

**OCTOBER 13, 2011**

The Town Board of the Town of Corinth held a regular meeting on October 13, 2011 at 7:00 PM at the Town Hall.

Present: Richard B. Lucia, Supervisor  
Charles Brown, Councilman  
John Major, Councilman  
Ed Byrnes, Councilman  
Mitchell Saunders, Councilman  
Shawn Eggleston, Highway Superintendent  
Rose E. Farr, Town Clerk  
Cathi Radner, Town Counsel

Public: Joel Jenkins, Jim Murray, Sr., Sigrid Koch, Jeff Collura, Josh Halliday, Dara Halliday, Marc Rich, Tim Halliday, David Woodcock and Linda Byrnes.

After Roll Call, Pledge of Allegiance and a moment of silence for the family of Greg Kreis the following business was conducted:

**RESOLUTION #256**

**APPROVAL OF MINUTES**

Town Clerk Farr said that there was an amendment in the September 15th minutes on page #9 the word socializing was changed to social engineering. A motion was made by Councilman Major, seconded by Councilman Brown, and the following resolution was

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

RESOLVED that the minutes for September 1st, 8th, 15th and 29th, 2011 be approved as amended.

**RESOLUTION #257**

**APPROVAL OF ABSTRACTS**

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

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

Resolved that the abstracts of September 1st and 29th be approved as follows:

<u>September 1, 2011</u>			<u>September 29, 2011</u>		
A	-	\$ 2,243.25	A	-	\$ 73,611.30
B	-	\$ 231.60	B	-	\$ 37,662.51
DB	-	\$ 5,361.10	DB	-	\$ 14,827.46
SL	-	\$ 461.23	SW	-	\$ 7,268.50
T&A	-	\$57,818.49	T&A	-	\$107,529.74

**SUPERVISOR**

Supervisor Lucia told the Town Board that the new census figures for Corinth were in and the new one is 6531 which is up 9.12%.

Supervisor Lucia read the following letter from Saratoga County Office of Emergency Services into the record:



**SARATOGA COUNTY  
OFFICE OF EMERGENCY SERVICES**

25 West High Street, Ballston Spa, New York 12020

518-885-2232

emergencyservices@saratogacountyny.gov (e-mail)

518-884-4707 (Fax)

Paul E. Lent  
Director

Ed Tremblay  
Deputy Director

To All Supervisors,

The Office of Emergency Services would like to bring your attention to the updated *Saratoga County Multi-Jurisdictional Hazard Mitigation Plan* on our department's page of the county website. You can find the link on the middle of the webpage. The plan has recently been approved by FEMA and New York State and we anticipate requesting a Board resolution to have the plan formally adopted into the Saratoga County Comprehensive Emergency Management Plan. After it is adopted by the county, each municipality will be able to adopt their jurisdictional annex into their own plan. If you have any questions please feel free to contact our office.

Thank you,

Dan Miller  
Emergency Services Specialist  
Saratoga County Office of Emergency Services  
885-2243  
dmiller@saratogacountyny.gov

Supervisor Lucia stated that he had the most recent minutes from the Adirondack Gateway Council in his office if anyone was interested in reading them.

**RESOLUTION #258**

**ADOPT MEMORANDUM OF UNDERSTANDING**

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

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

RESOLVED that the Town adopt the Memorandum of Understanding between the Town of Corinth, Town of Day, Town of Greenfield, Town Hadley and Town of

Malta regarding the Repeater for Highway radio purposes and naming the Town Corinth as lead municipality.

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

- School Newsletter
- Senior Sentinel
- Thank You from The Stanton for donation in memory of Betty Saunders
- Mortgage Tax - \$6,705.00

The following letter was received from Senator Charles E. Schumer:

## United States Senate

WASHINGTON, DC 20510

COMMITTEES:

BANKING  
DEMOCRATIC POLICY & COMMUNICATIONS  
FINANCE  
JUDICIARY  
RULES

September 14, 2011

Richard B. Lucia  
Supervisor  
Town of Corinth  
600 Palmer Avenue  
Corinth, NY 12822

Dear Community leader:

As both children and college students head back to school within your district and local law enforcement prepares to address the issues of campus safety and protecting our youth, I thought you would be interested in knowing that the U.S. Department of Justice Office of Community Oriented Policing Services (COPS) has made resources available that are designed to help law enforcement and elected officials to tackle important school and youth safety issues.

