

December 14, 2017

The Town of Corinth Town Board held a meeting on December 14, 2017 at 7:00PM at the Town Hall.

Present: Richard Lucia, Town Supervisor
Charles Brown, Councilman
Edward Byrnes, Councilman
Jeffrey Collura, Councilman
Joshua Halliday, Councilman-Excused
Jacqueline White, Town Attorney
Rose E. Farr, Town Clerk
Shawn Eggleston, Highway Superintendent
Cheri Sullivan, Deputy Town Clerk
Albert Brooks, Code Enforcement-Excused

Public: C. Eric Butler, Matt Fogarty

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

Matt Fogarty Director of Corinth EMS spoke about his monthly report which is on file in the Supervisors office.

RESOLUTION #297

MOTION TO APPROVE MEETING MINUTES FROM DECEMBER 07, 2017 WITH DATE CORRECTION AND NOVEMBER 16TH WITH APPROVED CHANGES.

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

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

RESOLVED that meeting minutes from December 07 and November 16, 2017 be approved.

RESOLUTION #298

TRANSFERS

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

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

RESOLVED that the following transfer be made:

Transfer \$100,000.00 from B Fund balance to DB fund per Auditor to balance budget.

Old Business:

Water District 5 was discussed and the following ensued.

Attorney Jacqueline White told the board that prior to approving the Final Order Resolution that the Supervisor must sign the Intermunicipal Agreement. Attorney White said the Changes that Councilman Byrnes requested pertaining to standards have been put in place and it has been done so by FEMA standards. Councilman Collura had questions pertaining to the rules and regulations the village has and was looking for clarification as to whether or not the Town was going to be required to use meters. Councilman Collura also wanted to know what conditions were going to be required of the Town before they received the Water Grant Monies.

Attorney White said that most of the questions presented should be answered by Don Rhodes.

Town Clerk Farr said that she has a letter from Don Rhodes pertaining to the meters. Councilman Collura requested that said letter be read into record. Deputy Town Clerk Sullivan read the following into record:

Hi Rose,

As requested, attached is a copy of the grant contract which outlines which outlines what needs to be done to receive grant funds.

As discussed, the LGE grant contract is not predicated on having the Town install water meters on every service. Meters do however need to be installed on services with usage that cannot be effectively measured with master meters. For example, a master meter cannot be installed to measure flows for services at Freighthouse, West Mountain, and Wood road since this main also serves Village customers and there is no way to separate District and Village usage from a reading. Also, there are a small number of Town district users that are tapped directly into the Village main that need to have service meters installed since there is no district owned main.

At the time the grant application was submitted, we estimated 262 meters would be needed within the Town (see task 3 pdf page 3 of the grant contract). Based on our final district mapping and final contract documents prepared for the Village's master meter project, that number may be high.

Councilman Collura asked if we knew what individuals would have meters and where the master meters would be. Town Clerk Farr said that she could get a list of the names of the residents that would need the individual meters.

Councilman Collura also wanted to know what company would be putting in the meters for the town and if this was something that would go out to bid?

Eric Butler said that he knew the answer to Councilman Collura question and that at the last Village meeting it was put out for bid. Mr. Butler said there were only two bids received by the village and TY Sales won the bid. Councilman Collura said the town is going to need a copy of the Villages spec so that they may put out a bid of their own for the installation of meters.

**FINAL ORDER APPROVING ESTABLISHMENT OF
TOWN OF CORINTH WATER DISTRICT NO. 5**

RESOLUTION NO.: 299

INTRODUCED BY: Byrnes
WHO MOVED ITS ADOPTION

SECONDED BY: Collura

WHEREAS, the Town of Corinth currently operates four (4) Town Water Districts which purchase water from the Village of Corinth; and

WHEREAS, there are also several areas within the Town outside the Village boundary that are receiving Village water but are not located within a Town Water District; and

WHEREAS, the Town Board has been advised by the Village that under New York Village Law, these "out of district" users must either be located within a Town Water District or a Permissive Service Area must be created by the Village; and

