

May 11, 2017

The Town Board of the Town of Corinth held a meeting on May 11, 2017 at 7:00PM at the Town Hall.

Present: Richard B. Lucia-Supervisor
Charles Brown-Councilman
Edward Byrnes-Councilman
Joshua Halliday-Councilman
Shawn Eggleston-Highway Superintendent
Albert Brooks, Code Enforcement
Robert Hafner, Town Counsel
Rose E. Farr, Town Clerk
Caroline McFarlane. Deputy Town Clerk

Absent: Jeffrey Collura, Councilman

Public Robert Brooks
Beverly Jacon
Dennis Morreale
Christine Morreale

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

RESOLUTION #165

TABLE APPROVAL OF MEETING MINUTES FOR MAY 4, 2017

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

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

RESOLVED that the approval of the meeting minutes for May 4, 2017 be tabled until May 18, 2017.

Kronos

A discussion was had regarding the Kronos resolution passed at the last meeting. It was decided as follows:

RESOLUTION #166

AMEND RESOLUTION #162 OF MAY 4, 2017

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

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

RESOLVED that the following sentence be added to Resolution #162 "Also including such other amendments that were previously approved by the board, Town Supervisor and Town Counsel.

The following are on file in Supervisor's office:

- Hudson River Flow – Hadley – schedule release of water into the Hudson River
- Senior Sentinel
- Saratoga County Public Health Information
- Saratoga County Chamber Renewal Benefits
- Mortgage Tax - \$8,158.00
- Board of Assessment Certificates for Schooling for Gregory Berg, David Woodcock and George Knauer

Sign Presentation

At last week's meeting the board discussed having new signs made for the entrance of the Town. Robert Brooks presented signs that he had made. He presented a cost estimate of \$400 per sign plus \$650.00 for material for a total for six signs of \$3,000.00. Councilman Byrnes suggested that the board take time to look into this before making a decision.

Supervisor Lucia told the board that he spoke to Ben Syden and Don Rhodes from Laberge about the CDBG grants for water meters. He said that they are looking into it and will get back to him as soon as they can.

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

- Town Clerk
- Highway
- Building Department

- Justice
- Fire Department
- Senior Center
- Custodial Report – Mark Deuel
- Landfill Report

Highway

Attorney Hafner told the board that certain things needed done for the purchase of the truck for the highway.

**TOWN OF CORINTH
2017 DODGE 5500 WITH DUMP BODY AND PLOW
EVALUATION OF FINANCING ALTERNATIVES**

WHEREAS, the Town Board determined that a need exists for acquisition of a new dump/plow truck which costs more than \$20,000; and

WHEREAS, the Town Board authorized the purchase of a 2017 Dodge 5500 with dump body and plow (the “Equipment”) for approximately \$90,000; and

WHEREAS, KS State Bank /Baystone Government Finance (“State Bank”) has offered to provide financing for the cost of the Equipment pursuant to a Lease Purchase Agreement;

NOW, THEREFORE,

Pursuant to the requirements of 6 NYCRR Part 39, the Town Board has prepared the following evaluation of financing of the Equipment:

(a) The portion of the estimated cost of the Equipment to be financed, exclusive of the cost of financing, is \$90,000.

(b) The Equipment may be financed with indebtedness issued under the Local Finance Law.

(c) The estimated total cost of the Equipment, inclusive of the cost of financing, if financed pursuant to the Local Finance Law would be approximately \$99,667 based on a probable interest rate of 3.50% for a five (5) year statutory installment bond, not

including additional costs related to the financing, such as bond counsel fees and publication costs.

(d) The estimated total cost of the Equipment, inclusive of the cost of financing, if financed pursuant to the Lease Purchase Agreement as proposed by State Bank would be approximately \$98,962 based on a fixed interest rate of 3.25%, an effective contract term of five (5) years and payments to be made in arrears.

(e) The estimated total costs described in subdivision (c) above for financing pursuant to the Local Finance Law would be approximately \$705 more than those described in subdivision (d) above for financing pursuant to the proposed Lease Purchase Agreement, not taking into account bond counsel, publication and other costs related to financing pursuant to the Local Finance Law.

(f) It is in the best interests of the Town to finance the Equipment pursuant to the Lease Purchase Agreement as proposed by State Bank. If bond counsel fees and other costs related to issuance of the Town's bonds or bond anticipation notes are taken into consideration, the total costs described in (d) above would be less than those described in paragraph (c). In addition, under the Lease Purchase Agreement the Town will not be required to pledge its faith and credit and the Agreement will terminate if the Town cannot appropriate funds to pay the amounts due thereunder. The Agreement will specifically provide that it is not a general obligation of the Town, neither the full faith and credit nor the taxing power of the Town are pledged and the Agreement terminates in the event of non-appropriation of funds. In light of the uncertainty of appropriations for various Town purposes, this flexibility could be significant at some time over the next five years.

