

# DRAFT

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APRIL 28, 2011

The Town Board of the Town Of Corinth held a regular meeting on April 28, 2011 at 4:30PM at the Town Hall.

Present: Richard Lucia, Supervisor  
Charles Brown, Councilman  
John Major, Councilman  
Edward Byrnes, Councilman  
Mitchell Saunders, Councilman  
Leon Hickok, Code Enforcement Officer  
Shawn Eggleston, Highway Superintendent  
Rose E. Farr, Town Clerk  
Cherie DeLancey, Deputy Town Clerk

Public: Raymond Bush, Jim Murray, Sigrid Koch, Joel Jenkins, Laurie Crossman and Mark Rich

After Roll Call the following business was conducted:

- EMR Contract: Supervisor Lucia stated that the contract was being fined tuned and should be done next week.
- Life Pack Contact in works: Supervisor Lucia said it is almost done.
- Ambulance: A new used ambulance is being looked at. The ambulance was inspected by Highway Superintendent Eggleston. He said it was really in good shape and worth the money. The money is already in the budget.

## **RESOLUTION #149**

### **PURCHASE OF USED AMBULANCE**

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 Town of Corinth purchase a 1994 Ford F350 Diesel Type 1 Ambulance from Helderberg Ambulance Inc. for the sum of Ten Thousand Dollars (\$10,000.00).

- Narcotics Letter – Supervisor Lucia read the following letter received by Mark Desimone of the Town of Corinth Emergency Squad:

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**NEW YORK**  
state department of  
**HEALTH**

Nirav R. Shah, M.D., M.P.H.  
Commissioner

Sue Kelly  
Executive Deputy Commissioner

April 26, 2011

Mark Desimone, CSA  
Town of Corinth EMS  
600 Palmer Avenue  
Corinth, NY 12822

Dear Mr. Desimone,

The NYS Department of Health has reviewed your Application for ALS Agency to Engage in Controlled Substances Activity for Pre-Hospital Care.

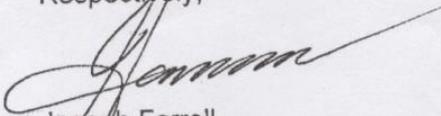
All of the submitted materials have been forwarded to the Central Office of the Bureau of EMS, with final approval being issued by the Bureau of Narcotic Enforcement.

After you receive the approval from the Bureau of Narcotic Enforcement, and have acquired the controlled substances, you must in-service any member who will be administering these drugs.

When this is complete, the Bureau of EMS must conduct an on-site inspection to ensure compliance before you may commence using the drugs.

If you have any questions, please feel free to contact me.

Respectively,



Joseph Farrell  
Sr. EMS Representative  
Capital District Field Office  
1 Fulton Street, Troy NY 12180  
518-408-8518  
jxf14@health.state.ny.us

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- County Ems Minutes:
- Water Contract: The contracts have not changed only the rates have changed from last year.

**RESOLUTION #150**  
**AUTHORIZING SIGNING OF WATER CONTRACTS**

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

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

RESOLVED that the Town Supervisor is hereby authorized to sign the Water Contracts with the Village of Corinth for Eastern Avenue Water District, Dorset Drive Water District (Corinth Homes), Tranquility Estate Water District and Passerelli Water District for the year 2011-2012

- Sales Tax:
- Railroad Contract: Supervisor Lucia said the attorney approved the contract and both parties are ready to sign.

**RESOLUTION #151**  
**AUTHORIZING SIGNATURE ON THE RAILROAD CONTRACT**

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

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

RESOLVED that Supervisor Lucia is hereby authorized to sign all documents necessary for the contract with the Iowa Pacific after the approval of Attorneys Lemery and Grisler.

- Little League Parade: Supervisor Lucia reminded the board that it was Saturday at 11:00AM.
- LOA: Supervisor Lucia said that he would be out of town Friday-Sunday.
- Time Warner: Letter stating rates that were changing.
- Sr. Citizens' Suburban: Supervisor Lucia told the board that the specs were in for the purchase of a new suburban for the seniors. He said that the town will be receiving a \$15,000.00. He said that if the purchase is made under state contract they will not accept a trade in. Supervisor Lucia suggested that the 2005 Suburban now owned by the seniors be used as a Fly Car for the paramedics.

