

June 12, 2014

The Town Board of the Town of Corinth held a regular meeting on June 12, 2014 at 7:00 PM at the Town Hall.

Present: Richard Lucia, Supervisor
Charles Brown, Councilman
Edward Byrnes, Councilman
Jeffrey Collura, Councilman
Joshua Halliday, Councilman
Shawn Eggleston, Highway Superintendent
Joan Smead, Deputy Town Clerk
Robert Hafner, Town Counsel
Jacqueline White, Town Counsel

Absent: Leon Hickok

Public: Ray Bush, Darrick Baker, Joseph Miller, Chris Papa, Arthur Randall

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

RESOLUTION # 160

APPROVAL OF MINUTES

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

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

Resolved that the minutes from May 22nd, 2014 be approved.

At 7:05pm the Clerk read the legal ad from the Post Star and the bid for the new furnace was opened. There was only one bid and it was from Adirondack Technical Services for a gas furnace.

The public hearing on the Papa easement was opened at 7:15pm. The Clerk read the legal notice. Supervisor Lucia asked if there were any comments from the public. There were no comments for or against the easement. A motion was made by Councilman Byrnes and seconded by Councilman Brown that the hearing be closed.

**RESOLUTION AUTHORIZING CONVEYANCE OF
EASEMENT OVER TOWN LANDS TO CHRISTOPHER M. PAPA
IN EXCHANGE FOR TERMINATION OF ALLEGED CLAIMED ACCESS RIGHTS**

RESOLUTION # 161

INTRODUCED BY Councilman Byrnes

SECONDED BY Councilman Brown

WHEREAS, the Town of Corinth acquired lands previously owned by the Delaware and Hudson Railway Company, Inc. which lands contain railroad tracks and are located within the Town of Corinth and Town of Greenfield; and

WHEREAS, such Town lands are further described in a Quit Claim Deed from the Delaware and Hudson Railway Company, Inc. dated January 23, 2006 and recorded in the Saratoga County Clerk's Office on February 15, 2006 in Book 1748 of Deeds at Page 181 (Instrument Number 200604750) ("Town Lands"); and

WHEREAS, Christopher M. Papa owns certain lands within the Town of Corinth identified as tax map parcel 59.-2-56; and

WHEREAS, By virtue of such ownership, Mr. Papa claims to have a right of access over Town Lands by exiting his property to the south, crossing the railroad track and using a gravel road which is a private extension of Railroad Place on the south east side of the railroad tracks; and

WHEREAS, the Town intends to transfer to Mr. Papa, and Easement over Town Lands to use a private gravel road extending from Freight House Road on the north west side of the railroad tracks where the Town will have no responsibility concerning maintenance; and

WHEREAS, Mr. Papa will forever abandon any claim to use of any other portion of the Town's property;

WHEREAS, the Town is authorized to make such a conveyance pursuant to New York State Town Law #64 (2); and

WHEREAS, the Town Board has determined that conveyance of the Parcel is an Unlisted Action pursuant to the State Environmental Quality Review Act ("SEQRA") and has completed a SEQRA Short Environmental Assessment Form ("EAF").

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

1. The Town Board hereby determines that conveyance of an Easement over Town Lands to Christopher M. Papa in return for Mr. Papa's abandonment of any claim to any other portion of the Town Lands provides a benefit to the Town.
2. The Town Board hereby determines that the conveyance of the Easement will not result in any significant negative environmental impacts and adopts a SEQRA Negative Declaration.
3. The Town Board hereby authorizes the conveyance of the Easement to Christopher Papa subject to the conditions that 1) Mr. Papa must care for and maintain the Easement in its present condition at his sole expense; 2) Mr. Papa is required to repair any damage caused to the Easement area; 3) Mr. Papa may remove any obstructions or fill any holes that form at his sole expense; 4) Mr. Papa must release the Town from; any liability arising from the condition of the Easement area; 5) The Easement is expressly limited to access and does not include any easement for extension of utilities; 6) Mr. Papa may not expand the area of use or the intensity of use over the Easement, including by subdividing his parcel and it must be used only for access for camp or residential use; 7) Mr. Papa must take the Easement subject to the rights, if any, reserved by the Delaware and Hudson Railway Company, Inv. in its deed of conveyance to the Town and 8) Mr. Papa must forgo and otherwise abandon any right he may have in and to any other portion of the Town Land.

4. The Town Supervisor is hereby authorized to execute and deliver such instruments and documents as may be necessary in connection with the conveyance of the Easement to Christopher M. Papa.
5. The Town Supervisor, Town Clerk, and Town Counsel are hereby authorized and directed to take any and all actions necessary in connection with the conveyance of the Easement to Christopher M. Papa.
6. This Resolution is adopted subject to permissive referendum pursuant to Article 7 of Town Law and shall not take effect until such time as provided therein. The Town Clerk is hereby authorized and directed to publish and post the notice required for Resolutions subject to permissive referendum.

Duly adopted this 12th day of June, 2014 by the following vote:

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

RESOLUTION # 162

PUBLIC HEARING FOR LOCAL LAW # 2

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

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

That a public hearing be set up on July 10th, 2014 for Local Law # 2.

