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**JANUARY 28, 2010**

The Town Board of the Town Of Corinth held a regular meeting on January 28, 2010 at 4:30PM at the Town Hall.

Present: Richard Lucia, Supervisor  
Charles Brown, Councilman  
John Major, Councilman  
Edward Byrnes, Councilman  
Mitchell Saunders, Councilman-Excused  
Fred Mann, Code Enforcement Officer  
Shawn Eggleston, Highway Superintendent  
Rose E. Farr, Town Clerk

Public: Raymond Bush, Jim Murray, Brad Armstrong, Marvin Olick, Michelle DeGarmo, and Sigrid Koch.

After Roll Call the following business was conducted:

## **CAPTAIN YOUTH**

Supervisor Lucia turned the meeting over to Councilman Edward Byrnes who introduced Brad Armstrong head of Captain Street Outreach which is now located in Corinth at the Corinth Emergency Squad Building. Mr. Armstrong told the Town Board about Captain Youth and what they are doing with the youth in Corinth such as temporary shelter, confidential listening telephone line staffed by youth peers, homework assistance, assistance with transportation, drug and alcohol counseling, and assistance in finding housing and employment. Mr. Armstrong said that the Captain Street Outreach Program provides youth with positive and constructive activities that enable them to learn essential skills that will help in the positive development of their adolescence.

## **MARVIN & COMPANY- HOME GRANT**

Marvin Olick and Michelle DeGarmo from Marvin & Company spoke to the board about applying for a HOME Grant with the five other northern Saratoga County towns and the Town of Greenfield being lead on the application. They told the Town Board that if the Northern Saratoga County Consortium applied all together they would stand a better chance in receiving grant funds. This explained that the recipients would be based on need not on the area they lived in.

## **RESOLUTION #87**

### **RESOLUTION AUTHORIZING DESIGNATING OF TARGET AREA TOWN OF CORINTH, NY**

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

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ADOPTED    Ayes    4            Lucia, Brown, Major, Byrnes  
                 Nays     0  
                 Absent  1

**WHEREAS**, the Town Board of Councilmen finds it in the best interests of its residents to allow the Town to be included in the proposed target area for the Northern Saratoga County Consortium 2010 HOME Grant application; and

**WHEREAS**, the consulting firm, Marvin & Company, has proven to be qualified and capable of preparation and submittal of the HOME Grant application; and

**WHEREAS**, any grant funds received as a result of this application shall be made available to all participating members of the Consortium, at no cost to the Town; and

**WHEREAS**, the Town of Greenfield has agreed to be the lead application for the Northern Saratoga County Consortium 2010 HOME Grant application, and to provide this service for no compensation, pending receipt of a HOME Grant award, with all program costs to be covered by the proposed grant funds; now, therefore, be it

**RESOLVED**, that the Town of Corinth hereby agrees to be included in the proposed target area for the Northern Saratoga County Consortium 2010 HOME Grant application.

**MARVIN & COMPANY – RENEWAL COMMUNITY DEVELOPMENT BLOCK GRANT FOR OWNER OCCUPIED REHABILITATION**

Marvin Olick and Michelle DeGarmo from Marvin & Company asked the Town Board if they would like to have their firm submit a Renewal Community Development Block Grant for Owner Occupied Rehabilitation for 2010. They estimated their fee to be \$3,000.00 and \$4,000.00.

**RESOLUTION #88**

**RESOLUTION AUTHORIZING HIRING OF MARVIN & COMPANY TO PROCESS A RENEWAL COMMUNITY DEVELOPMENT BLOCK GRANT FOR OWNER OCCUPIED REHABILITATION**

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

ADOPTED    Ayes    4            Lucia, Brown, Major, Byrnes  
                 Nays     0  
                 Absent  1

**RESOLVED** that the Town of Corinth hire the firm of Marvin & Company to complete the necessary application for a Renewal Community Development Block Grant for Owner Occupied Rehabilitation for 2010.

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### **TRUCK PURCHASE**

Supervisor Lucia said that the Town approved a purchase of a truck back in August of 2002 and that the necessary paperwork needs to now be done.

