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SEPTEMBER 09, 2010

The Town Board of the Town Of Corinth held a regular meeting on September 09, at 7:00PM 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
Robert Hafner, Town Attorney
Rose E. Farr, Town Clerk

Public: Jim Murray, Sigrid Koch, Linda Byrnes, Kendra Schieber and Renee Baker

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

RESOLUTION#207

APPROVAL OF MINUTES

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

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

Resolved that the minutes for August 5, 12th and 26th, 2010 be approved.

RESOLUTION #208

APPROVAL OF ABSTRACTS

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

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

Resolved that the abstracts for August 5th and August 26th, 2010 be approved as follows:

August 5, 2010

A - \$ 13,506.59
B - \$ 11,654.42
DB - \$ 28,826.73
SL - \$ 440.74
T & A - \$ 54,207.61
Railroad Fund -\$135,911.41

August 26, 2010

A - \$ 23,867.09
B - \$ 4,409.70
DB - \$ 50,161.40
T & A - \$ 70,388.88

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Supervisor Lucia said Kendra Scheiber from the Corinth Youth Theatre had requested to address the Town Board this evening.

Kendra Scheiber

Mrs. Scheiber said that on behalf of the Corinth Youth Commission, the Kids, the family's and guests from out of town to everyone who attended the Annie Jr. program this summer; that it was wonderful to have so many [people from out of state to attend the program that in part the Town of Corinth sponsored. Mrs. Scheiber read an excerpt from a final review and stated that it was clear from this statement that this program is very valuable piece of the community and on that she wanted to present to the Town Board a plaque from all of us involved with the Corinth Youth Theatre and Music Theatre International.

SUPERVISOR

New Business:

Supervisor Lucia stated that the following papers are on file in his office:

- APA Changes-
Supervisor Lucia said there are new definitions for Boat house and Dock. Supervisor Lucia said that it was suggested to him this afternoon that it may be a good idea to post these updated regulations on the Town website.
- Ed Eggleston- Supervisor Lucia said Ed Eggleston has had his picture in the paper along with his cousin Mert, because every third Tuesday of the month Mr. Eggleston heads to Ballston Spa to raise the flag for the "Honor a Deceased Veterans' Program.
- Honor A Deceased Veteran- Supervisor Lucia said the Veteran Honored at this month's program was Robert Piper from the Town of Clifton Park.
- Low income Daycare- Supervisor Lucia said this program is administered through the department of Social Services and currently there are funds available to assist with day care costs. Supervisor Lucia said that he has the income guidelines and if anyone knows of anyone who may be able to use this assistance to please let them know.
- Mortgage Tax - Supervisor Lucia for the month of August it was \$9,894.02
- National Grid- Supervisor Lucia said he has paperwork in regards to the application of Niagara Mohawk Power Corporation for a certificate of environmental Compatibility and public need for the construction of the new 115k transmission line from Spier Falls to Rotterdam.

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- Patriot Day Parade – Supervisor Lucia said in remembrance of September 11, 2001 the Corinth Community Churches have organized a march from the Town Hall to Pagenstecher Park starting at 6:30pm.
- Rural Features-Supervisor Lucia said there are many activities to do in this fall issue going on all over the state if anyone would like to look at it.
- Saratoga County Animal Shelter Letter- Supervisor Lucia said that Saratoga County Animal shelter is offering discounted cat adoptions for \$25.00 for the month of September and the felines available can be seen online at www.saratogacountyny.gov.
- Saratoga County Fire Advisory Board Minutes- for July 26,2010
- Saratoga County IDA Minutes- for July 19,2010
- Saratoga County Planning Board Minutes- May, June & July 2010
- Senior Sentinel- Supervisor Lucia said in this months issue it mention that HEAP for the 201-2011 program begins in early November, the Saratoga County Public Health screening is scheduled for October 20th from 9-11:00 and September is National Cholesterol Education Awareness month.
- Sher Millis Letter- Supervisor Lucia said that Sher Millis has also applied for the 2011 SPAF Artist Grant on behalf of the Town of Corinth, the letter signed before the board this evening is expressing his support for Sher Millis and her Artists. If awarded, the grant would be used for a mural of a train depot in the Town of Corinth with the cooperation of many Corinth organizations.
- Time Warner- Monthly Changes
- Transfer Resolution- to increase appropriations, See below
- United States Air Force Band Concert- Supervisor Lucia said the United States Air Force Band of Liberty is set to play Saturday September 25, 2010 @3pm at the Saratoga Performing Arts Center; this is sponsored by the Saratoga County Board of Supervisors. Supervisor Lucia said tickets are available in his office and Town Clerk Farr's office.

