

NOVEMBER 10, 2011

The Town Board of the Town of Corinth held a regular meeting on November 10 2011 at 7:00 PM at the Town Hall.

Present: Richard B. Lucia, Supervisor
Charles Brown, Councilman
Ed Byrnes, Councilman
Mitchell Saunders, Councilman
Shawn Eggleston, Highway Superintendent
Rose E. Farr, Town Clerk
Robert Hafner, Town Counsel
Leon Hickok, Code Enforcement Officer

Public: Ray Bush, Gary Randall, Bruce Baker, Renee Baker, Sigrid Koch, Jeff Collura and Joshua D Halliday.

After Roll Call, Pledge of Allegiance, prayer and Supervisor Lucia speaking about some interesting facts about Veterans Day the following business was conducted:

RESOLUTION #279

APPROVAL OF MINUTES

Town Clerk Farr said that she had made amendments to the October 13, 2011 minutes and gave them to the Town Board members tonight for review. A motion was made by Councilman Byrnes, seconded by Councilman Brown, and the following resolution was

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

RESOLVED that the minutes for October 20th and 27th, 2011 be approved.

Town Clerk Farr asked that the Town Board review the minutes for October 13th and November 3rd, 2011 so they can be approved at the next Town Board meeting.

RESOLUTION #280
APPROVAL OF ABSTRACTS

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

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

Resolved that the abstracts of October 6th and 27th be approved as follows:

<u>October 6, 2011</u>		<u>October 27, 2011</u>	
A	- \$ 12,409.80	A	- \$ 48,689.61
B	- \$ 1,184.00	B	- \$ 3,455.37
DB	- \$ 6,743.38	CD	- \$ 43,736.50
SL	- \$ 501.34	DB	- \$ 75,993.26
		T&A	- \$ 124,469.87

Supervisor Lucia told the Town Board that each member had a memorandum from the Town Counsel and a proposed resolution. He said that they could table the matter until next week if they need to review it but the resolution was exactly what had previously been discussed.

RESOLUTION #281
RESOLUTION AUTHORIZING SETTLEMENT OF PENDING ARTICLE 7
REAL PROPERTY ASSESSMENT CASES COMMENCED BY MHC
ALPINE, LLC and MHC ALPINE TWO, LLC

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

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

WHEREAS, MHC Alpine, LLC, previously commenced Article 7 Real Property Assessment Review cases against the Town of Corinth concerning its property, the Alpine Lake RV Resort, more specifically identified as Tax Map No.: 86.-2-52, for the years 2006 through and including 2011, and

WHEREAS, MHC Alpine, LLC, previously commenced an Article 7 Real Property Assessment Review case against the Town of Corinth concerning a parcel of its property, more specifically identified as Tax Map No.: 86.-2-27.2, for 2011, and

WHEREAS, MHC Alpine Two, LLC, previously commenced an Article 7 Real Property Assessment Review case against the Town of Corinth challenging the 2011 assessments on its parcels, more specifically identified as Tax Map Nos.: 86.2-4-1; 86.2-4-2; 86.2-4-3; 86.2-4-4; 86.2-4-10; 86.2-4-11; 86.2-4-12; 86.2-4-13; 86.2-4-14; 86.-3-50, and

WHEREAS, the parties have had discussions regarding the settlement of these cases, and the Town Assessor has recommended a settlement proposal to the Town Board, and the Town Board has reviewed the cases and proposed settlement with Town Counsel, and

WHEREAS, no other municipal entities have intervened in the cases or are required to approve any settlement of it,

NOW, THEREFORE, BE IT

RESOLVED, that the Corinth Town Board hereby approves the settlement of all pending Article 7 assessment cases against the Town of Corinth brought by MHC Alpine, LLC, and MHC Alpine Two, LLC, as follows:

- 1) Assessments on MHC Alpine LLC's parcels (Tax Map Nos.: 86.-2-52 and 86.-2-27.2) shall remain unchanged for all of the years at issue, 2006 through and including 2011, and no refunds shall be paid, and
- 2) Assessments on MHC Alpine Two LLC's parcels (Tax Map Nos.: 86.2-4-1; 86.2-4-2; 86.2-4-3; 86.2-4-4; 86.2-4-10; 86.2-4-11; 86.2-4-12; 86.2-4-13; 86.2-4-14 and 86.-3-50) shall

remain unchanged on the 2011 assessment roll and no refunds shall be paid, and

- 3) On the assessment rolls for the years 2012, 2013, 2014 and 2015, the assessment for each year on MHC Alpine's parcel known as the Alpine Lake RV Resort, and more specifically identified as Tax Map No.: 86.-2-52, shall be \$6,548,700, if no improvements are made to the property anytime prior to the taxable status date for the 2015 assessment roll, and
- 4) For 2016, the assessment on MHC Alpine's parcel known as the Alpine Lake RV Resort, and more specifically identified as Tax Map No.: 86.-2-52, shall be \$7,365,800, if no improvements are made to the property anytime prior to the taxable status date for the 2016 assessment roll, and
- 5) If any improvements are made to MHC Alpine's parcel known as the Alpine Lake RV Resort, and more specifically identified as Tax Map No.: 86.-2-52, between the date of this Resolution and the taxable status date for the 2016 assessment roll, the Assessor shall be authorized to increase the assessment accordingly, and

BE IT FURTHER,

RESOLVED, that the Town Board further authorizes and directs the Town Supervisor, Town Assessor and/or Town Counsel to execute settlement documents and take any additional steps necessary to effectuate the proposed settlement in accordance with the terms of this Resolution.

