

DRAFT

June 10, 2010

The Town Board of the Town Of Corinth held a regular meeting on June 10, 2010 at 7:00PM at the Town Hall.

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

Excused: John Major, Councilman

Public: Jim Murray, Sr., Sigrid Koch and Arthur Randall

After roll call, Pledge of Allegiance and Prayer the following business was conducted:

RESOLUTION #166

APPROVAL OF MINUTES

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

ADOPTED Ayes 4 Lucia, Brown, Byrnes and Saunders
 Nays 0

Resolved that the minutes for May 6, 13, and 27, 2010 be approved.

RESOLUTION # 167

APPROVAL OF ABSTRACTS

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

ADOPTED Ayes 4 Lucia, Brown, Byrnes and Saunders
 Nays 0

Resolved that the abstracts of May 6th and 27th, 2010 be approved as follows:

May 6, 2010

A - \$ 15,649.13
B - \$ 950.39
DB - \$ 5,646.99
T&A - \$ 57,498.14
SL - \$ 485.17

May 27, 2010

A - \$ 37,398.54
B - \$ 2,586.49
DB - \$ 44,364.44
T&A - \$127,635.41

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BID OPENING

The bids opening for the sale of the 1998 Ariens Model #2248 Riding Lawn Mower began at 7:08 PM with the Town Clerk reading the Legal Ad published in the Post Star on June 1, 2010. Town Clerk said she had received three bids. The following bids were opened:

Gary Randall	-	\$501.01
Marc Rich	-	\$431.00
Richard Smyth	-	\$207.00

RESOLUTION # 168

APPROVAL OF HIGHEST BID

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

ADOPTED Ayes 4 Lucia, Brown, Byrnes and Saunders
 Nays 0

RESOLVED that Gary Randall be awarded the bid for the 1998 Ariens Model #2248 Riding Lawn Mower for the sum of Five Hundred One and 01/100 Dollars (\$501.01).

RESOLUTION #169

STANDARD WORKDAY FOR ELECTED AND APPOINTED OFFICIALS

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

ADOPTED Ayes 4 Lucia, Brown, Byrnes and Saunders
 Nays 0

BE IT RESOLVED, that the Town of Corinth hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

<u>TITLE</u>	<u>NAME</u>	<u>SOCIAL</u>	<u>REGISTRATION</u>	<u>STANDARD</u>	<u>TERM</u>	<u>PARTICIPATES</u>
		<u>SECURITY</u>	<u>NUMBERS</u>	<u>WORKDAY</u>	<u>BEGINS</u>	<u>EMPLOYER'S</u>
		<u>NUMBERS</u>				<u>TIMEKEEPING</u>
						<u>SYSTEM</u>

ELECTED OFFICIALS

Supervisor	Richard Lucia			7.5	1/1/10- 12/31/11	N
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Councilman	Charles Brown	7.5	1/1/10- 12/31/13	N
Highway Superintendent				
	Shawn Eggleston	8	1/1/10- 12/31/11	N
Town Clerk	Rose E. Farr	7.5	1/1/10- 12/31/11	Y
Councilman	John M Major	7.5	1/1/08- 12/31/11	N

APPOINTED OFFICIALS

Court Clerk	Kate Halliday	7.5	1/1/10- 12/31/10	Y
Build & Grounds	Bradford Towers	8	1/1/10- 12/31/10	Y
Planning Bd Mbr	Philip Giordano	6	1/1/10- 12/31/13	N
Sr. Center Dir. Planning Bd Mbr	Laurie Crossman	7.5	1/1/10- 12/31/10	Y
	Joan Beckwith	6	1/1/10- 12/31/14	N
Highway	Joseph Marcotte	8	1/1/10- 12/31/10	Y
Assessor	Mary Ellen Hill-Pierce	7.5	10/1/07- 09/30/12	N
Highway	Joseph Holland	8	1/1/10- 12/31/10	Y
Court Clerk	Deborah Elms	7.5	1/1/10- 12/31/10	Y
Adult Rec Dir	Jackie Burnham	VARIES	1/1/10- 12/31/10	Y
Sec/Clk	Linda Hamm	7.5	1/1/10- 12/31/10	Y
Janitor	Gary Fuller	5	1/1/10- 12/31/10	Y
Highway	Richard Straight	8	1/1/10-12/31/10	Y
Highway Planning Bd Mbr	Marc G. Rich	8	1/1/10-12/31/10	Y
	Althea Rivette	6	1/1/10- 12/31/10	Y
Paramedic	Cory Nichols	8	1/1/10- 12/31/10	Y
Court Clerk	Colette c. Straight	7.5	1/1/10- 12/31/10	Y
Paramedic	Robert A. Bump	8	1/1/10-12/31/10	Y

