

APRIL 12, 2012

The Town Board of the Town of Corinth held a regular meeting on April 12, 2012 at 7:00 PM at the Town Hall.

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

Public: Marc Rich, Joel Jenkins, Sher Millis, Sigrid Koch, Ginny Bush, Betty Bovee, Laura Kelliher, Barbara Jenkins, Marilyn O'Neil, Jeremiah Jenkins, Jim Murray, Sr. and Derek Briner

After Roll Call, Pledge of Allegiance, and prayer the following business was conducted:

RESOLUTION #135
APPROVAL OF MINUTES

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

ADOPTED Ayes 5 Lucia, Brown, Byrnes, Collura and Halliday
 Nays 0

RESOLVED that the minutes for April 5, 2012 be approved.

RESOLUTION #136
TRANSFERS

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

ADOPTED Ayes 5 Lucia, Brown, Byrnes, Collura and Halliday
 Nays 0

RESOLVED that the following transfer be made:

Increase 3820.02 (State Aid Youth Program) and 73104.02 (Youth Programs Contractual) in the amount of \$750.00 for receipt of funds from Stewarts for Youth Theatre;

Increase 2770.01 (Unclassified Revenues) and 49894.01 (Paramedics Contractual amount of \$25,000 for receipt of funds from Town of Day 2012 EMS Intermunicipal Agreement.

PRESENTATION

The Town Board presented Certificates of Appreciation to the following members of the Corinth Image Committee for the hard work they do: Betty Bovee, Willard Bovee, Marilyn O'Neil, Ginny Bush, Barbara Jenkins, Jeremiah Jenkins, Laura Kelliher, Sher Millis and Joan Welch

Supervisor Lucia told the Town Board that they needed to pass the resolution that Attorney Michael Hill discussed last week.

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

RESOLUTION NO.: 137

**INTRODUCED BY: Councilman Collura
WHO MOVED ITS ADOPTION**

SECONDED BY: Councilman Halliday

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) The 2006 assessment on MHC Alpine LLC's parcel identified as Tax Map No.: 86.-2-52 shall remain unchanged, and for 2007 through and including 2011 the assessments on Tax Map No.: 86.-2-52 shall be reduced from \$9,000,000 to \$8,346,320, BUT no refunds shall be paid if the future assessments on this parcel are set as agreed upon, and
- 2) The 2011 assessment on MHC Alpine LLC's parcel identified as Tax Map No.: 86.-2-27.2 shall remain unchanged and no refunds shall be paid, and
- 3) 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
- 4) On the assessment rolls for the years 2012, 2013, 2014, 2015 and 2016, 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 \$6,712,120, as long as no improvements cumulatively exceeding \$25,000 in value are made to the property anytime prior to the taxable status date for the 2016 assessment roll, and

- 5) For 2017, 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 cumulatively exceeding \$25,000 in value are made to the property anytime prior to the taxable status date for the 2017 assessment roll, and
 - 6) If any improvements cumulatively exceeding \$25,000 in value 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 2017 assessment roll, the Assessor shall be authorized to increase the assessment accordingly, and
 - 7) Neither the Town, the Town Assessor nor a new owner of the property would be bound by the settlement if the property is sold during the term of the settlement agreement, 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 12th day of April, 2012, by the following vote:

AYES : Lucia, Brown, Byrnes, Collura and Halliday

NOES : None

ABSENT: None

RESOLUTION #138
TO PUT OUT TO BID THE PURCHASE OF A 2010 OR NEWER AMBULANCE WITH
MODULE BODY

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

ADOPTED Ayes 5 Lucia, Brown, Byrnes, Collura and Halliday
 Nays 0

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS
FOR NEW AMBULANCE

WHEREAS, the Corinth Town Board has determined that a need exists for acquisition of a new ambulance and has developed specifications for such a vehicle; and

WHEREAS, it is anticipated that the cost of such ambulance will be significantly in excess of \$20,000; and

WHEREAS, under General Municipal Law Section 103, all purchase contracts involving an expenditure of more than \$20,000 must be awarded to the lowest responsible bidder furnishing the required security, if any, after advertisement for sealed bids;

NOW, THEREFORE, BE IT RESOLVED BY THE CORINTH TOWN BOARD AS FOLLOWS:

Section 1: Town Clerk is hereby authorized and directed to cause an advertisement for bids to be published in the *Glens Falls Post Star* at least five (5) days before the date specified in Section 2 below for the opening and reading of bids.

Section 2: All bids received pursuant to such advertisement must be received by the Town Clerk's office no later than 3:00 p.m. on Wednesday, May 9, 2012. Such bids will be publicly opened and read by the Town Clerk at 7:10 p.m. on Thursday, May 10, 2012. The Town reserves the right to reject all bids and readvertise for new bids.

Section 3: The Town Supervisor and Clerk are hereby authorized and directed to take such further actions as may be necessary to provide for such advertisement for bids, provide specifications and Non-Collusive Bidding Certification forms to potential bidders, publicly open and read bids and award to the lowest responsible bidder.

