

JANUARY 30, 2014

The Town Board of the Town of Corinth held a regular meeting on January 30, 2014 at 4:30 PM at the Town Hall.

Present: Richard Lucia, Supervisor  
Charles Brown, Councilman  
Edward Byrnes, Councilman  
Jeffrey Collura, Councilman  
Joshua Halliday, Councilman  
Rose E. Farr, Town Clerk  
Leon Hickok, Code Enforcement Officer  
Michael Hill, Town Counsel

Excused: Shawn Eggleston, Highway Superintendent

Public: Kate Halliday, Tim Halliday, James Tweed, Dale-Ann Brown and Bob DeLong.

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

**Adam Lawrence PILOT**

Attorney Michael Hill discussed the items that the board requested from Conifer. Also in attendance was James Tweed from Conifer and Dale-Ann Brown, manager of Adam Lawrence, answered some questions that were asked by the board.

After a discussion Attorney Hill told the board if they wanted to approve the new PILOT they had to first pass certain resolutions.

**RESOLUTION #80**

**RESOLUTION ADOPTING EXEMPTION FROM REAL  
PROPERTY TAXES for certain real property identified  
as tax parcel I.D. No. 73.25-1-86.3 located at 364 West  
Maple Street, Corinth, New York 12822**

**MEETING OF THE CORINTH TOWN  
BOARD ON**

**January 30, 2014**

---

The **TOWN BOARD OF THE TOWN OF CORINTH**, in the County of Saratoga and State of New York, met in a meeting at the Town Hall located at 600 Palmer Avenue in the Town of Corinth, County of Saratoga, State of New York, on the 30th day of January, 2014, at 4:30 p.m.

The meeting was called to order by Richard Lucia, Town Supervisor, and the following were present, namely:

Richard Lucia	Town Supervisor
Charles Brown	
Edward Byrnes	
Jeffrey Collura	

Joshua Halliday

Absent: None

**WHEREAS**, R2D2 HOUSING DEVELOPMENT FUND COMPANY, INC. (“Company”), a housing development fund company formed under Article XI of the Private Housing Finance Law (“PHFL”) of the State of New York, will be the fee simple owner of certain real property identified as tax parcel 73.25-1-86.3 located at 364 West Maple Street, Corinth, New York 12822, known as Adam Lawrence Apartments, (the “Land”); and

**WHEREAS**, NEW YORK RURAL PRESERVATION ASSOCIATES, L.P. (“Conifer”) shall be the beneficial and equitable owner of Land pursuant to the terms of a certain Declaration of Interest and Equity (“Nominee Agreement”) between the Company and Conifer; and

**WHEREAS**, the Company and Conifer have each been formed pursuant to the PHFL for the purpose of providing residential rental accommodations for citizens of low income; and

**WHEREAS**, the Conifer intends to renovate and operate 40 dwelling units (the "Apartments") for senior citizens of low income on the Land (the Land and Apartments being sometimes hereafter referred to as the "Project"); and

**WHEREAS**, the Company’s and Conifer’s plan for use of the Land constitutes a “housing project” as that term is defined in the PHFL; and

**WHEREAS**, pursuant to PHFL Section 577, the local legislative body of a municipality may exempt the real property of a housing project of a housing development fund company from local and municipal taxes, including school taxes, other than assessments for local improvements, to the extent of all or a part of the value of the property included in the completed project; and

**WHEREAS**, Conifer has requested exemption from such local and municipal property taxes, including School, Village, Town and County taxes, and has proposed to make certain payments in lieu of such taxes, all as set forth in the attached draft agreement entitled “Payment in Lieu of Taxes Agreement” (“PILOT Agreement”),

**NOW, THEREFORE**, be it

**RESOLVED AND ORDERED** that the Town Board of the Town of Corinth approves the proposed PILOT Agreement for the Project in the form attached hereto; and

**BE IT FURTHER RESOLVED AND ORDERED**, that the Town Supervisor of the Town of Corinth is authorized to sign the PILOT Agreement, in substantially the same form as attached hereto and as approved by Town Counsel, and to deliver the signed PILOT Agreement on behalf of the Town at the time the Company takes title to the Land; and

**BE IT FURTHER RESOLVED AND ORDERED**, that this Board's approval of this Resolution and the PILOT Agreement shall be rescinded in the event that the 40 Apartments comprising Adam Lawrence Apartments are not all renovated consistent with Conifer's representations to this Board within 36 months of the date by which the Company acquires fee simple title to the Project, and

**BE IT FURTHER RESOLVED AND ORDERED**, that a fully-executed copy of the PILOT Agreement will be filed in the Office of the Town Clerk of the Town of Corinth.

