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AUGUST 5, 2010

The Town Board of the Town of Corinth held a workshop meeting on August 5, 2010 at 4:30 PM at the Town Hall.

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

Public Present: Ray Bush, Jim Murray, Sr., Sigrid Koch, Sam Bennett, Mike LaMott, Attorney Mark Lebowitz, Garry Robinson, and Robert Eggleston.

After roll call by the Town Clerk, Supervisor Lucia conducted the following business:

Fire Contract

Supervisor Lucia told the Town Board that he now has the new fire contract with the paragraph corrected that the Town Attorney said was omitted and all that was now needed is that the board need to give the Supervisor authority to sign the contract.

RESOLUTION #186

AUTHORIZING SUPERVISOR TO SIGN FIRE CONTRACT

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

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

RESOLVED that the Supervisor is hereby authorized to sign the Fire Contract beginning January 1, 2011 as now presented.

Beaver Dam

Attorney Hafner said that in the past there was a question about whether or not there was a failure in drainage in the Passarelli subdivision which led to high ground water and water in people's basement. The Town thereafter stopped the issuance of building permits in the Passarelli Subdivision. Attorney Hafner said that the Town's engineer had since appeared before the board and gave his opinion that a beaver dam located on property adjacent to the subdivision may be the reason for the drainage problems. Attorney Hafner said that at the November 12, 2009 meeting the town tentatively agreed as follows:

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- The Town engineer would prepare a description of an easement from the property owner for the Town to request so that a by pass of some sort could be constructed on the property so that the water level could be maintained;
- The Town would submit the request to the property owner for said easement: (the Town now has the easement but has not recorded same)
- Then the town's engineer would secure the necessary permits from DEC to be able to install the by pass system in the beaver pond;
- Mr. Passarelli would pay the cost of the by pass and having the by pass installed;
- The town would be take over the maintenance of the by pass; and
- Lastly the Town could consider allowing the issuance of more building permits in this area.

Attorney Lebowitz said that he was not involved before and was not aware that it had rose to an agreement. Attorney Hafner said that he understood that the parties were suppose to go back to Mr. Passarelli and see if he was agreeable with these items. Attorney Lebowitz said one of the concerns is if Mr. Passarelli did the work and there was a problem then it would be because the work was not done properly. Highway Superintendent Eggleston told the board that if the pipe is maintained at a level that is lower than the discharge pipe there should be minimal maintenance. He said his biggest concern is that equipment will be necessary to dig this out because it is a big beaver dam and to get DEC permits to dig in wetlands are very hard to obtain. Councilman Byrnes said that that is his concern too. He said the Town has the easement but it doesn't help if the DEC permits could not be obtained. Garry Robinson told the board that he didn't think it would be any problem obtaining the permits. Mr. Robinson said that he had discussed this with people at DEC. Attorney Hafner said that the Town has not recorded the easement and will not until the DEC permits are secured.

Sam Bennett from Clough Harbour said he spoke with people in his office regarding the permits that must be obtained from DEC. He said that they were not sure but the matter may have to go to the Army Corp Engineers for their okay depending on the type of by pass and before the by pass may be installed. Highway Superintendent Eggleston said that he has several books from DEC regarding various designs of by passes. Attorney Lebowitz said he thought an agreement containing all the things that have been discussed should be drawn up for the parties to sign. Attorney Hafner said that he could do that but he thought an agreement should be reached regarding what type of by pass should be installed. Attorney Hafner said he thought the engineers could come up with an agreement between the two companies on what try of by pass should be used and submit the required applications accordingly. Attorney Lebowitz suggested that in the agreement it say that the by pass be agreed upon by the engineers and Town Highway Superintendent. Town Highway Superintendent Eggleston said he would meet with the engineers at any time to see what they could come up with.

Attorney Hafner said that he could have a draft agreement ready for the Town Board to preview at their August 12th meeting and if they approved it he would forward it to Attorney Lebowitz. Councilman Byrnes asked if he could see the design plan before the permits are applied for. Attorney Hafner said that the agreement would not be finalized until is okayed by the engineers, Highway Superintendent and the Town Board including the design of the by pass. Attorney Lebowitz said that they were

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concerned with the moratorium the Town had placed on building within the subdivision. Mike LaMott said that the moratorium is resulting in a possible loss of revenue for the Town as well.

