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NOVEMBER 18, 2010

The Town Of Corinth Town Board held a workshop meeting on November 18, 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
 Shawn Eggleston, Highway Superintendent
 Rose E. Farr, Town Clerk
 Cathi Radner, Town Attorney

Excused: Fred Mann, Code Enforcement Officer

Public: Ray Bush, Jim Murray, Bob Eggleston, Sigrid Koch, Jim Angus, Dennis Brobston and C. Eric Butler.

After roll call the following business was transacted:

At 4:30 PM the public hearing on proposed Local Law 1 of 2010 was opened with the Town Clerk reading the legal ad published in the Post Star on November 3, 2010. Attorney Cathi Radner explained that effective January 1, 2011 the State of New York was no longer going to issue dog licenses and they would therefore be issued by the Town Clerk. Attorney Radner went over the proposed law at length.

There being no comments in favor of or in opposition of the proposed law at 4:40PM a motion was made by Councilman Byrnes and seconded by Councilman Major to close the public hearing.

RESOLUTION# 247
ADOPT LOCAL LAW 1-2010

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

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

RESOLVED that the following be adopted by the Town Board of the Town of Corinth as
Town of Corinth

Local Law No. 1 of the year 2010.

A local law to amend Chapter 55 of the code of the Town of Corinth relating to the licensing of dogs.

Be it enacted by the Town Board of the Town of Corinth, as follows:

Section 1. Chapter 55, Section 4 of the Code of the Town of Corinth is hereby amended to read as follows:

§ 55-4. Licensing.

- A. (1) All dogs in the Town of Corinth must be licensed with the Town Clerk by the age of four months.
- (2) In order to obtain a license, the dog owner must present a certificate from a licensed veterinarian showing that the dog has been vaccinated to prevent rabies, or a statement certified by a licensed veterinarian stating that, because of old age or other reason, the life of the dog would be endangered by the administration of rabies vaccine.
- B. (1) All dog licenses will be valid for a period of one year and will expire on the last day of the month one year from the date of issue.
- (2) The fee will be \$6.00 for a spayed or neutered dog and \$14.00 for an unspayed or unneutered dog. Such license fees include the assessment of a \$1.00 surcharge for altered dogs and \$3.00 for unaltered dogs for the New York State Animal Population Control Program, or any County-wide program as may be implemented. The fee for replacing a lost license tag will be \$2.00.
- (3) A Guide Dog, a Police Work Dog, Hearing Dog, Service Dog, Working Search Dog or Detection Dog as those terms are defined by Section 108 of the New York State Agriculture and Markets Law, Article 7, will be exempt from all license fees. Such dogs must be licensed annually.
- (4) The Town of Corinth will not be issuing Purebreed or Kennel Licenses. All dogs will be licensed individually according to the fee system stated above.
- C. (1) Saratoga County Animal Shelter is authorized to issue dog licenses for dogs which will reside within the Town of Corinth. No other shelter, pound, breeder, or any other facility is authorized to issue licenses for dogs in the Town of Corinth.
- (2) The Saratoga County Animal Shelter is authorized to charge for and collect the license fee.
- (3) All information regarding dogs licensed by the Saratoga County Animal Shelter, which reside within the Town of Corinth, will be promptly provided to the Town Clerk.
- (4) The Saratoga County Animal Shelter will be solely responsible for collecting the mandatory surcharge (\$1.00 for altered animals and \$3.00 for unaltered animals), for the New York State or County run Animal Population Control Program.
- D. (1) All dog licenses may be purchased and obtained from the Town Clerk's Office, or by regular mail. All License Applications must be on a form issued by the Town Clerk.