Section 4: This Resolution shall take effect immediately.

The question of the adoption of this Resolution was duly put to a vote which resulted as follows:

AYES: Lucia, Brown, Byrnes, Collura and Halliday

NAYS: None

ABSENT: None

ROLL CALL

AYES: Lucia, Brown, Byrnes, Collura and Halliday

NAYS: None

ABSENT: None

The Resolution was declared duly adopted by the Town Board.

Supervisor

Supervisor Lucia told the Town Board that they received an invitation from the American Legion Post 533 to march in the Memorial Day Parade on May 30th at 6PM.

Supervisor Lucia gave the board a copy of a letter from Albany Engineering Corporation regarding the FERC Project No. 12741-001, Thomson Bypass Reach Study and Updated Study Report Meeting.

Also on file in the supervisor's office are the following:

- School News Letter
- Senior Sentinel
- Red Cross Minutes
- Mortgage Tax Receipts - \$6,346.50
- Info On Tier 6 Retirement
- Association of Towns Legislative Items
- Rural Features
- James Mastrianni Annual Report
- Letter with Changes for Hudson River/Black River Emergency Test results
- Little League Parade April 28th, 11:00 am

Attorney Update

Attorney Hafner said he had three items to update the board on:

1. Marquis Manor - The matter is moving forward. The next thing is for the Town's attorneys to serve Interrogatories and await a response. If there is no response in a certain amount of time then the matter would be scheduled for trial if necessary.
2. Attorney Hafner explained to the new board members about how the financing for a new ambulance would be done and how it would take approximately 60 days before the financing could be secured. He said that he will have the resolutions ready for next Thursday's meeting and the board could pass them at any meeting they wished.
3. Attorney Hafner gave each board member a attorney/client confidential memo on a matter that Councilman Collura had asked him about. He told the board that if they wished anything to be done on this matter it would have to be done at a meeting and follow the proper channels.

REPORTS

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

- Town Clerk
- Tax Collector's Report
- Highway
- Justice Court
- Planning Department
- Zoning Department - No meeting

- Senior Citizens
- Supervisor's Report

RESOLUTION #139

APPROVAL OF SUPERVISOR'S REPORT AS PRESENTED

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

ADOPTED Ayes 5 Lucia, Brown, Byrnes, Collura and Halliday
Nays 0

Resolved that the Town of Corinth Town Board accepts as presented the Supervisor's monthly financial report for March 2012.

TOWN BOARD

Councilman Collura

Councilman Collura said he still wished to have North Hunt Lake Road changed to Stewart Dam Road. Supervisor Lucia told him that he had not heard back from the Town of Hadley since the road is located in Hadley.

Councilman Brown

Councilman Brown told the board that the Emergency Management Committee meeting is scheduled for Monday, April 16th at the Fire House. He said that Dr. Frank Nocilla will be the guest speaker. Dr. Nocilla is a member of the NYS Disaster Medical Team. Supervisor Lucia told Councilman Brown that he had a railroad meeting scheduled for that time and would be unable to attend.

Supervisor Lucia

Supervisor Lucia said that the Firemen's Old Timer's was a great time for all.

Highway Superintendent

Highway Superintendent Eggleston told the Town Board that he was contacted by the Town of Wilton Highway Department with a request that they be allowed to join our radio system. Highway Superintendent Eggleston said he had no problem but was checking with the other towns to see if they would agree. He said he was also checking with Saratoga County Emergency Service Director Paul Lent .

Code Enforcement Officer

Code Enforcement Officer Hickok told the Town Board he will be meeting with the town attorney's office next week on the Winslow property.

Code Enforcement Officer Hickok told the board that he has met with Arthur Carpenter on his property on Angel Road. He said that he thought Mr. Carpenter should come before the board and discuss his property.

Supervisor Lucia

Supervisor Lucia reminded the board that next week's meeting would be a joint meeting with the Town Board, Village Board and SEDC.

Supervisor Lucia told Councilman Byrnes that he had been in contact with CDTA and has been informed that their budget was cut this year so they will not be adding any new routes, in fact they have to eliminate some of their routes.

Supervisor Lucia discussed the ambulance service in the Town of Greenfield and explained to the board that there is a problem since Empire is a for profit corporation the Sheriff is asking that the County be paid for the dispatching, etc. Supervisor Lucia said that a committee has been set up to discuss the matter and in the meantime Jessups Landing EMS will still be mutual aided to Greenfield. He said that he has spoken with people in the Town of Greenfield and they have nothing but praises for the Jessups Landing EMS and Volunteers.

Councilman Byrnes told the board that one of his tenants had the emergency squad and they could not say enough good about how they were treated by the EMS.

RESOLUTION #140

MOTION TO ADJOURN

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

ADOPTED Ayes 5 Lucia, Brown, Byrnes, Collura and Halliday
 Nays 0

RESOLVED that with no further business the board adjourn at 7:50PM.

Respectfully submitted,

Rose E. Farr, RMC
Town Clerk