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Animal Control	Delbert Clothier	8	1/1/10- 12/31/10	Y
Highway	Jason Lent	8	1/0/10- 12/31/10	Y
Paramedic Building Inspector	Daniel R. Vancott Fredrick Mann, Jr.	8 7.5	1/1/10- 12/31/10 1/1/10- 12/31/10	Y Y
Highway	Kevin I. Mann	8	1/1/10- 12/31/10	Y
Paramedic	Philip S. Tyler	8	1/1/10- 12/31/10	Y
Cleaner	Brian K. Lucia	7	1/1/10- 12/31/10	Y
Paramedic	Jason Yourdon	8	1/1/10- 12/31/10	Y
Secretary	Lisa Kiselica-Rumpf	7.5	1/1/10- 12/31/10	Y
Clerk/Secretary	Cheri Sullivan	7.5	1/1/10-12/31/10	Y
Highway	Jason DeLong	8	1/1/10-12/31/10	Y
Zoning Bd Mbr	William Clarke	6	1/1/10-12/31/14	N
Paramedic	Bernard W. Gille	8	1/1/10-12/31/10	y
Highway	John Mann, Jr	8	1/1/10-12/31/10	Y
Paramedic	Michael J. Evans	8	1/1/10-12/31/10	Y

SENIOR HOUSING

Supervisor Lucia said that the RFP for the housing should be awarded. Councilman Byrnes said he thought that one of the RFPs should be amended since he believes it only says it pertains to Senior Housing when it was for Senior Housing and Affordable Housing. Attorney Hafner said that the committee could ask that this item be clarified.

RESOLUTION #170

TABLE RPFS ON HOUSING

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

ADOPTED Ayes 4 Lucia, Brown, Byrnes and Saunders
 Nays 0

RESOLVED that the awarding of the RPF on housing be tabled until June 24, 2010.

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NEW BUSINESS

Supervisor Lucia said the following are on file in his office:

- “Sundae” on the Farm – June 20, 2010
- EPA Notice – Motor Vehicle Waste Disposal Well Requirements for Municipal Facilities
- Time Warner letters
- Congressman Murphy’s letter regarding National Grid’s Spier Falls-Rotterdam 115kV Transmission Project
- Fire Department Report
- American Red Cross News Letter
- County Fair Booklets
- Senior Sentinel
- Veterans Corner
- School News Letter
- Saratoga Planning Board Minutes
- Tobacco Free Times Pamphlet
- Memorial Parade – Supervisor Lucia said that the Memorial Parade was one of the greatest parades and he thanked everyone for their input
- St Lawrence County Resolution – Outdoor Wood Boilers
- Deceased Veteran – 6/15/10 – Honoring John Kaska, Vietnam Veteran from Charlton
- Mortgage Tax - \$10,550.50
- Thank you from Family of Frederick Dake, Sr.

RESOLUTION #171

TRANSFERS

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

ADOPTED Ayes 4 Lucia, Brown, Byrnes and Saunders
 Nays 0

RESOLVED that the board make the following transfers:

Increase Appropriations 73104.02 (Youth Contractual) and Revenue 3820.02 (Youth Programs) in the amount of \$990.00 for (9) Summer Theatre Registration Fees;

Transfer \$2,166.67 from 14204.01 (Attorney) to 14504.01 (Elections) to correct posting of Miller, Mannix invoice;

Transfer \$4,204.80 from 51101.04 (General Repairs Personal Services) to 51421.04 (Snow Removal Personal Services) for Highway payroll; and

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Transfer \$813.12 from 51304.04 (Machinery Contractual) to 51302.04 (Machinery Equipment) for shortage.

ATTORNEY

Attorney Hafner said that he had a request from the Supervisor for a Use of Force Policy that the Town's Insurance Company needed to be in place for the Security Peace Officer. Attorney Hafner said that Attorney Radner had prepared one and he distributed the proposed policy to the board members.

RESOLUTION #172

ADOPTION OF USE OF FORCE POLICY

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

ADOPTED Ayes 4 Lucia, Brown, Byrnes and Saunders
 Nays 0

RESOLVED that the Town of Corinth adopt the following policy:

TOWN OF CORINTH

Use of Force Policy

- I. **PURPOSE:** To provide guidelines in the use of force and in the reporting of the use of force. This policy should not be construed as creating any third-party rights. Violations of this policy will only form the basis for disciplinary action.

II. **DEFINITION:**

BODILY INJURY: Physical pain, illness or any impairment of physical or mental condition.