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- (2) Any Application or Renewal submitted by mail must be on the appropriate form and must include the applicable fees. Fees are non-refundable.
- E. (1) If any dog is seized or impounded for a violation of this law, the impound fee for the First Offense will be \$10.00 plus \$5.00/day. For a Second or Subsequent Offense, the impound fee will be \$50.00 plus \$5.00/day.
- (2) In addition, if a dog is euthanized, the dog owner shall be responsible for such euthanization charges.
- (3) Impound fees shall be paid to the Saratoga County Animal Shelter, as appropriate.
- F. All licensing fees collected by the Town Clerk shall be used in funding administration of the Control Law of the Town of Corinth and such dog population control programs as the Town Board deems appropriate.
- G. A Dog Enumeration may be conducted at such intervals as the Town Board deems appropriate. If during a Dog Enumeration a dog is found to be unlicensed, a fee of \$5.00 will be assessed in addition to all other licensing fees.

Section 2. Chapter 55, Section 5 is hereby repealed:

Section 3. Repealer.

All local laws or ordinances and parts thereof inconsistent with this local law are hereby repealed.

Section 4. Severability.

If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 5. When effective.

This local law shall take effect January 2, 2011, after filing with the Secretary of State of the State of New York.

PERSONNEL

Councilman Major told Attorney Radner that the Personnel Committee needed to sit down with her regarding some language. Supervisor Lucia said that he has scheduled that for Executive Session on December 2, 2010 that is a 4:30 PM meeting.

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COUNTY FIRE REPORT

Ray Bush told the Town Board that he had just returned from the New York State Fire Academy that he goes to twice a year since he is Senior Investigator for Saratoga County. Mr. Bush said right now they are getting 1200 hours of training. He said he learned at the academy that the state is going to have to start cutting the training next year. Supervisor Lucia thanked Mr. Bush for being our representative and asked if he would consider continuing that for next year. Mr. Bush said he would.

SARATOGA ECONOMIC DEVELOPMENT CORPORATION (SEDC)

Dennis A. Brobston, President of SEDC, and James Angus, Vice-President, Community Economic Development for SEDC came before the board. Mr. Brobston said that his company is has been around since 1978 and is a 501(C3) Corporation that is a marketing entity for economic development for the county. He said that they are funded 40% from the County IDA, fees from projects through County IDA, Corinth IDA, etc. and the other comes from businesses that are partners in SEDC. Mr. Brobston said that they serve towns from the Northway corridor to the northern most part of the county and serve very different needs for different towns.

Mr. Brobston said that their company is a referral agency for business planning and financial planning. He said they work as liaison between companies and what they can do in various communities and other companies that might be outside there are that they might want to work with. He said that his company does a lot of work with existing business as they talk about what the future holds as far as regulations and other things of that nature.

He said that Saratoga County is located within one day drive of 54% of the population of North America and this makes us a marketplace and a great location.

Mr. Brobston said that the message the state wants to get out there is that they want to change economic development and go with regional development economic councils. He said they are talking about having a group of business people from those regions and government people to sit down and talk about what the goals for the regions are; what is it that our region is known for; what can we do here; what are our assets; what are the number of sites; what's our unemployment look like; and what's our universities look like.

He spoke to the group about what has been happening in Global Foundries, SCA, and Albany Nano-tech.

Mr. Brobston told the board that in order to get our message across to the state we really have to work together because they are looking for opportunities such as what is your idea and how does that work for you, your county and your region.

Mr. Brobston told the board that they need to look at the assets the Town has. He said the Town did that at the County and came to a decision that we got great recreation and we have great transportation or great opportunity with the rail. He said that then the Town needs to focus on attracting a business whatever that business may be.

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Mr. Brobston said that the Town has to be able to communicate with the legislators in Albany. He said we have to find a way to get them to help. He said if we look at being prepared the Town does have zoning in place but there may be property owners that do not want to spend money on their property to get it ready for some business to come in to use that property and they may need to may help get that done. He said his business may be able to help.

He said they look at the biggest site that Corinth has which is the International Paper site. He said they have a business of renewal energy that is looking for approximately seventy acres of land. He said he thought perhaps they could use the old mill property since it is wide and has great access. He said they even want water and that property has great water and power sources. Mr. Brobston says that the way the mill property is now and the clean up process they are doing this property probably won't be ready for this business. He said he told International Paper Company people is that SEDC is very interested in assisting in this process when International Paper Company is ready. He said that SEDC's biggest thing is how does a business manufacture on the old International Paper Company site and make it affordable. He said the only way to make something like this happen is we must get control of the property.