RESOLUTION No.:167

INTRODUCED BY: COUNCILMAN HALLIDAY

SECONDED BY: COUNCILMAN BROWN

DATE: MAY 11, 2017

**RESOLUTION AUTHORIZING LEASE PURCHASE AGREEMENT
WITH KS STATE BANK /BAYSTONE GOVERNMENT FINANCE
FOR 2017 DODGE 5500 WITH DUMP BODY AND PLOW**

WHEREAS, the Corinth Town Board determined that a need exists for acquisition of a new dump/plow truck which costs more than \$20,000; and

WHEREAS, the Town Board authorized the purchase of a 2017 Dodge 5500 with dump body and plow (the "Equipment") for approximately \$90,000; and

WHEREAS, the Town Board authorized the Town Highway Superintendent to obtain bids for financing the cost of the Equipment; and

WHEREAS, bids were obtained from Key Government Finance, Inc., KS State Bank / Baystone Government Finance ("State Bank") and Mosaic International Corporation; and

WHEREAS, State Bank submitted the bid with the lowest interest rate for a five-year term; and

WHEREAS, the Town is authorized to enter into lease purchase agreements for financing equipment, machinery or apparatus under General Municipal Law §109-b; and

WHEREAS, the Town Board prepared an evaluation of financing alternatives as required by 2 NYCRR Part 39; and

WHEREAS, if the Town Board authorized the purchase of the Equipment under the Local Finance Law, it would not be subject to permissive referendum since the period of the financing authorized does not exceed five (5) years; and

WHEREAS, the five year term of the Lease Purchase Agreement does not exceed the period of probable usefulness prescribed by Local Finance Law §11.00 for the Equipment which is fifteen (15) years;

NOW, THEREFORE, BE IT RESOLVED BY THE CORINTH TOWN BOARD AS FOLLOWS:

Section 1: After taking into account the evaluation of financing alternatives, the Town Board hereby determines that it is in the best interests of the Town to finance the Equipment pursuant to a Lease Purchase Agreement with State Bank for the following specific reasons: The total cost to the Town under the Lease Purchase Agreement will be significantly less than the cost of financing the cost of the Equipment by issuing obligations pursuant to the Local Finance Law. In addition, in light of the uncertainty of appropriations for various Town purposes, the flexibility afforded by termination of the Lease Purchase Agreement if the Town cannot appropriate funds to pay the amounts due thereunder could be significant at some time over the next five years.

Section 2: The acquisition of the Equipment under the terms and conditions provided for in a Lease Purchase Agreement with this interest rate and payments is necessary, convenient, in furtherance of, and the Equipment will at all times be used in connection with, the Town's governmental and proprietary purposes and functions and is in the best interests of the Town, and no portion of the Equipment will be used, directly or indirectly, in any trade or business carried on by any person other than a governmental unit of the State on a basis different from the general public.

Section 3: The Town Board hereby authorizes financing the purchase of the Equipment pursuant to the provisions of a Lease Purchase Agreement provided by State Bank and approved as to form by the Town Supervisor and Town Counsel.

Section 4: The Town Supervisor is hereby authorized and directed to execute and deliver a Lease Purchase Agreement with State Bank in a form acceptable to the Town Supervisor and Town Counsel and to execute and deliver such other agreements, instruments and other writings, and to take such further actions as he, in his sole discretion, deems necessary or desirable to carry out the intent of this Resolution.

Section 5: Financing the cost of the Equipment pursuant to the terms and conditions of the Lease Purchase Agreement authorized by this Resolution will not cause the Town to exceed the limits prescribed by General Municipal Law 109-b(6)(c).

Section 6: The Town Board hereby certifies that the Town has not issued or effected the issuance of, and reasonably anticipates that it will not issue or effect the issuance of, more than \$10,000,000 of tax-exempt obligations during the 2017 calendar year and, 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"), hereby designates the lease of the Equipment to which the Agreement pertains as a "qualified tax-exempt obligation" as defined by Section 265(b)(3) of the Code.

Section 7: The Town Board hereby covenants that, to the extent permitted under the Code in effect as of the date of execution of the Lease Purchase Agreement, it will perform all acts within its power which are or may be necessary to ensure the maintenance of the Town's legal status as being a duly organized and existing entity under the Laws of the State, which status is the basis for the interest portion of the rental payments coming due under the Agreement to at all times remain exempt from federal income taxation under the laws and regulations of the United States of America as presently enacted and construed or as hereafter amended.

Section 8: Effective Date - This Resolution shall take effect immediately.