RESOLUTION #209

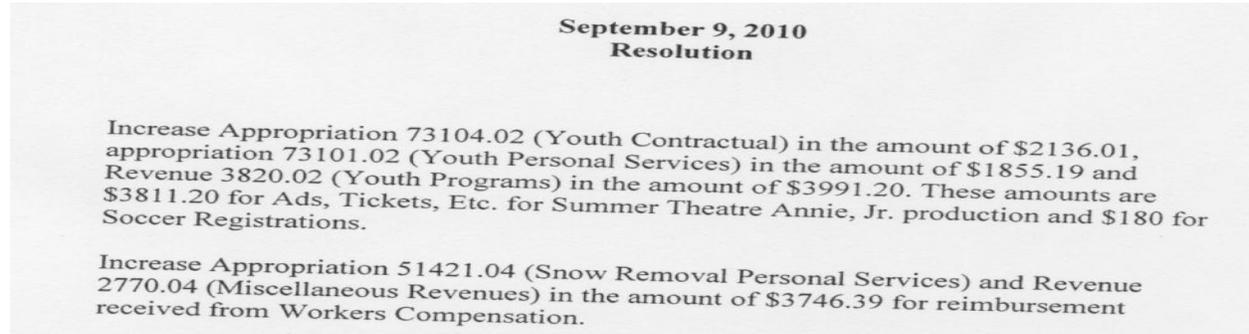
TRANSFER

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

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

RESOLVED that the following transfer be made:



The following reports are on file in the Supervisor's office:

- Assessors
- Building
- Animal Control
- Fire Department- No report submitted
- Highway
- Justices
- Town Clerk
- Planning- Quarterly Fees
- Zoning
- Senior Citizens
- Supervisor's Report

RESOLUTION #210

APPROVAL OF SUPERVISOR'S REPORT AS PRESENTED

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

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

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

ATTORNEY

Attorney Hafner said he had nothing new to present to the board this evening.

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PUBLIC

Renee Baker- Mrs. Baker said that she has two things that she wants to discuss two items with the Town Board.

- First she said she heard that the Town was looking into a new Dog Control Law. She was wondering why there was not a law regarding cats. Town Clerk Farr said that she had looked into that since Mrs. Baker spoke to her and was told that cats are free roaming animals like raccoons, etc.
- Second she said that she wanted to address Councilman Saunders' comments that he made at the last board meeting. Mrs. Baker said that she is a town representative on the Consolidation Committee and there are some inaccuracies in Councilman Saunders' comments. She said that Mr. Saunders said that we would absolutely get \$2,000,000.00 from New York State over the next five years. She said she doesn't believe this will happen with the status of the state at this point. Mrs. Baker said that when Councilman Saunders spoke about the saving that could be seen she doesn't think that anyone could project the savings that can be seen now or the savings that can be seen down the road. Mrs. Baker said that being on the committee for almost a year, tearing budget figures apart, talking with department heads regarding what they can and cannot do with and without she feels the committee did a great job assessing what the services are for both the Town and Village. She told the board that the committee found very little that could be done without that would save money. Mrs. Baker said when you tell somebody that they might save \$140.00 a year or \$12.00 month but on the flip side it might cost anywhere between \$400.00 and \$600.00 if other things that might happen do happen. Mrs. Baker said she thinks that this is as honest as the committee can be. So if the Village residents want to dissolve the Village for a \$12.00 a month savings then so be it but she said she felt it should be presented that way. Mrs. Baker said as for CGR she said that for any entity to come in and look at two entities budgets, line item by line item, a lot of research had to be done. Mrs. Baker said she felt that CGR did a fairly good job leading the committee in the proper direction. Mrs. Baker said that she did not think that there would ever be a clear cut you're going to save this or it will cost you this.

