

April 14, 2016

The Town Board of the Town of Corinth held a public meeting on April 14, 2016 at 7:00PM at the Town Hall.

Present: Richard Lucia, Supervisor  
Charles Brown, Councilman  
Edward Byrnes, Councilman  
Jeffrey Collura, Councilman  
Rose Farr-Town Clerk  
Shawn Eggleston-Highway Superintendent  
Jacquelyn White, Town Council  
Albert Brooks, Code Enforcement Officer

Excused: Joshua Halliday, Councilman

Public: Ralph Petruzzo

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

**RESOLUTION #141**

**MOTION TO APPROVE MEETING MINUTES FOR APRIL 7, 2016**

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

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

RESOLVED that the Meeting Minutes for April 7, 2016 be approved.

**Ralph Petruzzo**

Ralph Petruzzo made a presentation to the board regarding Solar Power and Solar Array possibility on his property and on the landfill property. After his presentation the board agreed to hear a full presentation at the next meeting.

**Old Business**

Attorney White told the board that another letter had been sent to Staples. She also said that prior to the meeting she had received an email from the person that they had been in contact with who gave her the number and name of another person who should be able to assist in this matter.

Attorney White also told the board that office had been in contact with the attorney for the bank that held the mortgage on 607 Palmer Avenue and she thought the Town had a good chance of recouping the money spent regarding the management company gaining access to the house and winterizing the house. A letter to the bank was presented to the Town Board.

Attorney White said that the Town needed to pass a resolution regarding the purchase of a Chevrolet Suburban.

**RESOLUTION NO.:** 142  
**INTRODUCED BY:** Councilman Byrnes  
**SECONDED BY:** Councilman Brown  
**DATED:** April 14, 2016

**RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$23,000 SERIAL BONDS OF THE TOWN OF CORINTH TO PAY A PORTION OF THE COST OF A CHEVROLET SUBURBAN; AND AUTHORIZING THE ISSUANCE OF UP TO \$23,000 BOND ANTICIPATION NOTES OF THE TOWN FOR THE SAME PURPOSE**

**WHEREAS**, the Town previously purchased a Chevrolet Suburban with a seating capacity of less than ten persons for use in its senior citizen programs; and

**WHEREAS**, that vehicle has been in service for more than three years and the Town Board has determined that it should be replaced with a similar vehicle;

**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 2016 Chevrolet Suburban LS for use in connection with the Town's senior citizen programs, including related preliminary and incidental costs (the "Project"), and such specific object or purpose is hereby authorized at a maximum estimated cost of Forty-three Thousand and 00/100 Dollars (\$43,000.00).

**Section 2.** The plan for the financing of such maximum estimated cost is as follows:

- (a) the use of \$20,000 in governmental grant funds; and
- (b) the issuance of up to \$23,000 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 3.** It is hereby determined that the period of probable usefulness of the specific object or purpose is three (3) years, pursuant to Local Finance Law Section 11.00(a)(77). It is hereby further determined that the maximum maturity of the serial bonds herein authorized will not exceed five (5) years. This Bond Resolution is not subject to permissive referendum pursuant to Local Finance Law Section 35.00(b)(2).

**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 \$23,000, the maximum maturity of which shall not exceed five (5) years 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 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 \$23,000 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 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 Local Finance Law.

**Section 11.** 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 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 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 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 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 Local Finance Law Section 104.10(3).

**Section 16.** Miller, Mannix, Schachner & Hafner, LLC, Glens Falls, New York, is hereby designated bond counsel.

**Section 17.** 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 18.** 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 19.** This Resolution shall take effect immediately.

**Section 20.** The question of the adoption of this Resolution was duly put to a vote on roll call which resulted as follows:

AYES:   4                        NAYS:   0                        ABSENT:   1  

ROLL CALL

AYES: Lucia, Brown, Byrnes and Collura

NAYS: None

ABSENT: Halliday

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.

**RESOLUTION #143**  
**APPOINTMENT OF YOUTH COMMISSION DIRECTOR**

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

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

RESOLVED that Annaliese Stautner be appointed as Youth Commission Director for the remainder of the year 2016 at a salary of \$2,254.00 to be paid on a quarterly basis. The Village of Corinth also will pay Annaliese Stautner compensation for this.

Supervisor Lucia presented a request for the board to sign Statement of Support from Glens Falls Hospital, Living Tobacco-Free initiatives. After a short discussion it was decided as follows:

**RESOLUTION #144**  
**TABLE STATEMENT OF SUPPORT**

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

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

RESOLVED that the Statement of Support be tabled until April 21, 2016.

Supervisor Lucia gave the Town Board members copies of information issued by the County on Zika Virus.