RESOLUTION # 163

HANDBOOK CHANGES

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

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

RESOLVED that the changes to the Handbook be adopted.

RESOLUTION # 164

AUTHORIZING TOWN JUSTICE TO ACCEPT CREDIT CARDS FOR PAYMENT OF FINES, FEES AND CHARGES

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

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

RESOLVED that the Town Justices are authorized to accept credit cards for payment of fines, fees and charges.

CORINTH TOWN BOARD
RESOLUTION AUTHORIZING TOWN JUSTICE
TO ACCEPT CREDIT CARDS FOR
PAYMENT OF FINES, FEES AND CHARGES

WHEREAS, the Corinth Town Justices wish to accept credit card payments for fines, fees and charges assessed by the Court, and

WHEREAS, under General Municipal Law 5, the Town Board may by Resolution authorize entering into an agreement with one or more financing agencies or card issuers to provide for the acceptance, by specified Town Officers, of credit cards as a means of payment for, among other things, fines, civil penalties, fees, charges, financial obligations or other amounts; and

WHEREAS, the Town Justices' ability to accept credit card payments of Court fines, fees and charges is in the public's interest as it will provide convenience for the public and the Court, and

NOW, THEREFORE, BE IT

RESOLVED, that the Board hereby authorizes the Town Supervisor, on behalf of the Town, to enter into an agreement with one or more financing agencies or card issuers for the Town Justices' acceptance of payments by credit card, charge

card or similar instrument paid to the Court for fines, civil penalties, fees, charges, financial obligations or other amounts, including penalties and interest owed to the Court; and be it further

RESOLVED, that any agreements entered into with a financing agency or card issuer for the purposes authorized in this Resolution must be awarded in accordance with the Town's procurement policy, and the final form of any agreement must be first approved by the Town Supervisor and Town Counsel; and be it further

RESOLVED, that any fees for such services shall be paid for by the credit or charge card user and any Agreement the Town enters into must make clear that any and all service fees shall be paid directly by the credit or charge card user to the financing agency or card issuer, and be it further

RESOLVED, that the Town Justices are hereby authorized to accept payments by credit card, charge card or similar instrument paid to the Court for fines, civil penalties, fees, charges financial obligations or other amounts, including penalties and interest owed to the Court, according to the terms of any agreement duly entered into by the Town with a financing agency or card issuer and in compliance with Federal and State Laws, regulations and rules and Town policies governing the acceptance of such payments, including a Town requirement that credit card owners must be present, sign and show a valid form of identification at the time of the charge; and be it further

RESOLVED, that the Town Supervisor, Town Clerk, Town Justices, Town Counsel and other Town officers and employees are authorized and directed to take such other and further actions as may be necessary to accomplish the purposes and the intent of this resolution.

RESOLUTION # 165

ADJUST HIGHWAY AGREEMENTS

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

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

Nays 0

RESOLVED that the Highway agreements be adjusted to spend monies for roads.

Supervisor Lucia stated that the following were on file in his office

- Matt Rogers draft meeting notes
- Sales report
- Independence Day celebration July 5, 2014
- Mortgage Tax Receipts
- Senior housing update
- Honor flight
- Landfill report
- Horse farm tour

Supervisor Lucia stated the following reports are on file in his office

- Town Clerk
- Highway
- Animal Control
- Building Department
- Justices
- Planning Department
- Zoning Department
- Senior Center

Ida Hicks has been appointed to the Senior Board.

RESOLUTION # 166

APPROVAL OF SUPERVISOR'S REPORT AS PRESENTED

A motion made by Councilman Brown and 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 Board accepts as presented the Supervisor's monthly financial report for May 2014.

Chris Papa thanked the Board for the easement so he can get to his camp.

Supervisor Lucia announced that Charles Brown was resigning as Emergency Management Coordinator. Councilman Collura agreed to take over as Coordinator.

Highway Superintendent Eggleston stated that Pine Street and Marion Avenue were nearly done should be completed on Monday.

Councilman Byrnes said that the Merchants Association will be running ads on 5 radio stations for the Fourth of July Celebration.

The Board thanked Councilman Brown for His service as Coordinator of Emergency Management.

RESOLUTION # 167

CAMERA SYSTEM

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

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

RESOLVED that the Security Camera System be awarded to Chris Bailey of Sound Solutions of Saratoga.

RESOLUTION # 168

AMENDED BUDGET

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

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

RESOLVED that the following amendments be made
Amend 2014 Budget to increase Appropriation DB051122.04 Permanent Improvement from the Fund Balance by \$200,000.00 to allow increase in spending by the Highway Superintendent for permanent improvements.

Amend 2014 Budget to increase Appropriation A016204.01 Building CE by transferring \$1,808.00 from Town Hall Expansion Reserve Saratoga National Bank Account Appropriation A00233.01 to increase Appropriation A016204.01 Buildings CE roofing expense.

On a motion by Councilman Byrnes and seconded by Councilman Collura the Corinth Free Methodist Church be allowed to use 10 tables and chairs on August 23rd 2014 for a family fun festival day.

RESOLUTION # 169

ADJOURN

On a motion by Councilman Halliday and seconded by Councilman Byrnes 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 8:15PM.

Respectfully submitted

Joan Smead, Deputy Town Clerk