Mr. Brobston said that International Paper Company said that the Town and/or the Village could buy the property but Mr. Brobston said that in other areas of the country he knows that International Paper Company has given property to municipalities. He said that the Town Board knows as well as he knows that International Paper Company would not give this land to anyone without something in return. He said he did not know how IP did it in Erie but they divorced themselves from the environmental issues. He said however the federal government says that they don't know if that is really possible. Mr. Brobston spoke about the landfill on the IP property.

Mr. Brobston said that SEDC is anxious to get into a discussion with IP, the Town and the community regarding what we can do here. Supervisor Lucia said that he, Councilman Brown, Mayor Winslow and a member of the Village Board had a meeting with people from International Paper Company and they were told that IP should be finished with the clean up they are doing by the end of this fiscal year. Supervisor Lucia said that IP people said that they could not speak to SEDC until after the first of the year.

Mr. Brobston said that there was not a more important piece of property other than Luther Forest. He said that there was no site that has the infrastructure that this one does. He said it was about water, sewer and electric and this site has all three. He said the problem is that the Town can talk all they want but if they don't have control of this parcel then it means nothing.

He said the only other site that has manufacturing possibilities other than Luther Forest in Saratoga County is the former IP site.

Mr. Brobston told the Town Board that in the last conversation he had with the people from IP he asked that they give the local SEDC, Town and Village a time frame to put a plan together for marketing the property before placing it in real estate hands.

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Councilman Saunders said that we had two viable prospects. He said American Re-Fuel which is a viable business for energy. He said that California and Japan are both doing this. He said then some citizens of Corinth did not want this and said they did not want this is their backyard without even knowing the real facts. He asked when you sit here and say we have another opportunity at renewable energy who is going to get behind the curve and say this is something out there that needs to be looked at because of the infrastructure that is there. Mr. Brobston said that he thinks the town should start now and deal with these things before a client is found. Councilman Major said he feels that it isn't just renewable energy and he feels that now is the time to have the discussion a head of time. Councilman Major said that the proper way to approach this is to look it assess it and see what there is there.

Councilman Saunders said that if you market this property in Corinth, New York, in the northern end of Saratoga County that is sitting with a hydro plant that is making millions of dollars for a Canadian company and the cogeneration plant of Indeck. He asked how this could be marketed.

Mr. Brobston suggested that everyone work together. He said the Town could talk to the County IDA that has some funds and ask them for some help with the IP site and the characteristics associated with that site. He said then maybe there is a way to meet to quickly assess what is cost effective; what the Town wants to do with the site and what the Village wants to do with it. He said he would suggest getting that done first. The he suggest that we sit down with IP and tell them what kind of plan the Town and Village has come up with perhaps they would work with the municipalities. He said perhaps IP has engineers at their disposal that could help.

Mr. Brobston said that he thinks if the state sees that the municipalities and IP are attempting to do something then may be they would help.

Councilman Saunders said that he would love the leadership of SEDC, the Corinth IDA, etc to educate the citizens that we have this opportunity and we need to act on it.

James Angus said that the education is the most important thing. He said such as the landfill. The landfill is liability to anybody until you can start making money on it. He said so you start a conversation on what can we allow to be done at the landfill to make money. Mr. Angus said the discussion with the public should be had before a business wants to come to the site.

Councilman Saunders spoke about the school system and the emergency services that Corinth has. He said that he feels they are second to none in New York State. He said therefore we need something on this site.

Mr. Brobston said that there was nobody other than GE in Waterford that has the infrastructure of water, sewer, rail and electric in this County that Corinth has. He said that we want not just any business, we want good quality jobs and to utilize the amount of infrastructure we have.

Mr. Brobston said his message today is being prepared and sitting down and organizing. He said the IP site is an asset that is too important to let it go. He said that the best thing to do is to have a site that is ready to go with a very short time frame to get going.