Councilman Saunders responded as follows: Councilman Saunders said that he never used the verb "absolutely". Mrs. Baker quoted from the September 2, 2010 minutes as follows "Councilman Saunders said he felt it was imperative to say that New York State is committed to fund these types of incentive programs, even if the State is having issues with financing, that this proves that the state is still on board if the committee is going to be awarded the \$400,000.00." Councilman Saunders said that the word "absolutely" does not appear in that statement. Councilman Saunders said he could remember Councilman Major asking if he said up to \$400,000.00 a year. Councilman Saunders said that he challenged Mrs. Baker to give him a call and he would go through each appropriation with her to show where the savings is. Mrs. Baker said that she would like to know who at the State told Councilman Saunders that the money would be there. Councilman Saunders spoke about Governor Spitzer, Governor Patterson and Attorney General followed up and passed the law. Mrs. Baker said that Councilman Saunders' words said that the money would be there even if he did not say the word absolutely.

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Councilman Saunders that if Mrs. Baker was to call the State she would be told that the money is projected to be there.

Councilman Saunders discussed the credibility of the Consolidation Committee. He said that there are people on the committee that have family members that are directly effected by the decision of the committee. Mrs. Baker said that she did not. Mrs. Baker said that it would be very hard to find people to serve on a committee that had no family members Either on the board or employed by the Town or Village of Corinth. Councilman Saunders told her that he had worked hard and compiled a list that was submitted prior to the committee being formed. Mrs. Baker said that she felt it was a very good committee and if Councilman Saunders had attended the meetings he would have seen how diligently the committee worked on this matter and the questions that came about from this committee. Councilman Saunders and Mrs. Baker had a discussion regarding nepotism. Councilman Saunders said that he would eliminate all nepotism just like they do in private corporations. Councilman Saunders spoke about CGR. Councilman Saunders said that he remembers Mrs. Baker saying that she was not comfortable with what CGR was doing. Mrs. Baker told the board that she is not disappointed with what CGR has done and she feels that people think they should have been able to pull these numbers out magically on their own and you cannot do that until you know what the numbers are comprised of. Councilman Saunders said that CGR came with the reputation that they have done this in other communities. Mrs. Baker said CGR has. Councilman Saunders asked Mrs. Baker if she was satisfied with the boiler plate that CGR handed to them for \$50,000.00. Mrs. Baker asked if Councilman Saunders was satisfied that the State of New York was going to give the \$400,000.00 for nothing at the end if they decided to consolidate. Mrs. Baker said that the Town and Village paid \$5,000.00 toward the \$50,000.00. Councilman Saunders said that the Town and Village paid \$2,500.00 each but the Village people actually paid more since the money came from the Town's A Fund that the Village people contribute about 47%.

Councilman Saunders said he just wanted to make sure that the citizens knew that the State of New York is still making their commitments for the up to \$400,000.00 over s five year period if a community decides to dissolve. Mrs. Baker said that the feeling in the area is that with the economic status of the State of New York at the present time the \$400,000.00 should not be counted on.

TOWN BOARD:

Councilman Saunders – default until later

Councilman Brown- No Comment

Councilman Major- Said he heard that the beaver dam is down. Highway Superintendent Eggleston said that it was down on September 2, 2010.

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Councilman Byrnes – Councilman Byrnes said he was going through the minutes from last week and had some concern over the matter on Route 9N and bringing a Town Engineer in. Councilman Byrnes said he thought this was a civil matter and the Town should not get involved. Attorney Hafner asked the Code Enforcement Officer what the status was. Code Enforcement Officer Mann said that one of the parties had constructed a fence. He said that we have no regulations for fences on the books at this time. Attorney Hafner asked if the Town Engineer was doing something with this. Councilman Byrnes read the following from last week's minutes:

“Councilman Saunders said he also wanted to know what was being done with the green monster on Route 9N. Code Enforcement Officer Mann said at this time there is nothing being done. Councilman Saunders asked if possibly the town could have their engineers look at this fence to see if it is structurally sound. Councilman Saunders said he feels this has been done just to be an agitation issue. Councilman Major said there have been many comments in regards to folks entering the town with concerning this situation. Councilman Major said people have a hard time understanding that the town cannot enforce because it is not written in the code. Supervisor Lucia said maybe the town could have the engineers check on this fence when they come to town to visit Chris Schuhs' house after Labor Day. Supervisor Lucia said the visit to Mr. Schuhs' house would be coordinated after Labor Day.”