WHEREAS, it has been estimated by the engineer that the cost of establishing and operating a Permissive Service Area within the Town would add over \$9,000 per user over the first five years; and

WHEREAS, the Town of Corinth wishes to establish Corinth Water District No. 5 in accordance with New York Town Law Article 12-A to simplify operations and avoid unnecessary costs associated with a Permissive Service Area; and

WHEREAS, a Map, Plan and Report was prepared by Laberge Group concerning establishment of the proposed Water District to serve the properties currently purchasing water from the Village of Corinth but not already within a Town Water District, all as more specifically set forth and described in the Map, Plan and Report; and

WHEREAS, the Map, Plan and Report was filed in the Corinth Town Clerk's Office and made available for public inspection; and

WHEREAS, the Map, Plan and Report delineates the boundaries of the proposed Water District, a general plan of the proposed system, a report of the proposed method of operation, the source of water supply and confirmation that no improvements will be constructed in connection with the proposed Water District; and

WHEREAS, as there will be no construction or change in the method of operation of the water supply as a result of establishment of the proposed Water District that may affect the environment, it does not constitute an "Action" under Section 617.2(b) of the State Environmental Quality Review Act (SEQRA) regulations at 6 NYCRR Part 617; and

WHEREAS, the estimated annual cost to the "typical property" was filed with the Town Clerk and is a part of the Map, Plan and Report; and

WHEREAS, on August 24, 2017, subsequent to the filing of the Map, Plan and Report with the Town Clerk, the Town Board adopted the Public Hearing Order reciting (a) the boundaries of the proposed Water District; (b) that there are no proposed improvements; (c) the maximum amount proposed to be expended for the Water District; (d) the estimated cost of hook-up fees (if any) and the cost of the proposed Water District to the typical property and the typical one or two family home (if not the typical property); (e) that no financing is to be employed; (f) the fact that a Map, Plan and Report describing the proposed Water District is on file in the Town Clerk's Office; and (g) the time and place of a Public Hearing on the proposed Water District; and

WHEREAS, copies of the Public Hearing Order were duly published and posted and were filed with the Office of the State Comptroller, all as required by law; and

WHEREAS, prior to publication of the Public Hearing Order, a detailed explanation of how the estimated cost of hook-up fees (if any) and the cost of the proposed Water District to the typical property and typical one or two family home (if not the typical property) were computed was filed with the Town Clerk for public inspection; and

WHEREAS, there are no proposed improvements within the proposed Water District, but the Laberge Group has indicated that the Village proposes to install a new water main within the Village bounds and within the vicinity of Freight House Road, at no cost to the Town or District users, for the purpose of, among other things, improving the water quality for certain District users; and

WHEREAS, a Public Hearing on the proposed Water District was duly held on September 14, 2017 and the Town Board considered the evidence given together with other information, and

WHEREAS, on September 14, 2017 the Town Board adopted a Resolution (the "Approval Resolution") determining that (a) notice of the Public Hearing was published and posted as required by law and is otherwise sufficient; (b) all property and property owners within the proposed Water District are benefited thereby; (c) all property and property owners benefited are included within the limits of the proposed Water District; (d) it is in the public interest to establish, authorize, and approve the proposed Water District as described in the Map, Plan and Report on file with the Town Clerk with the boundaries and benefited areas of the proposed Water District to be as shown on the map of the proposed Water District attached as Exhibit A to the Map, Plan and Report; subject to permissive referendum in the manner provided in Town Law Article 7 and subject to certain conditions specified in the Approval Resolution; and

WHEREAS, the Town Clerk duly posted and published the Notice required for resolutions subject to permissive referendum and no Petition for referendum was filed within 30 days after the date of the Resolution, and the Town Clerk has caused a Certificate to that effect to be filed in the office of the County Clerk; and

