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July 02, 2009

The Town Board of the Town Of Corinth held a workshop on July 02, 2009 at 4:00PM at the Town Hall.

Present: Richard Lucia, Supervisor  
Charles Brown, Councilman  
John Major, Councilman  
Edward Byrnes, Councilman  
Mitchell Saunders, Councilman  
Fred Mann, Code Enforcement Officer  
Shawn Eggleston, Highway Superintendent  
Cheri Sullivan, Deputy Town Clerk

Public: Sigrid Koch, Arleen Springer

Supervisor Lucia spoke about the following items:

- Corinth Merchants Association Letter- Regarding the 6<sup>th</sup> annual town wide garage sale on August 8<sup>th</sup> & 9<sup>th</sup> from 10-4pm. Any questions can be referred to Sigrid Koch @ 654-7341 or John Yannaci @654-2022
- Lemery Call- Supervisor Lucia said he spoke with Mr. Lemery and he stated that the federal government has released the million dollar grant. Supervisor Lucia said it is the type of grant where the town has to spend the money first then they reimbursed. It will take about six more weeks to get this all done. Supervisor Lucia said there is a special type of loan that the banks will give for these monies but the town will learn more about this in the next coming weeks after they meet. Supervisor Lucia said the town does not know how much it is going to cost to get the tracks up to a class two listing and he is sure that the town will have to go back to Creighton Manning Engineering for this. Councilman Saunders wanted to know if any one had heard more about what Warren County is doing with their tracks. Supervisor Lucia said it was in today's paper that the County highway department is going to work with the County to save costs.

Supervisor Lucia said he spoke with Pete Ray who is the New York Railroad Project Engineer on the railroad crossings and they have just completed their annual inspection. Supervisor Lucia said one of the crossings that needed repairs in Corinth was the spur that goes to IP, but the town is not responsible for it because IP owns it. Supervisor Lucia said a crossing that is really in need of repair is the one on 9N. Highway Superintendent Eggleston said he spoke with the NYS DOT about this because 9N is a State road. Mr. Eggleston spoke with Mike Keegan and he said the state did not want to step on the towns toes to fix it. Mr. Eggleston said it would not take much to fix that crossing. Mr. Eggleston said it could probably be repaired in one day; however the biggest problem the highway crew would face is the traffic on 9N.

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Councilman Saunders wanted to know who the contact was at IP. Supervisor Lucia said it is Dan Davis currently. Councilman Brown said the crossing at Center Street is also in need of repair.

- Attorney Call- Supervisor Lucia said he spoke with Attorney Hafner in regards to where the town was with Brignola. Supervisor Lucia asked the Town Board members if they received their letters from town counsel regarding litigation and that no town board member is suppose to speak to anyone about pending litigations. Supervisor Lucia said they have been subpoenaed for July 10<sup>th</sup>, 2009, however Attorney Hafner said he received a phone call from Mr. Brignola's new attorney requesting a three week extension so that he would have time to get current with the case. Attorney Hafner said it is more of a formality, because it is actually the judge that grants the extension.

### **Resolution#178**

#### **MOTION TO AUTHORIZE ATTORNEY HAFNER TO CONTACT DEFENDENTS ATTONERY THAT THE TOWN OF CORINTH IS NOT IN DISAGREEMENT WITH THE REQUEST FOR A THREE WEEK EXTENSION IN BRIGNOLA LITIGATION**

Amotion was made by Councilman Brynes and seconded by Coucilman Major and the following resolution was

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

Resolved that Attonery Hafner notify defendant that the Town of Corinth does not object to three week extension for new Attorney to get current with said litigation.

- Structural Engineer- Supervisor Lucia said he called Clough Harbour and they were ready to come today for the structural inspection. Supervisor Lucia said he spoke with Attorney Hafner and Attorney Hafner advised the town to send a letter to the individual who is not in compliance and to contact Jim Bowen of the Saratoga County Sheriff's Department to ensure the safety of the individuals at the time and date of said inspection. Supervisor Lucia said the structural inspection will be at the same hourly rate the town usually pays but if the Engineers have to go to court on the towns' behalf, then it is a different rate. Supervisor Lucia said that the week of July 13<sup>th</sup>, 2009 looks to be open for the Engineers and the first step in this process should begin that week. Supervisor Lucia said that a letter would have to get out at the beginning of the week to Chris Schuh.
- Parade- Supervisor Lucia wanted to reminds all present about the weekends upcoming activities celebrating the fourth of July.

