilman Saunders wanted to address the following three items.

- Issue regarding the Planning and Zoning Board members; as to how the Town should be handling the reappointments and appoints of these board members. Supervisor Lucia said he will get this on the agenda as soon as possible.
- Councilman Saunders wanted to comment on the article that was in the Post-Star relating to the train. Councilman Saunders said that it would be in the best interest of the community if the Town could obtain the rights to the spur and concentrate on the industrial portion of the tracks as it would be very beneficial to the Towns economy. Councilman Saunders asked how the railroad grant worked. Supervisor Lucia said it went into the railroad fund and the rail committee did not handle the funds. They were directed by CP Rail and the DOT as to how the funds could be used with such directives as how to bring the tracks up to #2 service.
- Councilman Saunders said he was pleased that the State Legislature took action when it comes to Village Law and Town Law when it comes to consolidation. Councilman Saunders wanted to review the following timeline in regards to what our local Government has achieved since 2005 when the Village did a survey asking /village residents what their priorities were in getting things accomplished. One of the bigger priorities listed in the survey was consolidation.

March 2006- Councilman Saunders took office and received “The Bootstrap of big Government”.

March 2007- Executive order to put commission together by Governor Spitzer to see how Government could be more efficient.

June 13, 2007- Members of this committee were at the Saratoga Library and Councilman Saunders attended this meeting and saw some of the different pro's and can's concerning consolidation and how it would affect different parts of the state.

November 2007- Re-elected as board member wanted to proceed with petition but Supervisor Lucia showed him there was a better way to go about that process.

November 28, 2007- The Village Board decided to put together a joint committee to study shared services and consolidation.

March 2008- the Town of Corinth Comprehensive committee did a survey and question # 33 was on consolidation and whether the Town and Village should consolidate. 447- Yes, 171-no, 28- maybe and 49 no answer/comment.

March 19, 2008- First meeting with the Town, Village and School Board addressing shared services and consolidation.

April 29, 2008- Supervisor Lucia asked the Town board to put a process together to study the proposals that had been talked about. Subsequently supervisor Lucia asked Counsel to get back to the Town Board on this topic.

May 07, 2008 – Counsel replied to the Town Board in regards to the Law. Councilman Saunders does not agree with Counsel on how a study group is established.

June 02, 2008- The final report on Governors Spitzers commission was accepted by Governor Patterson.

June 08, 2008- The Town Board agreed to apply for grant with a partnership with the Village and his only concern with this is that the Town has no say.

July 23rd, 2008- The Budget was passed and the \$50,000.00 was received.

November, 2008- the committee was put together by both the representatives of the Town and Village.

February 2009- the Grant was awarded to the Village for \$49,500.00.

June 2009- Councilman Saunders said just last week he received a letter from the Village Mayor stating that we had been approved for \$50,000.00 Local Government Contingency Grant for dissolution of Village feasibility study to be completed by a qualified

consulting firm The joint Town and Village consolidation committee has been selected and will start work as soon as the grant contracts are finalized.

Councilman Saunders said The Legislature of NYS came through and amended the new Laws and asked Attorney Hafner if he could review these laws. Attorney Hafner said that he would and report at the next meeting. Councilman Saunders said this process started in 2005 and it is now 2009 and this has come about in a slow fashion. Councilman Saunders said that it is his hopes that March 18, 2010 that the residents will be afforded the opportunity to vote this up or down. Councilman Saunders requested that these dates be put into record. Supervisor Lucia said that the RFPs were either just returned or just went out. Councilman Saunders said that the RFPs should have went out when the monies were received.

Councilman Brown:

Councilman Brown said he just wanted to update the public on Swine Flu and that the status had been raised to Pandemic Level and the best and most effective means of fighting it is hand washing. Councilman Brown requested permission to order hand sanitizers for the Town Hall. Permission was granted.

Supervisor Lucia:

Supervisor Lucia took the opportunity to thank Councilman Brown for taking care of business at the town hall while he was on vacation.

Councilman Major:

- Councilman Major wanted to remind the board about their scheduling in July to review the mid term budget. Supervisor Lucia said there were 5 Thursdays in July.
- Councilman Major also commented on the intention of the Railroad and said that the intentions from the beginning have always been twofold, both the scenic and to preserve the access to IP site.

Councilman Byrnes: Councilman Byrnes had no comment this evening.

Department Head Comments:

Town Attorney: Attorney Hafner said that he had already discussed what he wanted to talk about.

Highway Superintendent: Highway Superintendent Eggleston said that he did not have any comments this evening.

Town Clerk:

Town Clerk Rose E. Farr said she had the resolution for Councilman Byrnes regarding the Senior living Committee was ready to be approved by the Town Board. Town Clerk Rose E. Farr read the resolution into record

RESOLUTION #
TASK FORCE FOR SENIOR LIVING COMMITTEE

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

ADOPTED Ayes 5 Lucia, Brown, Major, Byrnes, Saunders

WHEREAS, the purpose of the Task Force for Senior Living Committee is to examine the needs of seniors residing in the greater Corinth community comprised of the Town of Corinth and the Village of Corinth, and

WHEREAS, the Task Force for Senior Living Committee intends to research and examine the needs of seniors in the community and develop strategies and recommendations for improving the quality of life of our seniors; and

WHEREAS, the Task Force for Senior Living Committee is to be comprised of one member of the Board of Trustees of the Village of Corinth and one member of the Town Board of the Town of Corinth as well as business leaders, property owners and residents of our community;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board expresses its support and appreciation of the Task Force for Senior Living Committee; and

BE IT FURTHER RESOLVED, that the Town Board appoints Town Councilman Edward Byrnes to serve as the representative of the Town Board on the Task Force for Senior Living Committee; and

BE IT FURTHER RESOLVED, that Councilman Byrnes shall provide the Town Board with periodic progress reports and the conclusions and recommendations of the Task Force for Senior Living Committee.

RESOLUTION #

AMENDING RESOLUTION # 154 FROM THE MAY 28th MEETING.

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

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

Resolved that the Town Board amend resolution #154 of the May 28th meeting to change the fees on tire collection to \$4.00 for tires smaller than 17 inches and the Fees on any tire over 17 inches should be set at \$7.00.

Town Clerk Rose E. Farr said that she also had the water contract from the Village with the requested changes as asked for. This contract has already been approved by the Town Counsel Office, there was a sentence in the contract that was asked to be omitted and on page one the sentence (D) except for the Village of Corinth was added.

Code Enforcement Officer Mann:

The following reports are on file in the Supervisors Office:

- Assessors
- Building Department
- Animal Control- a lot of trapping of skunks, woodchucks and opossums
- Fire Department
- Highway
- Justices
- Town Clerk- monies received from Town Clerk for the month of May is \$3,069.88
- Planning
- Zoning
- Senior Citizens- Garage Sale July 18, now accepting donations for clothes.
- Supervisors Report

RESOLUTION #

APPROVAL OF SUPERVISOR'S REPORT AS PRESENTED

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 of Corinth Town Board accepts as presented the Supervisor's monthly financial report for May, 2009.