

April 26, 2012

The Town Board of the Town of Corinth held a regular meeting on April 26, 2012 at 4:30PM at the Town Hall.

Present: Richard Lucia, Supervisor
Charles Brown, Councilman
Edward Byrnes, Councilman
Jeffrey Collura, Councilman
Josh Halliday, Councilman
Shawn Eggleston, Highway Superintendent
Cherie DeLancey, Deputy Town Clerk
Leon Hickok, Code Enforcement Officer

Public: Kate Halliday, Jim Murray Sr., Sigrid Koch, Dan Stec, George Stec, Adrienne Hall, Sher Millis and Dennis Morreale.

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

Supervisor Lucia introduced Queensbury Town Supervisor Dan Stec and his father, George Stec.

RESOLUTION #142
TRANSFERS

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

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

RESOLVED that the following transfer be made:

Increase appropriations 86864.05 (CDBG Administration) in the amount of \$1000.00, 86684.05 (CDBG Rehab) in the amount of 8950.00 and revenues 4910.05 (CDBG Grant) in the amount of \$9950.00 for Small Cities Draw. #12 payment.

Transfer \$455.00 from 13302.01 (Tax Collector Equipment) to 13304.01 (Tax Collector Contractual) for shortage.

RESOLUTION #143
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 12 and 19, 2012 be approved.

PUBLIC HEARING

A motion was made by Councilman Collura, seconded by Councilman Brown to open the public hearing

The Public Hearing on Proposed Local Law 1 and 2 for 2012 was opened at 4:35 PM..

Cherie DeLancey, Deputy Town Clerk, read the Legal Ad that was published in the Post Star on April 10, 2012.

Supervisor Lucia asked the public if anyone would like to comment on these laws.

Jim Murray Sr. told the board that he believed the term should stay as before 2 years. He believes it would keep them more in touch with the community. He said that is only his personal opinion but he is against raising it.

Kate Halliday, Sher Millis and Adrienne Hull all spoke in favor of the passing the proposed local laws.

There being no further comments, Supervisor Lucia closed the hearing at 4:45 PM.

**RESOLUTION#144
ADOPTING LOCAL LAWS NOS. 1 AND 2 OF 2012
INCREASING TERMS OF OFFICE OF
HIGHWAY SUPERINTENDENT AND TOWN CLERK
FROM TWO YEARS TO FOUR YEARS**

WHEREAS, the Town Board believes it would be in the best interests of the Town for the Town Highway Superintendent and Town Clerk to have four year terms of office rather than two year terms of office, and

WHEREAS, Local Laws have been drafted which would accomplish these changes and a Public Hearing was held on such Local Laws, and

WHEREAS, the Town Board has reviewed the draft Local Laws and finds that it would be appropriate and desirable to enact them,

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

Section 1: Adoption of Local Laws - The Corinth Town Board hereby adopts Local Laws Nos.1 and 2 of 2012 increasing the terms of office of the Town Highway Superintendent and Town Clerk from two years to four years.

Section 2: Mandatory Referendum - The Town Clerk is hereby authorized and directed to take such actions as necessary to submit such Local Laws to mandatory referendum at the November 6, 2012 general election.

Section 3: Filing - The Town Clerk is hereby authorized and directed to file such Local Laws with the New York Department of State if they are approved by the electors.

Duly adopted this 26th day of April, 2012, by the following vote:

AYES Lucia, Brown, Byrnes, Collura and Halliday:
NOES :None
ABSENT :None

- **PRESENTATION/ SHER MILLIS**
Sher Millis gave the board a picture of what the new mural would look like. It was the train depot with the backdrop of the Adirondack trees and a train behind the depot. It would be the first mural in the Town. It will be located across the street from the Corinth Veterinary Clinic on the wall. The other two so far have been in the village. The Corinth Image Committee will be sponsoring this and everything will be flowing through them into a special account. She hopes to have it completed by the first week in September.
- Adrienne Hull spoke as the Director of Fund Raising. She is hoping to get commercial sponsors to donate \$500 or more. They have already got there first sponsor. She is hoping to get a donation from the Corinth Board no later than May 7, 2012.

RESOLUTION #145

APPROVE DONATION FOR THE MURAL

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

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

Resolved that a Five Hundred Dollars (\$500.00) donation be made for the mural.

Supervisor Lucia read the following Proclamation proclaiming the week of May 20, 2012 as EMS Week.

EMS WEEK PROCLAMATION

To designate the week of May 20, 2012 as Emergency Medical Services Week.

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.

NOW, THEREFORE, I, Richard B. Lucia, in recognition of this event do hereby proclaim the week of May 20-26, 2012, as

EMERGENCY MEDICAL SERVICES WEEK

With the theme **EMS: Everyday Heroes**, Jessup's Landing EMS will be at the Main Street Stewarts Mobil on May 19, 2012, from 10:00 AM to 2:00 PM to share information with the community.

