

November 10, 2016

The Town Board of the Town of Corinth held a meeting on November 10, 2016 at 7:00pm 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
Caroline McFarlane, Deputy Town Clerk
Anne Bourdeau, Deputy Town Clerk
Shawn Eggleston-Highway Superintendent
Bob Hafner, Town Counsel
Albert Brooks, Sr., Code Enforcement Officer

Absent:

Public: Dan Babson-Babson Homes

After the pledge of allegiance, roll call and opening prayer, the following business was conducted:

RESOLUTION #291

MOTION TO OPEN PRELIMINARY BUDGET HEARING

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

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

RESOLVED that the public hearing on the 2017 Preliminary Budget be opened.

Town Clerk Rose Farr read the Public Notice that was published on November 1, 2016.

Supervisor Lucia read the following statement:

Good Evening,

Welcome to the budget hearing. After the Town Clerk receives the Preliminary Budget, which is in front of you tonight; the board may not raise anything in it but can cut. This is the culmination of weeks and weeks of tedious hours work.

This year we have been faced with many more mandates than ever before, and as we all know mandates are always unfunded and must come from the Town's Coffers.

Several big factors ruled our budget this year. Because the board is so into providing EMS care for its citizens around the clock, we have asked the Medic Director to make sure we have two full crews on 24/7.

This of course does not come without a cost. To balance we have begun hiring EMT's instead of all Paramedics. We have a few Volunteers that drive and maintain the ambulances for the feeling of giving back to their Community at no charge to us.

The total cost of running the Emergency Squad Service, including rigs, salaries, insurance, building maintenance, will run us \$954,651, in 2017. We anticipate in revenues to offset that from insurance monies, contracts with Day and Greenfield and donations, will be about \$416,600. We have about 50,000 in unexpended balances to also offset this. Leaving \$478,051 to be raised by taxes. Amounting to .72 cents a thousand for ambulance service. This is a pretty fair cost for the protection we are getting. As far as insurance fees, we do soft billing, not hard billing as some agencies do, meaning if insurance does not pay your ambulance bill, we do not send your bill for collection.

Another big item, we lost on is that the pilot agreement we have had with Indeck Energy, was up December 31, 2015. Meaning we lost about \$200,000 in revenue from that stream although, it will balance out down the road as the Indeck will be back on the tax roll bringing up our total assessment, which will help keep low taxes.

We have kept the tax rate for about 9 years pretty steady, but that is not feasible this year with all the variables.

When you deal with the state and the tax cap freeze, we are very limited as to what we can raise taxes.

This year we have expenses going up, revenues falling down, and bringing savings accounts lower than we really like to bring the,

The tax rate per thousand for all town tax payers is the total of the A fund amount to be raised by taxes, top right hand number of the budget. Saratoga County gives us the assessed value by which I need to use to get the amount of tax to be raised for that fund. It is easy to change that number some, but it comes with other penalties.

When you move the number around to change the tax rate, you are cutting spending though out the budget to lower it. I believe I refigured this budget 6 times to bring the board to approve. The budget officer prepares and presents, but always as part of the board's duties, they make the decision on the spending.

I thank our board as we meet long hours trying to give the community the best bang for their buck.

To get back to the other dangerous number in the budget, is the tax levy, much different than the tax per thousand. The tax levy is the total amount of every fund in the whole budget.

This is the number controlled by the state property tax cap rate. When they send you the forms online to fill to get your new tax cap, you are restricted by the amount you can move the levy, so every change you make in any fund, such as A or DB affects the levy to which we are mandated.

There is a clause to override the cap, but you're only asking for trouble as your taxes will go up next year.

After all that, the 2017 rat per thousand on your tax bill will be @1.21 per thousand not \$1.53 like last year.

Then you have to add all the special districts, like Fire District, Highway Fund, Town only Fund, and those that are in water or lighting districts.

We have taken EMS out of the A fund and made it its own taxing district, like the Fire and Water.

The Fire is down one cent, the highway is up 26 cents per thousand, and town general is up 7 cents.

The Town Board will be mandating all department heads and employees to curb spending for the year, as to try to keep the tax rate down next year.

We are putting out a directive to all departments that even spending the rest of this year, will be for emergency purchases to keep transferring monies around to meet year end shortfalls.

Thank you and Any Questions?