### **Board Members:**

Councilman Saunders: Councilman Saunders said he wanted to address three items:

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- Letters to Planning & Zoning Boards- Councilman Saunders wanted to know if a letter had been sent out to Chairman of these boards. Supervisor Lucia said they were in the process of this.
- Councilman Saunders requested a breakdown of the Attorneys fees on the cost of litigation. Councilman Saunders was told that the bills from the attorneys office are broken down and can be found in the vouchers. Councilman Saunders said he was curious to see how much more money the town is spending on attorneys fees since they started enforcing the zoning. Supervisor Lucia said that the Attorney budget is broken down into .01, .02 and .04. Councilman Major said he feels that the towns' attorney Fees has decreased in that last few years.
- Councilman Saunders said that he received a call from Mrs. Springer about telephone poles that are going up along the property line as fence poles. Councilman Saunders said his issue is that the grandchild currently living in the house, just a week ago, asked for an extension to clean up the zoning violations because he needed to new roof on the home. Now that same individual appears to have the time to be putting in fence post. Councilman Saunders said he went to the Springers' home whom have never been in any violations and he feels the individuals at the Eggleston residence intentions may be questionable. Councilman Saunders said he spoke with Code Enforcement Office Mann who informed Councilman Saunders that he was aware of a fence being put up. Code Enforcement Officer Mann also said there is nothing in the town code relating to fences. Councilman Saunders said if this individual puts up a metal fence along this property line that it will not look aesthetically pleasing. Mr. Mann said there is nothing in the town code that addresses this issue and therefore it would be a civil case between neighbors, not for the towns' involvement. There was further discussion relating to this topic. Councilman Saunders said he did not feel it would be right to grant the individual living at the Eggleston residence any extensions if they were in violation and were working on a fence and not the roof as was the extension was requested for. Councilman Saunders wanted to know if Code Enforcement Officer Mann could get a list of any remaining violations on that property to the Town Board and get a list of these violations to this individual. Code Enforcement Officer Mann said according to the state, a fence can be on the line if the property lines are known, but the state strongly urges individuals to have at least a two foot from the line incase repairs need to be made. Mr. Mann said that one of the violations that needed to be repaired was the fence. Councilman Byrnes said one of the issues that people were against when zoning came in was just this, they did not want the town to be able to tell them what types of materials could be used on their property.

Councilman Brown: Enjoy the weekend.

Councilman Major: Happy Fourth of July.

Councilman Byrnes: No Comment

**Department Heads:**

Code Enforcement Officer Mann: No Comment

Highway Superintendent: No Comment

Deputy Town Clerk: No Comment

**Resolution#179**

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

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

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

Resolved that the board pay bills with any exceptions as follows:

<u>Abstracts For 7/02/09</u>	
<u>General Fund/Town Wide – A:</u>	\$8,145.04
<u>General Fund/Outside Village – B:</u>	\$2,094.75
<u>Community Development Grant – CD:</u>	\$0
<u>Highway/Town Wide – DA:</u>	\$0
<u>Highway/Part Town – DB:</u>	\$51,540.70
<u>Capital Project/Landfill Upgrades – H1:</u>	\$0
<u>Fire Protection – SF:</u>	\$0
<u>Street Lighting – SL:</u>	\$400.53
<u>Sewer/Water – SW:</u>	\$26.00
<u>Trust &amp; Agency – TA:</u>	\$15,539.28
<u>Scenic Train –</u>	\$0
<u>Town of Corinth Railroad –</u>	\$0

**Resolution#180**

**MOTION TO ADJOURN TO BILL PAYING**

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

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

Resolved that the board adjourns to bill paying.

With no further business on a motion by Councilman Saunders and seconded by Councilman Byrnes the Town Board workshop adjourned at 4:32pm.

Respectfully Submitted,

Cheri Sullivan  
Deputy Town Clerk