Supervisor Lucia told the Town Board that there are major repairs needed to the ambulance and asked Highway Superintendent Shawn Eggleston to explain what was wrong with the ambulance. He stated that they went and towed it back yesterday and that he hasn't had a chance to really go over it but felt it was the transmission. He also stated that it is in for repairs at least once a week.

Supervisor Lucia asked if it would be a high priced ticket item and Highway Superintendent Shawn Eggleston said yes it would be.

Supervisor Lucia told the Board that he wondered if they should buy a new used ambulance instead of repairing the old one. The Board discussed the different options they had available.

Councilman Byrnes told the board that he felt Rich Reuther was very capable of handing the negotiations for the ambulance and that they should leave it up to him to bring the board his recommendations.

RESOLUTION #146
TO PURCHASE ANOTHER USED AMBULANCE

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 Town of Corinth look into purchasing a used ambulance as soon as possible.

Supervisor Lucia told the Town Board that he thought they should continue with purchasing the 2010 or newer ambulance. He spoke about the bond financing that could be done for this purchase.

RESOLUTION NO.: 147
INTRODUCED BY: Councilman Byrnes
SECONDED BY: Councilman Brown
:

**RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$120,000
SERIAL BONDS OF THE TOWN OF CORINTH TO PAY THE COST OF
A NEW AMBULANCE AND RELATED EQUIPMENT; AND AUTHORIZING THE ISSUANCE
OF UP TO \$120,000 BOND ANTICIPATION NOTES
OF THE TOWN FOR THE SAME PURPOSE**

**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 ambulance including equipment or furnishings to be used in connection with such vehicle, and including related preliminary and incidental costs (the "Project"), and such specific object or purpose is hereby authorized at a maximum estimated cost of One Hundred Twenty Thousand and 00/100 Dollars (\$120,000).

Section 2. The plan for the financing of such maximum estimated cost is the issuance of up to \$120,000 serial bonds or bond anticipation notes of said Town, hereby authorized to be issued pursuant to the New York 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 ten (10) years, pursuant to Local Finance Law Section 11.00[a][27-a]. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will 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 \$120,000, the maximum maturity of which shall not exceed the ten (10) year period of probable usefulness set forth above, and which shall mature on or before the date of the expiration of the period of probable usefulness 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 New York 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 \$120,000 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 New York 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 New York 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 New York 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 New York 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 New York Local Finance Law Section 104.10(3).

Section 16. This Resolution is subject to permissive referendum pursuant to Section 35 of the Local Finance Law, and shall not take effect until such time as provided. The Town Clerk is hereby authorized and directed to post and publish the notice required for Resolutions subject to referendum.

Section 17. Miller, Mannix, Schachner & Hafner, LLC, Glens Falls, New York, is hereby designated bond counsel.

Section 18. 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 19. 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 New York Local Finance Law.

Section 20. This Resolution shall take effect immediately except as provided in Section 16 above.

Section 21. The question of the adoption of this Resolution was duly put to a vote on roll call 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 a vote of not less than two-thirds (2/3) of the full membership of the Town Board.

- Little League Parade - April 28, 2012

SUPERVISOR

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

- March Sales Tax - \$82988.00
- Public Input – None
- Town Board

RESOLUTION #150

MOTION TO PAY BILLS AS AUDITED WITH ANY EXCEPTIONS

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

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

RESOLVED that the April 25, 2012 Abstract:

Abstracts For April 26 2012

Voucher #20120321-20120367, 20121041-20121053, 20122061-20122086, 20124005-20124007, 25006 - 20125009

General A/Town Wide - A \$ 51,294.70

General Fund/Outside Village - B \$ 4,144.23

Community Development Grant - CD \$ 9,950.00

Capital Project/Landfill Upgrades - H1 \$

Highway/Part Town - DB \$ 23,237.44

Fire Protection \$

Street Lighting

South Corinth Lighting \$

Eastern Avenue Lighting \$

Eggleston Street Lighting \$

Sewer/Water

Eastern Avenue \$

Tranquility \$

Dorset Drive \$

Passarelli \$

Trust & Agency \$

Scenic Train \$

RESOLUTION #151
APPROVAL OF ABSTRACTS

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

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

Resolved that the abstracts of April 26, 2012 be approved as follows:

A	-	\$ 51,294.70
B	-	\$ 4,144.23
DB	-	\$ 23,237.44
CD	-	\$ 9,950.00

RESOLUTION #152
MOTION TO ADJOURN

On a motion of Councilman Byrnes 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 adjourned at 5:20PM.

Respectfully submitted,

Cherie DeLancey
Deputy Town Clerk