**RESOLUTION #152**

**RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$20,000 SERIAL BONDS OF THE TOWN OF CORINTH TO PAY A PORTION OF THE COST OF A CHEVROLET SUBURBAN; AND AUTHORIZING THE ISSUANCE OF UP TO \$20,000 BOND ANTICIPATION NOTES OF THE TOWN FOR THE SAME PURPOSE**

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

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF CORINTH, SARATOGA COUNTY, NEW YORK, AS FOLLOWS:**

**Section 1.**    The specific object or purpose for which the obligations authorized by this Resolution are to be issued is a new 2011 Chevrolet Suburban for use in connection with the Town's senior citizen programs, including related preliminary and incidental costs (the "Project"), and such specific object or purpose is hereby authorized at a maximum estimated cost of Thirty-Five Thousand and 00/100 Dollars (\$35,000).

**Section 2.**    The plan for the financing of such maximum estimated cost is as follows:

- (a)    the use of \$15,000 in governmental grant funds; and
- (b)    the issuance of up to \$20,000 serial bonds or bond anticipation notes of said Town, hereby authorized to be issued pursuant to the Local Finance Law.

Pursuant to Local Finance Law Section 107.00(d)(9), a down payment from current funds is not required.

**Section 3.**    It is hereby determined that the period of probable usefulness of the specific object or purpose is three (3) years, pursuant to Local Finance Law Section 11(a)(77). It is hereby further determined that the maximum maturity of the serial bonds herein authorized will not exceed five (5) years.

**Section 4.** The faith and credit of the Town of Corinth, Saratoga County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as they become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such years. There shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such obligations as they become due and payable.

**Section 5.** For the purpose of paying the cost of the Project, there are hereby authorized to be issued serial bonds of the Town up to a maximum amount of \$20,000, the maximum maturity of which shall not exceed five (5) years and which shall mature on or before such date as measured from the date of the bonds or from the date of the first bond anticipation note issued in anticipation of the sale of such bonds, whichever date is earlier. Such bonds may be in the form of a Statutory Installment Bond pursuant to Local Finance Law Section 62.10.

**Section 6.** There are hereby authorized to be issued bond anticipation notes for the specific object or purpose in an amount up to but not exceeding the \$20,000 maximum amount of serial bonds authorized to be issued, in anticipation of the issuance and sale of the serial bonds authorized, including renewals of such bond anticipation notes.

**Section 7.** Any bond anticipation notes shall be payable from the proceeds derived from the sale of the bonds or otherwise redeemed in the manner provided by Section 23.00 of the Local Finance Law. The faith and credit of the Town are hereby irrevocably pledged for the payment of the bond anticipation notes and the interest on them.

**Section 8.** There are no bond anticipation notes outstanding which have been previously issued in anticipation of the sale of these bonds. Neither are the bond anticipation notes hereby authorized renewal notes. These bond anticipation notes will

not be issued in anticipation of bonds for an assessable improvement. These notes shall mature at such time as the Town may determine and may be renewed from time to time, provided that in no event shall such notes or renewals extend more than one (1) year beyond the original date of issue except as permitted in the Local Finance Law.

**Section 9.** Subject to the terms and conditions of this Resolution and of the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 60.00, inclusive, of the Local Finance Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this Resolution and the renewal of these notes, and the power to prescribe the terms, form and contents of the serial bonds and bond anticipation notes and the power to sell and deliver the serial bonds and bond anticipation notes issued in anticipation of the issuance of the bonds is hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. The Town Supervisor is hereby authorized to sign any serial bonds and bond anticipation notes issued in anticipation of the issuance of the serial bonds and bond anticipation notes issued pursuant to this Resolution by manual or facsimile signature, and the Town Clerk is hereby authorized to affix or impress or imprint a facsimile of the seal of the Town to any of the serial bonds or bond anticipation notes and to attest such seal by manual or facsimile signature. If executed by facsimile signature, such obligation shall be authenticated by the manual countersignature of the Town Supervisor or a designated fiscal agent. The Town Supervisor, as Chief Fiscal Officer of the Town, is authorized to execute and deliver any documents and to take such other action as may be necessary and proper to carry out the intent of the provisions of this Resolution.

**Section 10.** The exact date of issuance of the bonds and/or notes and the exact date upon which they shall become due and payable shall be fixed and determined by the Chief Fiscal Officer, provided, however, that the maturity of the notes or renewals shall not exceed one (1) year from the date of issue except as permitted by the Local Finance Law.

**Section 11.** The Chief Fiscal Officer shall prepare the bonds and/or notes and sell them in accordance with the provisions of the Local Finance Law, and at such sale shall determine the interest rate to be borne by such bonds and/or notes, and whether fixed or variable. The Town Board authorizes substantially net level or declining annual debt service for the issuance and repayment of such Bonds.