Attorney Hafner said that if the Town did not have any regulations on fencing there is nothing that the Town can enforce. Councilman Byrnes said he felt that if the Town Engineers were to look at this the Town would be setting a precedent. Attorney Hafner said that if the town wishes to regulate fences they would have to pass new legislation. Councilman Saunders said that they are looking into regulating fences. Councilman Saunders said that this fence is a safety issue. Attorney Hafner said that if it was a safety issue then the Town could get involved. Councilman Byrnes said he didn't know how just driving by the fence a person could tell that it is a safety issue. Councilman Saunders had a discussion with Councilman Byrnes regarding the reason he came before the board and asked the Code Enforcement Officer what was happening with this fence. Councilman Saunders said he then asked the Supervisor about having the Town Engineer to look at the fence. Councilman Byrnes said that he did not feel it was right to spend taxpayers' money to have the Town Engineer to look at this fence when it is an issue between neighbors. Councilman Saunders said that one neighbor feels that it is an agitation. Councilman Saunders said that there were surveys done and Code Enforcement Officer said that both parties had a survey done. The question was asked if the Town could go on private property without consent.

Attorney Hafner said that the property owners should be contacted and asked if the Town could have permission He said that if it was a safety issue the Town could go to court and have the judge give them permission to go on the property. Attorney Hafner said that he has heard of nothing that is against the law that the property owner has done since the Town does not have regulations for fences. Councilman Saunders said that the Town would have fence regulations in the future.

Councilman Byrnes said he just wanted to understand what was going on because he was not in attendance at last week's meeting.

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Councilman Major said he thought it was just a general consensus to take a look at that and he remembered that there was a statement made that Councilman Byrnes would be contacted for his opinion before anything was done. Councilman Byrnes said that he just didn't think it was right to spend taxpayers' money to have an engineer look at the fence when it is a civil dispute between neighbors.

Attorney Hafner told the board that from the Town Counsel's point of view they often do try to counsel the board to consider not getting drawn into neighbors' disputes because sometimes different people have different perspectives and if it isn't a town legal issue it could be very expensive to get involved if it isn't a town code that is involved. He said if there is a safety issue then that is different. Attorney Hafner said neighbor disputes get very emotional and when there is not a town code violation that is not an issue.

Councilman Saunders

Councilman Saunders told Supervisor Lucia that he thought it was time that they needed to get all the notes from the meetings between him and Supervisor Lucia regarding the consolidation out and then have another meeting so that they could air all the inaccuracies and exactly how this committee was formed. He said at that time he will comment on his feelings for CGR and what his displeasure with CGR. Councilman Saunders said that in his public meeting he addressed the issues. He said that this year the Village decided to change the way the Fire Contract was paid and he appreciates the Village Board for doing this.

Councilman Saunders said that he is going to comprise a factual understanding from the day three years ago that he sat down with the Supervisor regarding the consolidation and asked for guidance. Councilman Saunders said he was asked to step back and let the process work. He said he has done that and will continue until the process is completed.

Councilman Saunders said that when a person gets elected they represent the Town and Village residents. He said that at the time the process is over he will state the inaccuracies in the taxes that are collected and where they should be proportionally placed within funds that make more sense for taxpayers of this community.

Councilman Saunders said that as an elected official he had the opportunity to meet with CGR and Camoin Associates. He said he remembered the representative from CGR drawing a big circle and the representative of Camoin drew a little circle. The representative from Camoin Associates asked what Councilman Saunders was going to tell the town citizens when their taxes go up 7% to 11% because that is what is going to happen.

Councilman Saunders said that Camoin Associates has a dollar value in this issue. He said that Camoin Associates is the primary grant writer for the Village of Corinth. So when they are involved in this consolidation he said he told them they were the wrong people for the job.

Councilman Saunders said that he has had the facts in the Supervisor's expenditures and the fund balances for the end of the year for the last five years not projections or budget projections. He said these are the cost of running governments. He said he chose to stay quiet. He said he had the facts.

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Councilman Saunders said the group was flawed from the beginning when a group that depends on financial dollars from the village are one of the ones involved in telling the consolidation committee what the figures are. He said that he would challenge anyone to tell him on time when Camoin Associates has been involved in a consolidation shared service committee in the State of New York.

Town Clerk

Town Clerk Farr told the board that next week's workshop they would be discussing the proposals for the new dog law. Supervisor Lucia said that he was going to invite Danny Butler from the Saratoga County Animal Shelter to attend.

Highway Department

Nothing

Code Enforcement:

Nothing

With no further business on a motion of Councilman Brown and seconded by Councilman Major the meeting was adjourned at 8:00 PM. Carried Unanimously.

Respectfully submitted,

Rose E. Farr
Town Clerk