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Councilman Byrnes said he thought this was a great presentation and it should also be given to the LDC and the Merchants Association so that they can put the word out there that we need to put a plan together. He said perhaps in the conversation the question could be placed to the public regarding what they want to see.

Councilman Major said that what he has been hearing is:

- We need to evaluate the property, which includes the assets and liabilities;
- We need to look at the transportation in the area;
- We need to look at energy;
- We need to look at what the Land Use Law Say;
- This must be a joint venture – Village and Town.

Councilman Major said when the landfills are being used and the plan for the use has included the public it will be a much more business friendly climate and that is what we want.

Mr. Brobston said what they do not want is to have to go before a number of boards for Planned Development Districts. He said it is better to know what is going to be allowed in that zone up front so that they don't have keep coming in front of a board for their approval.

Mr. Brobston said knowing what you have and knowing what you don't, as well as knowing what you want and what you don't want are great things. He said he would encourage the Town, Village and IP to sit down and discuss this ahead of time so that developers will know what they can or can't do on the property.

Councilman Saunders asked how the first step of looking at the property and assessing its assets could be done. Mr. Brobston said that their company would look into this if the Town and Village wanted them to.

Mr. Brobston said when you think about a good business plan a normal person would look at everything as an asset first before a liability. He said for example you have a landfill and you have a rule that says nothing from outside can be brought into the landfill. He said you look at it and say how can we bring in something that will generate money for the Town that does not hurt the people of the Town. He said that if we decide that there is nothing out there that we will allow to be brought into the landfill we would be saying to IP that we want to take as much as we want from you but your liability will always be your liability. He said before that is done you show the public that perhaps you could bring a \$1,000,000.00 or \$500,000.00 and you could do that in a way that still protected the residents probably the residents might change their minds after an honest conversation and not shoving it down the residents throat.

Mr. Brobston said that the board made a commitment to the people when they were elected that they would do what was right for the benefit of all the citizens of the Town. He said at least if the board could bring the issues to the public and explain the issues letting people make honest opinions then that is the way to go. Mr. Brobston said that he would encourage the Town to commence this. He said that SEDC would be more than willing to assist the Town in any way it could.

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Councilman Major said he would suggest an Economic Summit with the Town Board, Village Board and SEDC.

Supervisor Lucia said that if the board wanted to make a plan knowing IP said that they could not get back to SEDC until after the first of the year then let the Town and SEDC get back together as soon after the first of the year as possible. He said by that time the RFP on the railroad would be awarded and that could be talked about at the table. Mr. Brobston asked that in the meantime SEDC be allowed to reach out to some people that they know that work at the site for their information and gather that. Supervisor Lucia said that would be alright. Mr. Brobston said that he would like to contact IP and see if they would set up a meeting for right after the first of year.

Councilman Byrnes asked if the SEDC would be willing to work with the Village on the empty lots on Main Street. Mr. Brobston said that they have attempted that but there has been some problem with the all the lots being owned by different individuals. Supervisor Lucia suggested that the next time we meet we invite the Village Board to attend.

Mr. Brobston said that an Economic Summit would be great with the Village, Town, and SEDC where community members could attend. He suggested a three hour meeting with the boards and the committees that would be involved where SEDC could contact people from the utility companies and the state so that everyone can get a feeling of what is out there and can see where we are going would be a great idea. He said the meeting would have to have an agenda that makes sense.