WHEREAS, an Intermunicipal Agreement (the "Intermunicipal Agreement") by and between the Corinth Town Board, acting for the Town's Consolidated Water Districts, and the Village of Corinth was prepared pursuant to General Municipal Law Sections 118 and 119-o, Town Law Section 198(3)(b) and Village Law Section 11-1120, which is intended to govern all water sold by the Village to the Town and purchased by the Town from the Village, and all related water system operation and maintenance services provided to the Town by the Village during the term of the Intermunicipal Agreement and any renewals thereof, and the Town Supervisor was authorized and directed to execute and deliver the Intermunicipal Agreement substantially in the form of the most recent draft of the Intermunicipal Agreement provided to the Town Board with such revisions as he deemed to be in the best interests of the Town after consultation with Town Counsel, and to execute and deliver such other agreements, instruments and other documents, and take such further actions as he, in his sole discretion after consultation with Town Counsel, deemed necessary or desirable to carry out the intent of the Approval Resolution and the Intermunicipal Agreement; and

WHEREAS, the Intermunicipal Agreement has been duly executed by both the Town Supervisor and the Village Mayor; and

WHEREAS, the permission of the State Comptroller is not required pursuant to Town Law Section 209-f; and

WHEREAS, the Town Board wishes to establish proposed Water District No. 5 as detailed in the Map, Plan and Report in accordance with Town Law Article 12-A;

NOW, THEREFORE, IT IS HEREBY

ORDERED, that the Town of Corinth Water District No. 5 be established as described in the Map, Plan and Report and any improvements described in the Map, Plan and Report be constructed and the service within the District be provided upon the required funds being made available or provided for; and it is

FURTHER ORDERED, that the Town Clerk is hereby authorized and directed to cause a certified copy of this Order to be duly recorded in the Office of the Clerk of Saratoga County and to be filed in the Office of the State Department of Audit and Control in the time and manner required by law; and it is

FURTHER ORDERED, that the Town Board authorizes and directs the Town Supervisor, Town Clerk and Town Counsel to take all other actions necessary to effectuate the terms and intent of this

Resolution, including the Town obtaining any and all easements and other real property interests and dedication of infrastructure which is to be the Town's in form acceptable to the Town Supervisor and Town Counsel.

Duly adopted this 14TH day of December, 2017, by the following vote:

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

RESOLVED that the final order approving establishment of the Town of Corinth water district No. 5 be approved as presented.

Supervisor Lucia spoke about the following which are on file in his office:

- Mining permit
- Cyber insurance policy
- Saratoga County EMS
- County Property sales
- Water permit application from LaBerge
- Foreclosure sale
- Senior Sentinel

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

- Town Clerk
- Highway
- Building Department
- Justices
- Animal Control- No
- Zoning Department
- Fire Department-No
- Assessors' sales
- Senior Center
- Custodial
- Landfill

There was no comment from the public present.

Town Board:

Councilman Byrnes- No Comment

Councilman Brown- No Comment

Councilman Collura-

Councilman Collura said he would like to have Tom Bodden to come before the board so that they can speak to him and work out the financial projections for next year. Supervisor Lucia said that he would be making a phone call this week. Councilman Collura also spoke about the Medicare advantage plans for retirees and felt that they should be looked into as a cost savings. Councilman Collura requested that the board get Melanie Denno in to discuss these options. Supervisor Lucia said they already decided to go with a plan. Councilman Collura said that they would be able to sign up at any time.

Deputy Town Clerk Sullivan-

Deputy Clerk Sullivan said she had been to a County Clerks meeting with Town Clerk Farr and that County Clerk Hayner had discussed the following with the Town Clerks.