**Section 12.** If issued, the notes shall be in registered form, and shall bear interest at the determined rate.

**Section 13.** The Chief Fiscal Officer shall deliver the bonds and/or notes to the purchaser only against a certified check or other immediately available funds. The proceeds of the sale of the bonds and/or notes shall be deposited and/or invested as required by Section 165.00 of the Local Finance Law, and the power to invest the proceeds of sale is hereby delegated to the Chief Fiscal Officer and the power to invest in any instruments described in Section 165.00 is expressly granted.

**Section 14.** To the extent that it is permitted to do so under the Internal Revenue Code of 1986, as amended (the "Code"), the Town hereby designates the bonds and/or notes as "qualified tax-exempt obligations" under Section 265(b)(3) of the Code. The Town hereby covenants that it will (i) take all actions on its part necessary to cause interest on the bonds and/or notes to be excluded from gross income for purposes of Federal income taxes and (ii) refrain from taking any action which would cause interest on the bonds and/or notes to be included in gross income for purposes of Federal income taxes.

**Section 15.** The Town of Corinth is a town partially within the Adirondack Park. However, State lands subject to taxation within the Town's boundaries are assessed at less than thirty percent (30%) of the total taxable assessed valuation of the Town, so permission of the State Comptroller to issue the bonds and/or notes is not required under Local Finance Law Section 104.10(3).

**Section 16.** Miller, Mannix, Schachner & Hafner, LLC, Glens Falls, New York, is hereby designated bond counsel.

**Section 17.** The validity of these serial bonds and bond anticipation notes may be contested only if:

- (1) These obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the State Constitution.

**Section 18.** This Resolution or a summary thereof shall be published in the Glens Falls Post Star, which has been designated as the official newspaper of the Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

**Section 19.** This Resolution shall take effect immediately.

**Section 20.** The question of the adoption of this Resolution was duly put to a vote on roll call which resulted as follows:

**Public Comment**

Joel Jenkins thanked the board for the equipment the new squad has been receiving

**Town Board**

Councilman Brown stated that the river was high.

Councilman Major said it would be good if the paramedics and the volunteers write up a draft regarding the operating criteria for the new squad volunteer members and present it to the board.

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Supervisor Lucia liked that idea a lot. Joel said he would tell them.

Councilman Byrnes asked Councilman Brown about the ad in the Pennysaver.

Town Clerk

Town Clerk Farr told the board that the department heads took the girls out to lunch to celebrate Administrative day and that Judge Clothier had bought them each a rose.

She also stated that she had a letter from the employees of the Town Hall requesting summer hours.

**RESOLUTION #153**

**SUMMER HOURS FOR TOWN HALL**

A motion was 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 Town Hall be open the following hours from May 9, 2011 through September 2, 2011:

Monday – Wednesday	7:30AM to 4:00PM
Thursday	8:00AM to 4:00PM
Friday	8:00AM to Noon

Highway

Highway Superintendent Eggleston told the board that he would like is crew to beginning working their summer hours on May 9<sup>th</sup>.

**RESOLUTION #154**

**SUMMER HOURS FOR HIGHWAY DEPARTMENT**

A motion was 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 Town Highway Department shall work the following hours from May 9, 2011 through September 2, 2011:

Monday through Thursday - 6:00AM TO 4:00 PM

Highway Superintendent Eggleston said that he needs to purchase raingear for his men and that he had it in his budget. He is thinking about 3 season jackets so they would get more use out of them.

Code Enforcement

Code Enforcement Officer Hickok told the board that everything was going along well. Also the building permits were picking up.

**RESOLUTION #155**

**MOTION TO PAY BILLS AS AUDITED WITH ANY EXCEPTION**

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

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Abstracts For 4/28/2011

General Fund/Town Wide – A:

\$61,924.70

General Fund/Outside Village – B:

\$1,949.41

Community Development Grant – CD:

\$3,800.00

Highway/Part Town – DB:

\$22,733.61

Capital Project/Landfill Upgrades – H1:

\$0

Fire Protection – SF:

\$0

Street Lighting – SL:

\$0

Sewer/Water – SW:

\$0

Trust & Agency – TA:

\$128,067.32

Scenic Train –

\$0

Town of Corinth Railroad –

**RESOLUTION #156**

**MOTION TO ADJOURN TO BILL PAYING**

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

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

RESOLVED that the board adjourns to bill paying session.

With no further business on a motion by Councilman Major and seconded by Councilman Byrnes, at 5:05PM the meeting was adjourned.

Respectfully Submitted,

Rose E. Farr, RMC  
Town Clerk