KYARSGAARD SUBDIVISION

Supervisor Lucia told the Town Board that they have in front of them a Confidential Memo from Attorney Michael Hill regarding the discussions he and the Planning Board Attorney, Martin Pozefsky have had. Supervisor Lucia asked C. Eric Butler, Chairman of the Planning Board to give the board a brief explanation of where the Planning Board was regarding the Kyarsgaard Subdivision. Mr. Butler told the Town Board that Mr. Kyarsgaard has a subdivision in South Corinth and everything had been approved except he had to get DOH and DOT approval. Mr. Butler said that Mr. Kyarsgaard failed to come back with the required 180 day period to request an extension or submit the approvals of DOT and DOH. Mr. Butler said therefore Mr. Kyarsgaard had to reapply and start the subdivision all over. He said that at last month's meeting Mr. Butler said that he would go to the Town Board and discuss this matter with the Town Board. However, after discussing this with Attorney Pozefsky he found that it was not his place to do this. Thereafter Mr. Butler told Mr. Kyarsgaard that he would have to come and discuss the matter with the Town Board. Mr. Butler said that he and the Planning Board feel sorry for Mr. Kyarsgaard. Mr. Butler said that they could not set precedence with Mr. Kyarsgaard. Mr. Butler said that there are the parkland fees of approximately \$3,000.00 that have already been paid once and they do not think Mr. Kyarsgaard should have to again pay the Parkland Fees. Mr. Butler said that there is a preliminary fee of \$650.00 and a final fee of \$650.00 that is due. Mr.

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Butler said that his thoughts were that if this can be done in one meeting the fee of \$650.00 would cover the town's expenses plus any additional engineering fees that the Town incurred.

RESOLUTION #248

MOTION TO WAIVE THE FINAL FEE FOR THE KYARSGAARD SUBDIVISION

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

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

RESOLVED that the fee of \$650.00 plus any additional engineering fees be paid by Mr. Kyarsgaard if this subdivision can be handled in one meeting and the final fee of \$650.00 and the additional parkland fee be waived.

RESOLUTION #249

TRANSFERS

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

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

RESOLVED that the following transfers be made:

Transfer \$365.00 from Appropriation 35102.01 (Animal Control Equipment) to Appropriations 35104.01 (Animal Control Contractual) for shortage.

GOLF COURSE GRANT

Supervisor Lucia told the Town Board that the Town of Corinth did not get the grant they applied for. He said that they received 259 applications. He said that they told him that they liked the grant ideas and not to give up on them but to keep working on them.

TOWN BOARD

Councilman Major

Councilman Major said that this was a great meeting and he hopes we pull the Village in on our next meeting.

Councilmen Brown, Saunders, Byrnes

Nothing

Code Enforcement

Supervisor Lucia reported on the Winslow matter. He told the Town Board that Code Enforcement Officer Mann had been working with the Saratoga County Department of Social Service to find Mr. Winslow and his brother a place to live. He said however the brother has

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refused to move. Supervisor Lucia told the Town Board that Code Enforcement Officer Mann has no choice but to contact the health officer, Dr. Pitkin and let him get started on this. Councilman Saunders asked if the Town should send a letter to Kevin Cleveland reporting what has happened since he appeared before the Town Board. Supervisor Lucia said that he would see that a letter was sent.

RESOLUTION #250

MOTION TO ADJOURN TO BILL PAYING

On a motion made by Councilman Major 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.

RESOLUTION #251

MOTION TO PAY BILLS AS AUDITED WITH NO EXCEPTION

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

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

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

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Abstracts For 11/18/2010

General Fund/Town Wide – A:

\$48,338.08

General Fund/Outside Village – B:

\$1,770.89

Community Development Grant – CD:

\$362.48

Highway/Town Wide – DA:

\$0

Highway/Part Town – DB:

\$1,854.77

Capital Project/Landfill Upgrades – H1:

\$1,955.29

Fire Protection – SF:

\$0

Street Lighting – SL:

\$0

Sewer/Water – SW:

\$0

Trust & Agency – TA:

\$50,522.23

Scenic Train –

\$0

Town of Corinth Railroad –

\$0

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Supervisor

Supervisor Lucia reminded the Town Board that the next Town Board meeting would be December 2nd at 4:30 PM.

Supervisor Lucia told the Town Board that he wished them all a Happy Thanksgiving.

Supervisor Lucia reminded the Town Board that the Town Hall will be closed Thursday and Friday in observance of Thanksgiving.

RESOLUTION #252

MOTION TO ADJOURN

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

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

RESOLVED that with no further business the board adjourn at 6:12PM.

Respectfully submitted,

Rose E. Farr, RMC
Town Clerk