Through its COPS Resource Information Center, the U.S. Department of Justice provides free publications and other information on community policing topics, including: responding to teenage victims of crime, bullying in schools, disorderly youth in public places, school vandalism, and break-ins.

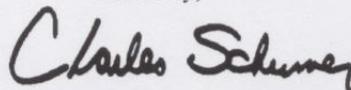
Additionally, the U.S. Department of Justice COPS Resource Center provides free publications related to campus safety issues, including: campus public safety, school vandalism and break-ins, spectator violence in stadiums, and student riots.

To order any of the aforementioned free publications and CDs, you can call the U.S. Department of Justice COPS Response Center at 1-800-421-6770 or email your order to [askcopsrc@usdoj.gov](mailto:askcopsrc@usdoj.gov). You can also utilize the online COPS Publications Request Form by visiting: [ww.cops.usdoj.gov/pdf/publications/e06071391b.pdf](http://ww.cops.usdoj.gov/pdf/publications/e06071391b.pdf).

As always, my staff and I stand ready to assist you with any aspect of the federal grants process. If you have any questions, just call my Grants Director, Grant Kerr, in my Washington office at 202-224-6542.

I sincerely hope this information proves useful to you. Please do not hesitate to contact me about this or any other matter.

Sincerely,



Charles E. Schumer

Supervisor Lucia told the Town Board that there will be a budget workshop on Saturday at 8:30 AM.

Supervisor Lucia told the Town Board that they needed to make a decision as soon as possible on the confidential letter they received from the Town Attorney regarding the assessment litigation. It was suggested that they have a brief executive session at the close of the meeting to discuss same.

### ATTORNEY

Attorney Radner told the Town Board that her office is working with the Code Enforcement Officer on one matter and also working on the assessment litigation matter.

### PUBLIC SPEAKING

#### Joel Jenkins

Joel Jenkins asked what was happening on the renovations on the old Village DPW where the squad is housed. Supervisor Lucia and Councilman Brown told Mr. Jenkins that they are working on getting the hockey stuff moved out and they are progressing with the electrical, plumbing and heating repairs. They said that there would also be a kitchenette in the building and the bathroom by the door would be fixed.

#### Jim Murray, SR.

Jim Murray, Sr. asked if lines could be painted outside the garage doors at the building so that it would be easier to back the vehicle into the building.

### SUPERVISOR

Supervisor Lucia stated that the following reports are on file in the Supervisor's office:

- Town Clerk
- Highway
- Planning Department
- Zoning Department - attendance
- Justice Court
- Animal Control
- Senior Citizens

**RESOLUTION #259**

**APPROVAL OF SUPERVISOR’S REPORT AS PRESENTED**

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

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

Resolved that the Town of Corinth Town Board accepts as presented the Supervisor’s monthly financial report for September 2011.

**TOWN BOARD**

Councilman Saunders

Councilman Saunders stated that he wanted to comment on the newspaper article regarding dissolution of the Village of Corinth. He said that there were two items that he wished to comment on and they were as follows:

- The AIM money - He said that this money is available under statute at the present time if the dissolution moves forward.
- Concerns with the matter EPCOR settlement. He said the question is whether the money EPCOR is to pay to the village under their settlement stipulation would be paid to the town if the village were dissolved. He said that at the time the committee was meeting there was a request of the Town and Village Counsel to give their opinion as to this settlement money. Councilman Saunders said they indicated that either municipality could break the agreement. Attorney Radner said that she thinks the newspaper says that EPCOR is not willing to say one way or the other but would review it with their counsel if the Village dissolves. Attorney Radner said that under the settlement, which is already five years into the seven year agreement, they file a challenge each year to keep the door open. She said that there is nothing in the agreement that the obligation would dissolve simply because the village dissolved or the two municipality consolidated. She said the law dictates that the Town become the beneficiary of the agreement. She said they suggest that if the dissolution of the Village goes through then the Village assign its interests under the settlement to the Town. Attorney Radner said that it could be challenged in court but she