**Motion To Approve This Resolution Was Made By: Councilman Halliday**

**Seconded By: Councilman Byrnes**

**ROLL CALL VOTE:**

**AYES: Lucia, Brown, Byrnes, Collura and Halliday**

**NAYS: None**

**ABSENT: None**

**RESOLUTION #81**

---

**RESOLUTION APPROVING TERMINATION OF PILOT AGREEMENT for certain real property identified as tax parcel 73.25-1-86.3 located at 364 West Maple Street, Corinth, New York 12822**

---

**MEETING OF THE CORINTH TOWN BOARD ON  
January 30, 2014**

The **TOWN BOARD OF THE TOWN OF CORINTH**, in the County of Saratoga and State of New York, met in a meeting at the Town Hall located at 600 Palmer Avenue in the Town of Corinth, County of Saratoga, State of New York, on the 30th day of January, 2014, at 4:30 p.m.

The meeting was called to order by Richard Lucia, Town Supervisor, and the following were present, namely:

Richard Lucia  
Charles Brown  
Edward Byrnes  
Jeffrey Collura  
Joshua Halliday

Town Supervisor

Absent: None

**WHEREAS**, CORINTH HOUSING REDEVELOPMENT COMPANY (“Company”), a redevelopment company formed as a limited partnership under the laws of the State of New York, is the fee owner of certain real property identified as tax parcel 73.25-1-86.3 located at 364 West Maple Street, Corinth, New York 12822, known as Adam Lawrence Apartments (the “Land”); and

**WHEREAS**, Pursuant to Article V of the Private Housing Finance Law of the State of New York (“PHFL”), the Company and the Town of Corinth entered into a Payment in Lieu of Tax (PILOT) Agreement dated May 5, 1988; and

**WHEREAS**, The Land and all other assets of the Company will be transferred to R2D2 HOUSING DEVELOPMENT FUND COMPANY, INC. (“HDFC”), a housing development fund company formed under Article XI of the Private Housing Finance Law (“PHFL”) of the State of New York, who will be the fee simple owner of the Land; and

**WHEREAS**, NEW YORK RURAL PRESERVATION ASSOCIATES, L.P. (“Conifer”) shall be the beneficial and equitable owner of Land pursuant to the terms of a certain Declaration of Interest and Equity (“Nominee Agreement”) between the HDFC and Conifer; and

**WHEREAS**, the Company will be dissolved and the PILOT terminated at the time the HDFC takes title to the Land; and

**WHEREAS**, under Section 123 of the PHFL, the local legislative body of a municipality may consent to the dissolution of the Company and conveyance of the Land and assets to another entity without repayment of taxes; and

**NOW, THEREFORE**, be it

**RESOLVED AND ORDERED** that the Town Board of the Town of Corinth consents to the dissolution of the Company; and

**BE IT FURTHER RESOLVED AND ORDERED**, that the Town Board of the Town of Corinth approves the termination of the PILOT Agreement dated May 5, 1988 for the Project, without repayment of taxes, with such termination to be effective upon the Town Supervisor’s execution of a termination agreement as to the 1988 PILOT Agreement, and

**BE IT FURTHER RESOLVED AND ORDERED**, that the Town and Company intend to enter into a termination agreement to be filed at the time the HDFC takes title to the Land, and

**BE IT FURTHER RESOLVED AND ORDERED**, that the Town Supervisor is hereby authorized to sign a termination agreement, in a form approved by Town Counsel, as to the 1988 PILOT Agreement upon his receipt of confirmation that ownership of the Land has been transferred to HDFC and simultaneous with the execution of a new PILOT Agreement as to the Land and the improvements thereon by HDFC, Conifer and the Town, the Supervisor having been authorized to sign such new PILOT Agreement by separate Resolution of this Board dated January 30, 2014.