Attorney Lebowitz asked what the time line for the securing the permits would be. Sam Bennett said that he was told that if we have to go to the Army Corp it would be at least 45 days. Mr. Bennett said that would depend on the design and whether or not the wetlands would be filled in. Garry Robinson said that he thinks we need to contact the man at DEC that he has been speaking to that is in charge of issuing DEC permits because Mr. Robinson thinks the man at DEC is thinking that it is something that is there and was not there before therefore he doesn't think we are going to need the Army Corp. Mr. Robinson suggested that this be tried first before an Article 24 be started with the Army Corp. Attorney Hafner suggested that we schedule a workshop on August 26th to review all this. All parties were in agreement to come back on that date to finalize all matters regarding the beaver dam in agreement form.

Assessor's Budget

Supervisor Lucia asked the board members if they all had the assessor's explanation for why her budget was short. He said the bottom line is the reason is that the board changed from tri-annual assessment to annual assessment after her budget request was put in.

RESOLUTION #188

AUTHORIZING TRANSFER FOR ASSESSOR'S BUDGET

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

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

RESOLVED that the following transfer be made:

Transfer \$11,583.32 from 1990.01 (Contingency) to 13551.01 (Assessor Personal Services) for shortage in Assessor's Account.

Supervisor

Supervisor spoke about the train schedule and that there will only be one train on Saturday. He said that there were 73 passengers on the train on Wednesday.

Time Warner

Supervisor Lucia said that he received a letter from Time Warner regarding their latest changes.

Annie Jr.

Reminder by Supervisor Lucia that Annie Jr. is being held this weekend.

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Phantoms Hockey

Supervisor Lucia told the Town Board that he had been contacted by Phantoms Hockey saying they would like to schedule a Community Day and they would be coming in to see Supervisor Lucia this coming Tuesday to discuss this. He said he would keep the board apprised of further developments.

Thank You

Supervisor Lucia read a Thank You card from Donald Briner for the Town Board and Highway Department.

Voter Outreach/Voting Machine Demonstration

Supervisor Lucia announced that on Tuesday, August 10, 2010 from 3:00 PM to 6:00 PM there will be a Voter Outreach/Voting Machine Demonstration at the Town Hall. He said this will give voters the opportunity to examine and vote on the new voting system that will be used in this year's election.

O.B. Beyer

Supervisor Lucia told the Town Board that he had received a letter from O.B. Beyer Recreation Park, Inc. thanking the Town Board, Jack Kelley and the LA Group for attending their A & B member meeting and giving them a presentation. The letter said that after much discussion and thought they are recommending that the Town of Greenfield be offered the property first. The letter said several things must fall into place before the property could go to the Town of Greenfield.

Congressman Scott Murphy

Supervisor Lucia told the Town Board that Congressman Scott Murphy would be at the Town Hall on Wednesday, August 11, 2010 from 3:00 PM to 5:00PM to meet and greet the public that have any questions.

Town Board

Councilmen Byrnes and Brown

Nothing

Councilman Major

Councilman Major stated that he had contacted Attorney Hafner regarding a matter that came up for the LDC and Attorney Hafner had helped them with the matter.

Town Clerk

Town Clerk Farr asked if she could schedule a workshop meeting with the Town Board on the new dog license issues for September 16th at 4:30 PM. Everyone was in agreement for said date.

Highway

Nothing

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Code Enforcement

Code Enforcement Officer Mann told the Town Board that he and Beverly Jacon had completed the first phase of the 911 listings and letters had been sent out.

RESOLUTION #189

MOTION TO PAY BILLS AS AUDITED WITH NO EXCEPTION

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

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

RESOLVED that the board pays bills as audited with any exceptions as follows:

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Abstracts For 8/05/2010

<u>General Fund/Town Wide – A:</u>	<u>\$13,506.59</u>
<u>General Fund/Outside Village – B:</u>	<u>\$11,654.42</u>
<u>Community Development Grant – CD:</u>	<u>\$0</u>
<u>Highway/Town Wide – DA:</u>	<u>\$0</u>
<u>Highway/Part Town – DB:</u>	<u>\$28,826.73</u>
<u>Capital Project/Landfill Upgrades – H1:</u>	<u>\$0</u>
<u>Fire Protection – SF:</u>	<u>\$0</u>
<u>Street Lighting – SL:</u>	<u>\$440.74</u>
<u>Sewer/Water – SW:</u>	<u>\$0</u>
<u>Trust & Agency – TA:</u>	<u>\$54,207.61</u>
<u>Scenic Train –</u>	<u>\$0</u>
<u>Town of Corinth Railroad –</u>	<u>\$135,911.41</u>

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RESOLUTION #190

MOTION TO ADJOURN TO BILL PAYING

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

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

RESOLVED that the board adjourns to bill paying session.

With no further business at 5:20 PM and on a motion by Councilman Major and seconded by Councilman Byrnes the Town Board meeting was adjourned.

Respectfully Submitted,

Rose E. Farr, RMC
Town Clerk