DEADLY PHYSICAL FORCE: "Deadly force," as used in this policy, is defined as intentional use of force, which can cause death or serious bodily injury or which creates a degree of risk that a reasonable and prudent person would consider likely to cause death or serious injury. It includes, but is not limited to, use of firearms or neck restraint.

DEADLY WEAPON: Any of the following, which in the manner it is used or intended to be used is capable of producing death or serious bodily injury: (1) a firearm, whether loaded or unloaded; (2) a knife; (3) a bludgeon; or (4) any

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other weapon, device, instrument, material, or substance, whether animate or inanimate. .

DE-ESCALATE: To use the least amount of force to stop the action of a violator and reduce the amount of force applied as the threat is neutralized or the offender becomes compliant.

JEOPARDY: A hazard, threat, or peril.

IMMEDIATE THREAT: An immediate threat is considered to exist if a subject has demonstrated actions that would lead one to reasonably believe that the subject will continue to pose a threat of death or serious bodily injury if action is not immediately taken.

IMMINENT DANGER: An impending action by a subject, which leads Town Guard or Officer to reasonably believe there is an immediate threat of serious bodily injury or loss of human life towards any person, including the Town Guard or Officer.

SERIOUS BODILY INJURY: Bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, or burns of the second or third degree.

III. POLICY:

It is the policy of the Town of Corinth that the use of force is only used as a last resort when there is a threat of imminent danger and police cannot be promptly summoned.

Should any situation arise where it appears likely that the use of force will be necessary, Town Guards or Officers should summon police assistance.

Town Guards or Officers shall use only that force which is reasonable and necessary when justified and legally appropriate and shall report the use of such force to the Town Board.

Town Guards or Officers must ensure first-aid is rendered after applying force and that medical attention is obtained.

Any Town employee who uses excessive force in the pursuance of his or her duties shall be subject to the criminal laws of this State to the same degree as any other citizen.

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Supervisor

Supervisor Lucia told Highway Superintendent Eggleston that he had a request from a citizen on Marion Avenue that signs be placed on both end of Marion Avenue notifying people that children are playing. Highway Superintendent Eggleston told the Town Board that this would be against the law since the State of New York says this gives parents a false sense to allow the children to play in the road. Supervisor Lucia said that he would notify the person that contacted him.

Supervisor Lucia also told Highway Superintendent Eggleston that he had a request from the owner of 1 Wiley Way that 10 mph speed limit signs and stop signs be placed by his house. Highway Superintendent Eggleston said the speed limit is already set at 20 mph and he would discuss this again with the property owner.

Supervisor Lucia said that as far as the matter of Reed vs. the Town of Corinth he had been contacted by Mrs. Reed who told him that she did not want to pursue the action. She said that she is attempting to contact the judge and will let him know as things transpire. Attorney Hafner said that she is the only one that can stop the action and if she does not speak to the proper people his office will have to continue as if the action was still pending.

PUBLIC COMMENT

None

The following reports are on file in the Supervisors Office:

Town Clerk
Highway
Building Department
Zoning Department – April 2010
Justice Court
Animal Control
Senior Citizens

RESOLUTION #173

APPROVAL OF SUPERVISOR'S REPORT AS PRESENTED

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

ADOPTED Ayes 4 Lucia, Brown, Byrnes and Saunders
 Nays 0

Resolved that the Town of Corinth Town Board accepts as presented the Supervisor's monthly financial report for May 2010.

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TOWN BOARD

Councilman Saunders & Brown

Nothing

Councilman Byrnes

Councilman Byrnes said that he wanted a Senior Housing Meeting for June 21st with the committee and Supervisor Lucia if at all possible.

TOWN CLERK

Town Clerk Farr said that she was asked by the Justice Court to request that their Petty Cash Fund be increased from \$60.00 to \$150.00 in order that they could make change was people paid fines.

RESOLUTION # 174

APPROVAL OF INCREASING JUSTICE COURT'S PETTY CASH FUND

_A motion made by Councilman Brown and seconded by Councilman Byrnes and the following resolution was

ADOPTED Ayes 4 Lucia, Brown, Byrnes and Saunders
 Nays 0

RESOLVED that the Justice Court Petty Cash Fund be increased from \$60.00 to \$150.00.

CODE ENFORCEMENT

Code Enforcement Officer Mann told the board that he checked the dry wells at the Pasarelli Subdivision and found only one to have water in it. He said that there was very little water in that dry well.

With no further business at 7:53PM and on a motion by Councilman Byrnes and seconded by Councilman Saunders the Town Board meeting adjourned.

Respectfully Submitted,

Rose E. Farr, RMC
Town Clerk