**Motion To Approve This Resolution Was Made By: Councilman Byrnes**

**Seconded By: Councilman Collura**

**ROLL CALL VOTE:**

**AYES: Lucia, Brown, Byrnes, Collura and Halliday**

**NAYS: None**

**ABSENT: None**

## **ASSESSOR**

Assessor Tina Dimitriadis told the board that she will be adding to the monthly report on the Sales Listings. She said there will be a column that states whether the sale is a valid or invalid sale. She explained that an invalid sale is a sale such as foreclosure sale, an estate sale or sale between relatives. She told the board that the State only takes valid sales when they do their figuring.

Ms. Dimitriadis also told the board that Corinth is grouped together with Day, Edinburg, Hadley and Providence. She said the Market area has been in place for at least 10 years. The importance of this grouping is: it is used for valid sales to figure the computations of important matters such as Residential Assessment Ratio (RAR and Level of Assessment (LOA) for the Town and Village. For the 2014 roll this would include Valid sales at the least between July 1, 2011 thru June 30, 2013. She said that the 2013 Assessment Roll dictated 100% LOA and RAR. She said they are currently in the process of determining what the %age(s) will be for the upcoming 2014 roll. The group is showing a negative trend which would result in higher levels for our LOA and RAR. The State allows us to set the amounts within 5% of their Pre-decisional Collaboration efforts of Full Value Measurement. Preliminary numbers are reflecting our level to be 104.55. Therefore we would be allowed to set the rate at 100% for the 2014 roll. The "trend" could affect apportionment of taxes and state aid.

Ms. Dimitriadis said that the Town had scheduled to do a Reassessment for the 2014 roll but being as she is a new assessor it is unrealistic to carry out this plan. She said her thoughts on an assessment roll is to be fair and equitable and as long as the Town's Coefficient of Dispersion (COD) is within 10 to 15, the roll is fair and equitable. She said at the present time both the Town and Village fall between these perimeters.

She told the board that the Town has added 11 new parcels and the Village has added 3 new parcels

She said that she had been in contact with John Hales from the Corinth Central School District and he will notify her if the school agrees to a Veterans Exemption to be applied to the School Tax. This must be done prior to March 1, 2014 for this to take effect for the 2014 assessment.

She spoke about the Cold War Veterans Exemption for the Town. She also said this had to be passed by March 1<sup>st</sup> in order for it take affect for the 2014 roll. She said currently the Village has 7 properties and the Town has 16 properties that would be effected.

The board thanked her for taking the time to assist in the Adam Lawrence Proposed PILOT and the taking the time to speak to them about various things her office is in the handling.

**RESOLUTION #82**

**AMEND BUDGET RESOLUTION OF JANUARY 2, 2014**

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

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

Amend budget Transfer dated January 2, 2014 for Budget Year 2013 as follows:  
Transfer from Medical Insurance (Town Share) Appropriation 90608.01 to increase  
Appropriation A4989.1    \$41,320.00 and transfer from 19904.01 to increase A4989.1  
\$37,403.00. Total increase to A4989.1    \$78,723.00.

Supervisor Lucia appointed the following as 2014 CDBG Committee:

- Richard B. Lucia, Supervisor
- Rose E Farr, Town Clerk
- Leon Hickok, Building/Code
- Kate Halliday, Bookkeeper
- Charles Brown, Deputy Supervisor

Supervisor Lucia gave the board the Sales Tax Report in the amount of \$76,969.00.

Supervisor Lucia gave all the board members a list of some of the upcoming workshops that are needed.

Supervisor Lucia thanked all for the calls regarding his recent health and the plant that was sent to him while he was off.

Supervisor Lucia gave the board reports from the auditor that they had requested.

### **TOWN BOARD**

Councilmen Byrnes, Collura and Halliday

Nothing

Councilman Brown

Councilman Brown told the board that he could not service the generator at the EMS Building and perhaps the Town should contact someone to look at it.

### **TOWN CLERK**

Town Clerk Farr told the board that her office has been very busy collecting taxes. She told them that the Town is almost paid in full and then they start paying the County.

### **CODE ENFORCEMENT**

Nothing

### **RESOLUTION #83**

### **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 adjourn at 5:45PM.

Respectfully submitted,

Rose E Farr, RMC  
Town Clerk