- \$33,500.00 to A Fund 81601.01PS Refuse and Garbage to increase Budget line to \$104,462.00
- \$880.00 to A Fund 88101.01PS Cemetery to increase Budget line to \$9,602.00

RESOLUTION #295

MOTION TO APPROVE MEETING MINUTES FROM OCTOBER 20th, 27th AND 31st, 2016.

On a motion by Councilman Byrnes and seconded by Councilman Halliday the following resolution was

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

RESOLVED that the meeting minutes from October 20th, 27th, and 31st, 2016 be approved.

Supervisor Lucia presented the Ambulance Purchase to the Town Board. Town Attorney asked Supervisor Lucia to send over the documentation for review to ensure that the procurement policy guidelines have been met. Councilman Byrnes suggested that the purchase be tabled until Attorney Hafner was able to review. Councilman Halliday asked Town Attorney Hafner if there was a way that this could move forward before the review since the company was reserving an emergency window of production and delaying this could push our production out further in 2017. Attorney Hafner stated that if he gets information for this he could review and possibly report back as early as next week. Town Clerk Rose Farr agreed to fax the information to Attorney Hafner first thing Monday morning. Attorney Hafner stated that the board could still pass the Bond resolution that was presented to them, tonight, since there was a full board attendance and knowing next week would be difficult.

RESOLUTION NO.: 296
INTRODUCED BY: Councilman Halliday
SECONDED BY: Councilman Collura
DATED: November 10, 2016

RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$158,000 SERIAL BONDS OF THE TOWN OF CORINTH TO PAY THE COST OF A NEW AMBULANCE; AND AUTHORIZING THE ISSUANCE OF UP TO \$158,000 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 2017 Demers MXP-150 Type 1 ambulance and related

equipment and furnishings, 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 Fifty-eight Thousand and 00/100 Dollars (\$158,000.00).

Section 2. The Town Board anticipates that the Town may pay certain capital expenditures in connection with the Project prior to the receipt of the proceeds of the Bonds. The Town Board hereby declares its official intent to use Bond proceeds to reimburse the Town for such Project expenditures. This section of the Resolution is adopted solely for the purpose of establishing compliance with the requirements of Section 1.150-2 of the Treasury Regulations and does not bind the Town to make any expenditure, incur any indebtedness or proceed with the acquisition, construction and installation of the Project.

Section 3. The plan for the financing of such maximum estimated cost is the issuance of up to \$158,000 serial bonds or bond anticipation notes of said Town, hereby authorized to be issued pursuant to the Local Finance Law. Pursuant to Local Finance Law Section 107.00(d)(9), a down payment from current funds is not required.

Section 4. 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 5. 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 6. 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 \$158,000, 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 such date 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 Local Finance Law Section 62.10.

Section 7. 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 \$158,000 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 8. 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

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 9. 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 10. 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 11. 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 Local Finance Law.

Section 12. The Chief Fiscal Officer shall prepare the bonds and/or notes and sell them at public or private sale in accordance with the provisions of the 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 13. If issued, the notes shall be in registered form, and shall bear interest at the determined rate.

Section 14. 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 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 15. To the extent that it is permitted to do so under the Internal Revenue Code of 1986, as amended to the date hereof (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, to the extent permitted under the Code in effect as of the date of issuance of any bonds and/or notes, (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 16. 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 Local Finance Law Section 104.10(3).

Section 17. This Resolution is subject to permissive referendum pursuant to Section 35.00 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 18. Miller, Mannix, Schachner & Hafner, LLC, Glens Falls, New York, is hereby designated bond counsel.

Section 19. 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 20. 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 Local Finance Law.

Section 21. This Resolution shall take effect immediately except as provided in Section 17 above.

Section 22. The question of the adoption of this Resolution was duly put to a vote on roll call which resulted as follows:

ADOPTED

ROLL CALL: Supervisor Lucia - Ayes
 Councilman Brown - Ayes
 Councilman Halliday - Ayes
 Councilman Byrnes - Ayes
 Councilman Collura - Ayes

Nays 0

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.

Supervisor Lucia presented the Town Board with a report from Tom Bodden. Supervisor Lucia wanted to highlight from the report that the town cannot make cash donation in any amounts but rather in-kind services could be done.

Bids on Electrical Work at Depot

Town Clerk Farr told the board that she had received no bids to be opened.

Supervisor Lucia presented the Town Board with a letter from Matt Rogers regarding the Depot electrical bids. After running the ad for bids, there were no submissions made. Mr. Rogers advised that he would reach out to Dean's Electrical and/or another electrician to see if a proposal could be made. Councilman Collura stated that the grant expires at the end of 2016.