Duly adopted this 10th day of November, 2011, by the following vote:

AYES : Lucia, Brown Byrnes and Saunders

NOES : None

ABSENT: Major

Supervisor

Supervisor Lucia told the public that he had the Saratoga County Flu Shot Clinic schedule in his office. He said that November 21st the clinic would be held at the Corinth Senior Center from 11AM to 3PM.

Supervisor Lucia told the Town Board that he had heard from only a few of the employees after the insurance meeting on November 9, 2011. He said a decision must be made by November 15th.

RESOLUTION #282

AUTHORIZING SUPERVISOR LUCIA TO CHOOSE HEALTH INSURANCE COVERAGE FOR EMPLOYEES

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

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

RESOLVED that Supervisor Lucia is hereby authorized to make the decision of which health insurance plan is to be offered to the Town of Corinth employees.

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

- CCSD Elementary Newsletter
- Return the Favor
- 236th Birthday of the Marine Corp is today, November 10, 2011
- HEAP Income Eligibility

RESOLUTION #283

MOTION TO ACCEPT SARATOGA COUNTY SALES TAX IN CASH RATHER THAN CREDIT

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

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

RESOLVED that the Town Board of the Town of Corinth request payment from the Saratoga County Sales Tax in Cash.

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

- Time Warner Changes
- Red Cross Newsletter
- Pulse – Teen Summit Against Smoking

- Congressman Gibson's Letter - December 12 – 10AM – Energy Symposium
- Senior Sentinel
- AGC Letter of Support
- Warren County Clerk Veterans Day Specials (see below)

OFFICE OF THE WARREN COUNTY CLERK
 PAMELA J. VOGEL, COUNTY CLERK
 MARIE A TROMBLEY, DEPUTY COUNTY CLERK

VETERAN'S DAY SPECIALS!!!!

IN ADDITION TO THE MANY DAILY DISCOUNTS, PLEASE CHECK THESE SPECIALS!

ADIRONDACK PHANTOMS: HOME GAME – 11/11/2011 AT 7:00 P.M
 FREE TIX TO VETERAN WITH PURCHASE OF ANOTHER. SPECIAL CEREMONY AND RECOGNITION @ 6:45 PM. (518) 480-3355

BLACK WATCH RESTAURANT : SPECIAL ON SUNDAY 11/13/2011:
 FREE PRIME RIB DINNER ON SUNDAY 11/13/2011 FROM 4 PM – 8 PM.
 RESERVATIONS REQUIRED & PROOF OF SERVICE. – 792-5225

EAST-SIDE HAIR-EM: SPECIAL HAIR CUT OFFER ON 11/11/2011 - VETERAN
 PAYS \$5.00; ACCOMPANYING SPOUSE OR SIGNIFICANT OTHER, RECEIVES
 \$ 10 CUT. SEE SALON FOR DETAILS. (518) 798-8766

FIRESTONE COMPLETE AUTO CARE : FREE OIL CHANGE AND TIRE ROTATION
 ON 11/11/2011. (518) 793-4447

HOFFMAN'S CAR WASH: FREE EXTERIOR CAR WASH TO VETERANS AND
 MILITARY PERSONNEL ON NOV. 11. VALID NOV. 11. (518) 862-1658

ADIRONDACK PINES B&B AND VACATION RENTALS: DURING MONTH OF NOV.
 BUY ONE NIGHT AT REGULAR PRICE, GET ONE NIGHT FREE. CONTACT FOR
 MORE DETAILS: (518) 494-5249

NORTH COUNTRY COFFEE CAFÉ (GLENS FALLS)
 FREE LUNCH FOR ANY VETERAN WITH PROGRAM/FAVOR ID. (518) 792-6222

STYLES SALON: FREE HAIRCUT FOR VETERANS ON NOV. 11 ONLY.
 (518) 743-0842

Supervisor Lucia told the Town Board that a letter needed to be sent supporting the application being submitted by the City of Glens Falls on behalf of the Adirondack Gateway Council (AGC) for FY 2012 EPA Brown fields Coalition Assessment Grant funding.

