

FEBRUARY 28,2013

The Town Board of the Town of Corinth held a regular meeting on February 28, 2013 at 4:30 PM at the Town Hall.

Present: Richard Lucia, Supervisor  
Charles Brown, Councilman  
Edward Byrnes, Councilman  
Jeffrey Collura, Councilman  
Shawn Eggleston, Highway Superintendent  
Leon Hickok, Code Enforcement Officer  
Rose E. Farr, Town Clerk

Absent: Councilman Joshua Halliday

Public: Chris Papa and David Barrass

After roll call and Pledge of Allegiance the following business was conducted:

Survey

David Barrass explained the survey that he completed on Town of Corinth property near Freighthouse Road. Chris Papa, who also owns property in that area, also reviewed the survey. Mr. Papa said that he has no access to his property now due to the fact that the railroad has refused to give him a crossing. The board decided to send the survey maps to the Town Attorney for his review. Chris Papa said he would get copies of his papers for Mr. Barrass to look at.

**RESOLUTION #116**

**APPROVAL OF MINUTES**

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

ADOPTED Ayes 4 Lucia, Brown, Byrnes, and Collura  
Nays 0  
Absent 1 Halliday

RESOLVED that the minutes for February 14th and 21st, 2013 minutes be approved.

**RESOLUTION #117**  
**TRANSFER**

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

ADOPTED   Ayes 4       Lucia, Brown, Byrnes, and Collura  
              Nays 0  
              Absent 1     Halliday

RESOLVED that the following transfer be made:

Create Appropriation 45402.01 Ambulance-Equipment (4520.2) General Fund A with donation from Corinth Little League in the amount of \$10,000.00 by transferring from Jessup's Landing EMS Savings 000244.01 Special Cash Reserve.

Supervisor Lucia said the following are on file in his office:

- Total Revenues from County in 2012
- Tentative Special Franchise Values
- Landfill Profit & Loss for January

**RESOLUTION #118**  
**APPOINTMENT TO BOARD OF ASSESSMENT REVIEW**

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

ADOPTED   Ayes 4       Lucia, Brown, Byrnes, and Collura  
              Nays 0  
              Absent 1     Halliday

RESOLVED that the following appointment to the Board of Assessment Review be made:

David R. Woodcock to fill the vacancy created by Jean Marcotte for a term from October 1, 2010 to September 30, 2015

Steven Smead to fill the vacancy created by Graham Champagne for a term from October 1, 2012 to September 30, 2017

Supervisor Lucia told the Town Board that he, Rich Reuther, Derek Briner, Barney Gille, and Dr. Jagoda went to Albany on Monday night for a meeting on the Town's permanent CON. He said that there was an unanimous vote for the granting of the permanent CON for the Town and Village and no opposition. Supervisor Lucia said that the information will be forwarded to the State for final approval and hopefully we will see a permanent CON within the next thirty days.

Supervisor Lucia gave all the board members a copy of the resolutions passed by the County, Town of Hadley and Inter-County Association of Western New York regarding the NY SAFE ACT. He said that each board member had a copy of what Councilman Collura had presented. He said that he had discussed this with the Town Attorney and had prepared a resolution for the board's review.

Councilman Collura stated that he attended a rally in Albany earlier today and there was about 10,000 or more people there. He said that many dignitaries spoke including Senator Kathy Marchione.

All board members reviewed the resolution and the following action was taken.

**RESOLUTION #119**  
**OPPOSING PROCEDURE FOR ADOPTION OF THE NEW YORK SECURE**  
**AMMUNITION AND FIREARMS ENFORCEMENT ACTION OF 2012**

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

ADOPTED    Ayes    4            Lucia, Brown, Byrnes, and Collura  
              Nays    0  
              Absent 1        Halliday

TOWN BOARD OF THE TOWN OF CORINTH

RESOLUTION OPPOSING PROCEDURE FOR ADOPTION OF THE NEW YORK  
SECURE AMMUNITION AND FIREARMS ENFORCEMENT ACTION OF 2013

By: Corinth Town Board

WHEREAS, the New York State Legislature recently enacted and Governor Andrew Cuomo signed into law The New York Secure Ammunition and Firearms Enforcement Act of 2013 ("NY SAFE ACT"); and

WHEREAS, this Legislation is viewed by many citizens of the State of New York as being extremely controversial as those citizens view this Legislation as infringing upon their rights guaranteed to them under the second Amendment of the United States Constitution; and

WHEREAS, each and every issue that comes before the New York State Legislature before an enactment deserves a fair and open discussion which incorporates all points of view in order to ensure that all citizens are heard and that the Legislation incorporates the various points of view expressed during that discussion and benefits all of the citizens of the State of New York; and

WHEREAS, the NY SAFE ACT was adopted after minimal public discussion, contains serious flaws, i.e., police officers are not exempt, and having been on the desks of the members of the New York State Legislature for only a few hours, thereafter was literally adopted in the night and signed into law by Governor Andrew Cuomo; and