RESOLUTION #297

MOTION TO ALLOW MATT ROGERS TO SEEK ELECTRICAL CONTRACTORS FOR DEPOT PROJECT

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

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

RESOLVED that Matt Rogers be allowed to seek electrical contractors for the Depot Project.

On file in Supervisor's office:

- MCEC Grant Funding
- APA Notice of Public Hearing
- APA Notice of Public Comment Hearing
- Fire Training Certificate for Shawn Eggleston
- Saratoga County Home Energy Assistance Program for the 2016-2017 Year

Dan Babson-Babson Homes

Dan Babson from Babson Homes returned to the board meeting to speak with Attorney Hafner regarding his request to lift the requirement of a \$200,000.00 bond required to complete the road for his subdivision on Heath Road. Attorney Hafner stated that he didn't see why the Town could not waive this but stated certain things needed to be in place in order for it to comply legally. Attorney Hafner stated that a letter of credit in the amount of \$25,000 would also need a provision that the Town of Corinth be notified within 30 days of cancellation. Attorney Hafner also stated that a letter from the Corinth Fire Department would also need to be provided to state that the site maps fulfill its requirement to safely drive a fire apparatus around cul-da-sac proposed.

The following reports are on file in the Supervisor's Office:

- Town Clerk Report
- Highway Report
- Animal Control
- Code Enforcement Report
- Justices Report
- Assessor Report
- Zoning Report
- Senior Center Report
- Maintenance Reports
- Landfill Report
- Supervisor Report

RESOLUTION #298

MOTION TO ACCEPT SUPERVISOR'S REPORT

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

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

RESOLVED that Supervisor's report for October 2016 be accepted.

Public Input

Town Board

Councilman Byrnes

Councilman Byrnes thanked Supervisor Lucia for all his hard work on the budget for 2017.

Councilman Byrnes also thanked all involved in the Veterans Ceremony this year.

Councilman Byrnes apologized for the committee not moving forward on Wilton Mountain, that the meetings would resume after the first of the year.

Councilman Halliday

Councilman Halliday thanked Supervisor Lucia for his work with the budget.

Councilman Halliday congratulated Supervisor Lucia on the Veterans Ceremony, was sorry he missed it and looked forward to next year.

Councilman Brown

Councilman Byrnes wished Supervisor Lucia well wishes on his recovery.

Councilman Collura

Councilman Collura wished Supervisor Lucia well wishes on recovery and stated he would be missed.

Councilman Collura congratulated Supervisor Lucia on the Veterans Day Celebration.

Deputy Town Clerk McFarlane

None

Town Clerk Rose Farr

Town Clerk Rose Farr apologized for missing the Veterans Ceremony and heard nothing but good things from those that went.

Town Clerk Rose Farr wished Supervisor Lucia good luck on his procedure.

Town Clerk Rose Farr stated that the November 17th meeting would be brief; and would include the bill pay and ambulance.

Deputy Town Clerk Anne Bourdeau

Deputy Town Clerk Anne Bourdeau wished Supervisor Lucia good luck tomorrow on your procedure.

Highway Superintendent Eggleston

None

Town Attorney Robert Hafner

Attorney Hafner wished Supervisor Lucia success tomorrow on your procedure.

None

Code Enforcement Brooks

Code Enforcement Officer Brooks wished Supervisor Lucia best wishes on your procedure.

Supervisor Lucia presented the Town Board with a letter from the Adirondack Park Local Government Review Board requesting funding for continued services.

RESOLUTION #299

MOTION TO MAKE ANNUAL DONATION OF \$300.00 TO ADIRONDACK PARK LOCAL GOVERNMENT REVIEW BOARD

On a motion by Councilman Halliday and seconded by Councilman Byrnes the following resolution was

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

RESOLVED that at 8:03 pm the Town Board adjourned to executive session on potential litigation with no decision made.

RESOLUTION #300

MOTION TO ADJOURN TO EXECUTIVE SESSION ON POTENTIAL LITIGATION WITH NO DECISION MADE

On a motion by Councilman Halliday and seconded by Councilman Byrnes the following resolution was

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

RESOLVED that at 8:03 pm the Town Board adjourned to executive session on potential litigation with no decision made.

Respectfully submitted,

Caroline McFarlane
Corinth Deputy Town Clerk