doesn't think after having five years benefit of the agreement the court would agree to the Village portion not being paid to the Town. Councilman Saunders said he wished that we had gone for consolidation rather than dissolution so that all the citizens of both the Village and Town could have voted on the matter. Councilman Saunders said that did not find anything in the study where they contacted EPCOR to see what there take on the settlement money was. Councilman Byrnes said he thought that Councilman Saunders should contact the Village perhaps they had documentation about this.

- Councilman Saunders spoke about the paper that the committee said was filled out and he contacted the Village and they do not have such a document. He commented on the crucial vote and then at the Village Board meeting where committee member stood up and said that they did not agree dissolution was right but they thought it should go to a vote.

Councilman Saunders said that when things were put in the paper he felt they must be factual and accurate.

Councilman Byrnes stated that he spoke to a State budget man about the financial benefit of the Village dissolving into the Town and was told that he could not see any financial gain at the state level. Councilman Saunders said that Councilman Byrnes was right nothing is certain. He said New York State could come back next year and say that the SIM money is gone.

Councilman Saunders said that over the next few months he would like to see informational meetings with state officials that could answer the questions the public has. He said this would give the citizens some basis to make their decisions on. Councilman Saunders said that he can support his opinion and he can honor other people's decisions as well.

Councilman Byrnes agreed that there should be public forums on the issue so people can discuss the matter. He said he would ask that that forum be used to discuss this and not brought to the Town Board level. He said the Town Board does have some influence on people and they should not. Councilman Byrnes said this platform should not be used to promote this one way or the other. He said that way the matter is being taken care without the influence of the Town Board. Councilman Saunders said that if he saw inconsistencies in the articles in the newspaper he felt he should bring it up to the Town Board. Councilman Byrnes said that he felt there were other ways to take care of this not at the Town Board level. Councilman Byrnes said that the Town is a municipality and should not be

second guessing another municipality. Councilman Byrnes said that there was a prior Town Board meeting when the board second guessed what the Village had done and he felt this should not have happened. He said if someone wanted to go public in the Pennysaver that would be a better avenue then using the Town Board. Councilman Byrnes said in reviewing the minutes of that prior Town Board meeting there were probably some things that should not have been said and he would like to just stay away from that as a Town Board. Councilman Saunders said that the Town Board is elected by both the citizens of the Town and Village. Councilman Byrnes pointed out that the Town Board was elected to oversee the Town and the Village citizens elected the Village Board to oversee them. Councilman Saunders said he disagreed since the Village resident contribute to the A fund of the Town budget then he feels that he also represent the Village citizens.

Councilman Saunders told the Town Board that when he sees something that is inaccurate in the paper he just wants to be allowed to speak to it and correct it for the public.

#### Councilman Major

Councilman Major told the Town Board that he received confirmation from the Director at BOCES that he would be willing to come to a meeting to give his presentation regarding Global Foundries. Councilman Major said the next thing was he would have to scheduled the presentation.

#### TOWN CLERK

Town Clerk Farr told the board she understood them not wanting the minutes on the web, even in draft form, until after they were approved but she asked that the board approve the minutes at least by the second meeting after they were taken so that people would not have to wait one full month to know what is happening at the meetings.

#### **RESOLUTION #260**

#### **MOTION TO ADJOURN TO EXECUTIVE SESSION**

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

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

- RESOLVED that at 7:45 PM the Town Board adjourn to an Executive Session on pending litigation.

**RESOLUTION #261**

**MOTION TO ADJOURN RECONVENE**

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

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

RESOLVED that at 7:55PM the Town Board reconvened with no decisions made.

**RESOLUTION #262**

**MOTION TO ADJOURN**

On a motion of Councilman Byrnes 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 7:56PM.

Respectfully submitted,

Rose E. Farr, RMC  
Town Clerk