The question of the adoption of this Resolution was duly put to a vote which resulted as follows:

AYES: 4 Lucia, Brown, Byrnes and Halliday

NAYS: 0

ABSENT: 1 Collura

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.

Code Enforcement Officer Albert Brooks presented the License Renewal for River Road Campground.

RESOLUTION #168

MOTION TO APPROVE LICENSE RENEWALS AS PRESENTED

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

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

RESOLVED that the license renewal for River Road Campground be approved as presented.

Code Enforcement Officer Brooks also pointed out to the board that he submitted a copy of a letter that was sent for violations on Route 9N.

Supervisor Lucia told the board that he checked with the Town Counsel on the swap of the fly car from the EMS to the DCO and he was instructed to ask the State Comptroller how they thought the transfer should be done since the transfer was from one fund to another. Attorney Hafner told the board that he saw no problem with the transfer since both funds are town wide but thought since the comptroller had just been here the Town should contact them on the financial transfer.

RESOLUTION #169

MOTION TO APPROVE SWAPPING THE FLY CAR FROM EMS TO DOG CONTROL OFFICER

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

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

RESOLVED that the Fly Car, that is not being used by the EMS, be transferred to the Dog Control Officer for her use pending her approval, and be it further

RESOLVED that the Supervisor be authorized to make any adjustments as directed by the State Comptroller's office.

RESOLUTION #170

MOTION TO APPROVE BILLS AS AUDITED WITH EXCEPTIONS

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

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

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

2017 ABSTRACT

Abstracts For 05/11/2017

Voucher A - #170258- #170297; B - #172109- #172129; DB #173134-#173149; EF #177115 - #177129; SL Eastern Ave Lights - #17404; SL Eggleston Lights - #174058 and SL So Corinth Lights - #170410

<u>General Fund A</u>	\$ 43,965.23
<u>General Fund/Outside Village - B</u>	\$ 2,562.62
<u>Community Development Grant - CD</u>	\$
<u>Highway/Part Town - DB</u>	\$ 13,829.78
<u>Medical – EF</u>	\$ 215,181.53
<u>Fire - SF</u>	\$
<u>Sewer/Water</u>	
Eastern Avenue	\$
Tranquility	\$
Passarelli	\$
Dorset	\$
<u>Lighting</u>	
Eastern Avenue	\$ 217.76
Eggleston Street	\$ 113.72
South Corinth	\$ 187.47

Public

Dennis Morreale appeared before the board and said that he had asked for a joint meeting with the Village, School and Town for Wednesday but has since canceled that request. He spoke about the Sheriff's contract with the Village and quoted from the Saratogian article what Supervisor Lucia said. He asked the board, as Mayor of the Village of Corinth and a Town taxpayer, that the Town look into the cost of the Town securing Sheriff contract. He stated that the Town had a bigger reserve than the Village.

Town Board

Councilman Byrnes

Councilman Byrnes asked Code Enforcement Officer if his report was for new structures or just decks, etc. Code Enforcement Officer Brooks told Councilman Byrnes that his office has had 4 or 5 new structures on Wiley Way and also new structures on Spotswood Drive.

Councilman Byrnes asked Supervisor Lucia if he could contact Matt Rogers regarding the status of the reimbursement of the Mt McGregor closing. He asked that that if Mr. Rogers could not come to a meeting that he present the board with a report.

Councilman Halliday

Councilman Halliday told the board as liaison to the Village Board he thought the Mayor was correct and the Town should contact the sheriff to see the cost of the Town obtaining Sheriff Protection.

Councilman Halliday also stated that he thought it was a very good idea to have a joint meeting with the Village, Town and School very soon.

Councilman Halliday also said that he felt the Town Board should again review the invasive species that had been tabled.

Councilman Brown

Nothing

Town Clerk

Nothing

Attorney

Attorney Hafner told the board that he was working with the Village Attorney and the engineer on the Water District. He said he estimates in two weeks that he will schedule a meeting with the Town Board.

Councilman Halliday asked about the time restrictions. Attorney Hafner said the time restriction was for the water meter grant with the Village. Attorney Hafner said that they also working on that.

Village Mayor Morreale told the board that the Hudson Grove District may also want to join in the purchase of water meters.

Councilman Collura arrived at 7:40PM.

Highway Superintendent

Nothing

Code Enforcement

Code Enforcement Officer told the board that his office had been extremely busy the last two months. He said he had been working with some of the citizens to clean up their property.

Councilman Collura

Nothing

RESOLUTION #171

MOTION TO ADJOURN

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

ADOPTED 5 AYES Lucia, Brown, Byrnes, Halliday and Collura
 0 NAYS

RESOLVED that at 7:45 PM the Town Board adjourned.

Respectfully submitted,

Rose E. Farr, RMC
Town Clerk

May 11, 2017