WHEREAS, in 2011 amendments were made to the Open Meetings Law (Public Officers Law Section 103), requiring a public body prior to a meeting to post on its website, to the extent practicable, for public benefit all records that may be considered or discussed at that meeting; and

WHEREAS, A.107 has been pre-filed before the New York State Assembly for the 2013-2014 Regular Session, to amend the Public Officers Law (Section 84 and 90) in relation to publishing records of public interest by agencies and the State Legislature, reading in part "...The people's right to know the process of governmental decision-making and to review the documents and statistics leading to determinations is basic to our society. Access to such information should not be thwarted by shrouding it with the cloak of secrecy or confidentiality...."; and

WHEREAS, the State of New York has a tradition and long history of conducting its deliberations and debates in the public view and that in the enactment of the NY SAFE ACT the New York State Legislature and Governor Andrew Cuomo acted in contradiction of this long, time honored tradition of an open government; and

WHEREAS, the members of the Corinth Town Board of Corinth, New York, at a meeting held February 28th, 2013 at Corinth, New York, wishes to express their concern that any future legislation which addresses the ownership of guns and the sale of ammunition in the State of New York be conducted only after an open debate pursuant to which the public is allowed to participate and express their points of view; and

WHEREAS, the Town Board of the Town of Corinth endorses and upholds the 2nd Amendment to the United States Constitution: "A well regulated Militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed"; now, therefore, be it

RESOLVED, by the Town Board of the Town of Corinth to oppose and repeal the law passed on January 14th, 2013, referred to as the NY Safe Act. We condemn the action taken and the way in which the New York Secure Firearms Enforcement Act of 2013 was enacted and the governor's use Message of Necessity to limit the debate and input on the proposal; and be it further

RESOLVED that the Town Board of the Town of Corinth, New York, hereby directs that certified copies of this resolution be forwarded to Governor Andrew Cuomo, members of the New York State Legislature, NYSAC, NACO, New York State Association of Towns and each New York State County Legislator.

Supervisor Lucia told the Town Board that the Corinth Fire Department had given their old copier to the EMS. He said we now need to purchase a service contract.

Supervisor Lucia also told the Town Board members that there was a problem with the overhead doors at 101 Sherman Avenue. He said that Councilman Brown contacted Overhead Door company and was told that the two doors need to be replaced. Also

Supervisor Lucia said that the doors are not remote controlled and it makes the EMS people have to get out of the vehicle to push the bottom to open the doors. Supervisor Lucia said that he got a quote of \$2,995.00 to replace the doors and install remote door should look around and get a couple or more quotes.

Town Board

Councilman Collura

Councilman Collura said he had nothing more than what he had already said about the rally. He thanked the board for passing the resolution in opposition to the NY SAFE ACT of 2013.

Councilman Brown and Councilman Byrne's

Nothing

Town Clerk

Nothing

Highway Superintendent

Nothing

Code Enforcement

Code Enforcement Officer Hickok suggested that the Town Board look into installing a peaked roof on the Town Hall instead of another flat roof. He told the board that he would contact Curtis Lumber and have their engineer come over to review the roof to see if a peaked roof would be feasible and if it would cost less the flat roof. The Town Board told him to go ahead and then he could get back to the board with his findings.

**RESOLUTION #120**

**MOTION TO ADJOURN TO BILL PAYING AND PAY BILLS AS AUDITED WITH ANY EXCEPTIONS**

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

ADOPTED    Ayes    4            Lucia, Brown, Byrnes, and Collura  
                 Nays    0  
                 Absent 1        Halliday

Resolved that the Board adjourns to bill paying session and pay the bills as follows: .

**Abstracts For 02/28/2013**

Voucher #93-#150 (#117 is Void), #1025-#1035), #2031-#202051

<u>General A/Town Wide - A</u>	\$ 65,511.32
<u>General Fund/Outside Village - B</u>	\$ 3,329.60
<u>Community Development Grant - CD</u>	\$
<u>Highway/Part Town - DB</u>	\$ 38,594.40
<u>Fire - SF</u>	\$
<u>Sewer/Water</u>	
Eastern Avenue	\$
Tranquility	\$
Dorset Drive	\$
Passarelli	\$
 <u>Trust &amp; Agency</u>	 \$ 125,490.25
<u>Lighting</u>	
Eastern Avenue	\$
Eggleston Street	\$
South Corinth	\$

**RESOLUTION # 121**  
**MOTION TO ADJOURN**

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

ADOPTED   Ayes 4       Lucia, Brown, Byrnes, and Collura  
              Nays 0  
              Absent 1     Halliday

RESOLVED that with no further business the board adjourn at 5:35 PM.

Respectfully submitted,

Rose E. Farr, RMC  
Town Clerk