That there were 20,000 pistol permit holders in Saratoga County and only 4,000 of those pistol permit holders had recertified. The concern here is that this number is only reflective of pistol permit holders that were licensed before January 15, of 2013. Deputy Clerk Sullivan said the deadline to have these pistol recertification's done is by January 31, 2018. Deputy Clerk Sullivan said the real issue here is that these permits are mostly held by the elderly and they may not realize that if they don't recertify they will be in violation of NYS Law and can be charged with a felony and all firearms may be removed from the home. It is also important to note that they will not be able to recertify if their firearm license is suspended as per NYS Law. Deputy Town Clerk asked that the Town Clerks office post this information on the Towns' website and put a notice in the Pennysaver to ensure that all of our local pistol permit holders are aware of this and the consequences for not recertifying. The Board agreed this was a good idea.

Town Clerk Farr-

Town Clerk Farr said the board still had to make a decision on the NYS Family Disability law pertaining to medical leave for family. Town Clerk Farr explained how this would affect elected officials. Town Clerk Farr said that she knew the Town of Hadley had opted out of it for this year. The board asked what the employees wanted. Highway Superintendent Eggleston said when he asked his guys they did not care either way. Town Clerk Farr said that it was mixed answers in the Town hall. Councilman Byrnes said that since there did not appear to be an overwhelming response that maybe they should opt out this year, if it was the kind of program that was available on a yearly basis.

RESOLUTION #300

MOTION TO OPT OF THE MEDICAL DISABILTY PLAN FOR THE YEAR 2018.

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

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

RESOLVED that the bills the Town opt out of the NYS Family Disability plan for the year 2018.

Attorney White- No comment

Highway Superintendent Eggleston-

Superintendent Eggleston said he had ordered a new dump box back in July and it is still not here. He has been informed that it will not be in until after January 2018. Superintendent Eggleston said he does not want to lose the funds that are in his account as the monies are already accounted for so he would like the board to set up a reserve account so that these monies do not roll over into the general fund at the first of the year. This was discussed with the board and it was decided to transfer these monies into a capitol equipment reserve account.

RESOLUTION #301

MOTION TO APPROVE TRANSFER OF \$50,000.00 IN FUNDS FROM HIGHWAY DB ACCOUNT 5130.2 TO A CAPITOL EQUIPMENT RESERVE ACCOUNT

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

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

RESOLVED that the transfer of funds for the highway department from Highway DB account to a Capitol Reserve Account be approved.

RESOLUTION #302

MOTION TO APPROVE BILLS AS AUDITED WITH EXCEPTIONS

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

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

RESOLVED that the bills be approved as audited with exceptions as follows:

2017 ABSTRACT
Abstracts For 12/14/2017

Voucher A - #170736- #170795, B - #172392- #172417 (VOID #17402); DB #173350-#173362; EF #177303 - #1772318; SW Passarelli - #174083; SW Dorset DR - #174028; SW Eastern - 174055 And SW Tranquility - #174075

<u>General Fund A</u>	\$ 33,446.17
<u>General Fund/Outside Village - B</u>	\$ 3,489.88
<u>Community Development Grant - CD</u>	\$
<u>Highway/Part Town - DB</u>	\$ 3,423.40
<u>Medical - EF</u>	\$ 6,306.07
<u>Home Improvement</u>	\$
<u>CDBG</u>	\$
<u>Fire - SF</u>	\$
<u>Sewer/Water</u>	
Eastern Avenue	\$ 5,596.00
Tranquility	\$ 2,371.25
Passarelli	\$ 1,133.50
Dorset	\$ 2,671.00
<u>Lighting</u>	
Eastern Avenue	\$
Eggleston Street	\$
South Corinth	\$

RESOLUTION #303

MOTION TO APPROVE SUPERVISOR'S REPORT FOR NOVEMBER AS PRESENTED

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

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

RESOLVED that the Supervisor's Report for November 2017 be approved as presented.

RESOLUTION #304

MOTION TO ADJOURN

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

ADOPTED	AYES	4	Lucia, Brown, Byrnes, and Collura
	NAYS	0	
	ABSENT	1	Halliday

RESOLVED with there being no further business the meeting be adjourned at 7:50 PM

Respectfully submitted,

Cheri Sullivan
Deputy Town Clerk