### **DUMP TRUCK**

### **EVALUATION OF FINANCING ALTERNATIVES**

**WHEREAS**, the Town Board determined that a need exists for acquisition of a new dump truck (the "Equipment") which was anticipated to cost more than \$10,000; and

**WHEREAS**, the Town Board has authorized the purchase of the Equipment after duly advertising for and receiving bids pursuant to New York State law for the amount of \$102,602.90; and

**WHEREAS**, Kansas State Bank of Manhattan (the "Bank") offered to provide financing for the Equipment pursuant to an Installment Purchase Agreement;

### **NOW, THEREFORE,**

Pursuant to the requirements of 2 NYCRR Part 39, the Town Board has prepared the following evaluation of financing of the Equipment:

(a) The estimated cost of the Equipment to be financed, exclusive of the cost of financing, is \$102,602.90;

(b) The proposed Equipment may be financed with indebtedness issued under the Local Finance Law;

(c) The estimated total cost of the Equipment, inclusive of the cost of financing, if financed pursuant to the Local Finance Law would be \$115,641.93 based on a probable interest rate of 4.125%, annual payments of principal and interest and a term of bonds (or bond anticipation notes and renewals) of 5 years, not including additional costs related to the financing including bond counsel fees and publication;

(d) The estimated total cost of the Equipment, inclusive of the cost of financing, if financed pursuant to the Installment Purchase Agreement as proposed by the Bank would be \$116,272.20 based on semi-annual payments of principal and interest and a fixed interest rate of 4-11/16% and an effective contract term of 5 years;

(e) The estimated total costs described in subdivision (c) would be \$630.27 less than those described in subdivision (d) above, not taking into account bond counsel, publication and other costs related to the financing.

(f) It is in the best interests of the Town to finance the Equipment pursuant to the Installment Purchase Agreement as proposed by the Bank. If bond counsel fees and other costs related to issuance of the Town's bonds or bond anticipation notes are taken into consideration, the total costs described in (c) above would be greater than the total costs described in (d) above. In addition, under the Installment Purchase Agreement the Town is not required to pledge its faith and credit and the Agreement terminates if the Town cannot appropriate funds to pay the amounts due thereunder. The Agreement specifically provides that it is not a general obligation of the Town, neither the full faith and credit nor the taxing power of the

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Town are pledged and the Agreement terminates in the event of non-appropriation of funds. In light of the uncertainty of appropriations for various Town purposes, this flexibility could be significant at some time over the next 5 years.

**RESOLUTION NO.: 89**

**INTRODUCED BY: COUNCILMAN BYRNES**

**SECONDED BY: COUNCILMAN MAJOR**

**DATE: JANUARY 28, 2010**

### **RESOLUTION AUTHORIZING INSTALLMENT PURCHASE AGREEMENT**

**WHEREAS**, the Town Board has determined that a need exists for acquisition of a new dump truck (the "Equipment") which is anticipated to cost more than \$10,000; and

**WHEREAS**, the Town Board has authorized the purchase of the Equipment after duly advertising for and receiving bids pursuant to New York State law for the amount of \$102,602.90; and

**WHEREAS**, Kansas State Bank of Manhattan (the "Bank") has offered to provide financing for the Equipment pursuant to an Installment Purchase Agreement; and

**WHEREAS**, the Town is authorized to enter into installment purchase agreements for financing equipment, machinery or apparatus under General Municipal Law §109-b; and

**WHEREAS**, the Town Board has evaluated the financing alternatives as required by 2 NYCRR 39.2;

**NOW, THEREFORE, BE IT RESOLVED BY THE CORINTH TOWN BOARD  
AS FOLLOWS:**

**Section 1:** After taking into account the evaluation of financing alternatives, the Town Board hereby determines that it is in the best interests of the Town to finance the Equipment pursuant to the proposed Installment Purchase Agreement with the Bank for the following specific reasons: If bond counsel fees and other costs related to issuance of the Town's bonds or bond anticipation notes are taken into consideration, the total costs for financing under the Local Finance Law would be greater than the total costs for financing pursuant to the Installment Purchase Agreement. In addition, under the Installment Purchase Agreement the Town is not required to pledge its faith and credit and the Agreement terminates if the Town cannot appropriate funds to pay the amounts due thereunder. The Agreement specifically provides that it is not a general obligation of the Town, neither the full faith and credit nor the taxing power of the Town are pledged and the Agreement terminates in the event of non-appropriation of funds. In light of the uncertainty of appropriations for various Town purposes, this flexibility could be significant at some time over the next 5 years.

**Section 2:** The acquisition of the Equipment under the terms and conditions provided for in the Installment Purchase Agreement is necessary, convenient, in furtherance of, and the Equipment will at all times be used in connection with, the Town's governmental and proprietary

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purposes and functions and is in the best interests of the Town, and no portion of the Equipment will be used, directly or indirectly, in any trade or business carried on by any person other than a governmental unit of the State on a basis different from the general public.

**Section 3:** The Town Board hereby authorizes financing the purchase of the Equipment pursuant to the provisions of the Installment Purchase Agreement proposed by the Bank.