RESOLUTION #284

MOTION TO SEND LETTER OF SUPPORT FOR 2012 EPA COALITION ASSESSMENT GRANT PROGRAM

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

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

RESOLVED that Supervisor Lucia is hereby authorized to send the following letter supporting the Proposal for 2012 EPA Coalition Assessment Grant Funding:

Mayor John A. Diamond
City of Glens Falls
City Hall, 42 Ridge Street
Glens Falls, NY 12801

November 8, 2011

Subject: Proposal for 2012 EPA Coalition Assessment Grant Funding

Dear Mayor Diamond:

I am pleased to support the application being submitted by the City of Glens Falls on behalf of the Adirondack Gateway Council (AGC) for FY 2012 EPA Brown fields Coalition Assessment Grant funding. We are an eligible general purpose unit of local government ("local government") as defined under EPA regulations at 40 CFR Part 31.3, and we agree to be part of the coalition of municipalities seeking funding to establish this regional brown fields assessment and reuse planning initiative.

This funding would give the lower Adirondack region a significant tool to facilitate the smart redevelopment of vacant, abandoned, and dilapidated industrial and commercial properties, particularly along the Hudson River waterfront and in the heart of many of our communities. These potential brown field sites are scattered throughout the region, in both rural and urban areas, within lower income neighborhoods, near schools and in the middle of main street downtowns, and along the Hudson and other tributaries that once defined the growth and economic success of our region.

We understand that the City of Glens Falls will act as the recipient of the Assessment Grant funding if this proposal is awarded, and we agree to work as a coalition to execute a Memorandum of Understanding regarding program implementation including inventory and prioritization of brown field sites, leverage of other funding and in-kind services, and programmatic grant responsibilities.

As a member of the AGC, we have been working together to create a regional focus for various federal, state, and local resources that will promote industrial redevelopment, neighborhood and rural community revitalization, and smart and sustainable growth opportunities. We look forward to working with you on this unique regional redevelopment program if this EPA proposal is accepted.

If I can provide any additional assistance to the application, please contact me.

Sincerely,

TOWN ATTORNEY

Town Attorney Hafner told the board that they needed to authorize an amendment to the Railroad Operating Agreement to add the Stony Creek platform.

RESOLUTION #285
APPROVING AND AUTHORIZING AMENDMENT TO COUNTY OF
WARREN, TOWN OF CORINTH, AND SARATOGA AND NORTH
CREEK RAILWAY, LLC RAILROAD OPERATING LICENSING AND
OPERATING AGREEMENT

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

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

WHEREAS, by Resolution No. 247 of 2011, and amended by Resolution No. 447 of 2011, the Warren County Board of Supervisors authorized and approved a Railroad Licensing and Operating Agreement between Warren County, Town of Corinth and Saratoga and North Creek Railway, LLC, and on June 10, 2011, the said agreement was executed by the parties and is hereinafter referred to as the “Operating Agreement”, and

WHEREAS, since that time, the Stony Creek platform has been completed and needs to be included in Schedule “A” to the Operating Agreement, thereby requiring amendment of the Operating Agreement, and

WHEREAS, the proposed amendment is at no cost to the Town of Corinth, now, therefore be it

RESOLVED, that the Town of Corinth hereby approves the amendment to the Railroad Licensing and Operating Agreement and hereby directs the Supervisor of the Corinth Town Board to execute the aforementioned agreement which shall be in a form approved by the Town Attorney and the Supervisor of the Corinth Town Board is hereby further authorized to execute such other and further documents as may be necessary to carry out the terms and provisions of the aforesaid amendment and any other documents that may be related thereto, all in the form to be approved by the Town Attorney.

SUPERVISOR

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

- Town Clerk
- Highway
- Building Department
- Planning Department
- Zoning Department
- Justice Court
- Senior Citizens

RESOLUTION #286

APPROVAL OF SUPERVISOR’S REPORT AS PRESENTED

A motion was made by Councilman Saunders, 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 October 2011.

TOWN BOARD

Councilman Saunders congratulated all incumbents and new councilmen that were elected and wished them well.

Councilman Saunders told Supervisor Lucia that Andrew Davis in the Saratoga County Veterans Office had been very, very helpful to his mother-in-law and that he seemed to have a worth of knowledge.

Councilman Brown, Supervisor Lucia and Councilman Byrnes all said they wanted to congratulate the incumbents and newly elected councilmen on their recent election.

Councilman Byrnes welcomed aboard the two newly elected councilmen.

HIGHWAY

Highway Superintendent Eggleston said he met with his FEMA man. Highway Superintendent Eggleston said he had two bridges: one on Angel Road and one on Miner Road that really needed to be replaced. He said the man from FEMA said he could not give us full price to replace the bridges. Highway Superintendent Eggleston said he had made temporary repairs and the man from FEMA will give him a price of what he can give the Town to repair the bridges. Highway Superintendent Eggleston said he could apply that amount to permanent repairs and not have to do things twice. Supervisor Lucia thanked Highway Superintendent Eggleston for all the work he does.

RESOLUTION #287

MOTION TO ADJOURN

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

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

RESOLVED that with no further business the board adjourn at 7:40PM.

Respectfully submitted,

Rose E. Farr, RMC
Town Clerk