Supervisor Lucia informed the board members of an invitation from the Corinth Grange to a Spaghetti Dinner on April 16<sup>th</sup>.

Supervisor Lucia told the board that he had received the audit done on the Housing Choice Voucher and or Family Self Sufficiency Program for 2015. He said that Mr. Mastrianni said, "I am very pleased to report that no findings or exceptions are listed in this report. Annual audits of our firm's program administration by an impartial entity are intended to provide you with a performance gauge of our services and to alert our firm to any shortcomings in our operation".

Supervisor Lucia spoke to the Town Board about the New York State Military Museum in Saratoga Springs. He told the board that they have added a new exhibition about Korean and Vietnam Wars.

Supervisor Lucia told the board that Senior Sentinel is on file in his office.

Supervisor Lucia spoke to the board about the 2016/17 Southern Adirondack Guide – First Wilderness Heritage Corridor. He said that the Town placed an ad last year.

Councilman Collura asked that the Spruce Mountain Fire Tower and the Reservoir Project also be mentioned.

**RESOLUTION #145**

**PLACE AD IN THE 2016/17 SOUTHERN ADIRONDACK GUIDE**

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

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

RESOLVED that the Town of Corinth take out an ad in the 2016/17 Southern Adirondack Guide and ad the Spruce Mountain Fire Tower as well as the Reservoir Project.

Supervisor Lucia told the board that he had again been contacted by Sher Millis with a request that the Town support her new mural project. He told the board that she said the Village has agreed to give her \$1,000.00. Councilman Byrnes said he wanted her to come before the board with an itemization of where the money would be going if the Town agreed to support her. Supervisor Lucia said he would ask her to come to next week's meeting.

Supervisor Lucia informed the board that Jim Martin had agreed to his proposal.

**RESOLUTION #146**

**APPOINT JAMES MARTIN AS ZONING ADMINISTRATOR**

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

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

RESOLVED that James Martin be appointed Town of Corinth Zoning Administrator at a salary up to \$5,000.00 for the year 2016.

Supervisor Lucia said that the following reports are on file:

- Town Clerk
- Highway
- Building Department
- Justices
- Assessor's Report
- Fire Department
- Senior Center
- Custodial Reports
- Landfill Report
- Supervisor's Report

**RESOLUTION #147**

**APPROVAL OF SUPERVISOR'S REPORT AS PRESENTED**

A motion was made by Councilman Collura and 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 Town of Corinth Town Board accepts as presented the Supervisor's monthly financial report for March 2016.

Public Input

None

Town Board

Councilman Collura

Councilman Collura said he attended a meeting at the squad and felt it was very productive. He said he thought it was a good idea for a couple of the board members to attend these meetings.

Councilman Collura said that he will take care of the problem with the heat in the coffee room. He suggested a high efficiency floor baseboard and a vented door.

Councilman Collura asked about the Bicentennial Celebration. Supervisor Lucia told him that he has been working on it and will soon be scheduling a meeting.

Councilman Collura said he wanted to thank his friend Bill Mahoney for the work he does at the Military Museum and also for the service he gave his country.

Councilman Brown

Councilman Brown said that he questioned the fact that the solar panels mentioned in Ralph Petruzzo's presentation were made in China. He said he had heard that the ones made in China were not high quality. Councilman Byrnes said he heard that one's built in China only last 15 years.

Councilman Byrnes

Nothing

Town Clerk

Town Clerk Farr told the board that they have collect \$3,275.00 in support of Fun Day.

Attorney White  
Nothing

Highway Superintendent

Highway Superintendent Eggleston told the board that the brush pile at the landfill is huge. He said nothing has been done for two years. He said that the man formerly took care of the brush pile is not doing it any more. Highway Superintendent Eggleston said he contacted Justin Hayes and he said he would take care of it for \$150.00 an hour or between \$1000.00 and \$1500.00. The board agreed that this should be done.

Highway Superintendent Eggleston told the board that he had received notification that the Town will be receiving an additional \$22,000.00 in CHIPS money this year. He said that the total the Town will be receiving is \$119,000.00.

Code Enforcement

Code Enforcement Officer told the board that he had received a telephone call from a party on Spotswood Drive that was having approximately 3000 gallons of water pumped out of the basement every hour. He said that both he and Highway Superintendent Eggleston went to the property. He said the home was built in 1992 and 8 years ago the basement was flooded. He said he is trying to work with the property owner on this matter.

**RESOLUTION #148**

**ADJOURN TO EXECUTIVE SESSION ON PERSONNEL MATTERS WITH NO DECISION**

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

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

RESOLVED that there being no further business at 8:40 PM the Town Board adjourned to Executive Session on Personnel with no decisions made.

Respectfully submitted,

Rose E. Farr, RMC  
Town Clerk