**Section 4:** The Town Supervisor is hereby authorized and directed to execute and deliver the Installment Purchase Agreement with the Bank and to execute and deliver such other agreements, instruments and other writings, and to take such further actions as he, in his sole discretion, deems necessary or desirable to carry out the intent of this Resolution and the Installment Purchase Agreement.

**Section 5: Effective Date** - This Resolution shall take effect immediately.

The question of the adoption of this Resolution was duly put to a vote on roll call which resulted as follows:

AYES: 4  
NAYS: 0  
ABSENT: 1

## ROLL CALL

AYES: Lucia, Brown, Major and Byrnes                      NAYS: none  
ABSENT: Saunders

The Resolution was declared duly adopted by a vote of not less than two-thirds (2/3) of the full membership of the Town Board.

## **SUPERVISOR**

Supervisor Lucia gave the Town Board the following ad for bricks for sale to benefit the Saratoga County Animal Shelter:



# Saratoga County Animal Shelter

Announces

## Brick Pavers for sale

900 Bricks Available for \$50 per brick  
Bricks will be installed at the entrance to the new Shelter  
First Come First Served

3 Lines with up to 15 characters per line

Funds from the sale of these bricks will be placed in the Animal Shelter's  
Trust Account to be used for the care of the animals at the facility

Please fill-in the following three lines and mail this form back to the address below.

Payment must be received with this form by **MARCH 1<sup>ST</sup> 2010 !**

Payment of \$50 must be in form of a check or money order – NO CASH!

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Your Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Make checks payable to: Saratoga County Animal Shelter  
Mail this form and payment to:  
Saratoga County Animal Shelter  
6010 County Farm Road  
Ballston Spa, NY 12020  
ATTN: Daniel Butler



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Supervisor Lucia told the board that he had received a letter that was sent to him from the County regarding NYSAC being contacted by representatives of the White House to encourage exceptional youth to apply for a white house fellowship position. He told the board that if anyone knew of a youth that they thought would be qualified for this to let him know and he would see that the youth got the proper paperwork.

Supervisor Lucia referred the board to an article that was in the Gazette on January 27, 2010 regarding Sales Tax Revenues and the decline that occurred in 2009 and that more than likely will continue in 2010.

### **RESOLUTION #90**

#### **TRANSFERS**

Motion was made by Councilman Byrnes and seconded by Councilman Brown and the following resolution was

ADOPTED    Ayes    4            Lucia, Brown, Major, Byrnes  
                 Nays    0  
                 Absent  1

Resolved that the board make the following transfers:

Transfer \$124.60 from 19904.02 (Contingency) to 18804.02 (Data Processing Contractual) for 2009 year end shortage.

Transfer \$56.50 from 73102.02 (Youth Equipment) to 73104.02 (Youth Contractual) for 2009 year end shortage.

### **PUBLIC COMMENT**

Zoning Board Member Sigrid Koch thanked the Town Board for allowing her to attend the County training in Saratoga Springs. She told the board that the classes with very informational and the speakers were very interesting.

### **TOWN BOARD**

#### **Councilman Brown**

Nothing

#### **Councilman Major**

Councilman Major told the board that he had met with the chairman of the LDC and told him about Ken Green being on board and that he would be reaching out to the LDC.

Councilman Major also told the board that is his job he has been speaking to one of the representatives from the local construction trades union who told him that he believes they will

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be recruiting approximately 30 construction workers this spring and another 30 construction workers in September to work at Global Foundry.

### **RESOLUTION # 91**

#### **ADJOURN TO BILL PAYING**

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

ADOPTED    Ayes    4            Lucia, Brown, Major, Byrnes  
                 Nays    0  
                 Absent 1

RESOLVED that the board adjourns to bill paying

### **RESOLUTION #92**

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

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

ADOPTED    Ayes    4            Lucia, Brown, Major, and Byrnes  
                 Nays    0  
                 Absent 1

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

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## Abstracts For 1/28/2010

General Fund/Town Wide – A:

\$41,576.62

General Fund/Outside Village – B:

\$4,898.17

Community Development Grant – CD:

\$0

Highway/Town Wide – DA:

\$0

Highway/Part Town – DB:

\$53,831.87

Capital Project/Landfill Upgrades – H1:

\$539.05

Fire Protection – SF:

\$0

Street Lighting – SL:

\$

Sewer/Water – SW:

\$0

Trust & Agency – TA:

\$86,725.79

Scenic Train –

\$0

Town of Corinth Railroad –

\$90,462.30

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### **MOTION TO ADJOURN**

On a motion by Councilman Brown and seconded by Councilman Major, at 4:50PM the meeting was adjourned.

Respectfully Submitted,

Rose E. Farr, RMC  
Town Clerk