

July 12, 2018

The Town of Corinth Town Board held a meeting on July 12, 2018 at 7:00 PM at the Town Hall.

Present: Richard Lucia, Town Supervisor
Edward Byrnes, Councilman
Jeffrey Collura, Councilman
C. Eric Butler, Councilman
Rose E. Farr, Town Clerk
Cheri Sullivan, Deputy Town Clerk
Shawn Eggleston, Highway Superintendent
Robert Hafner, Town Attorney

Excused: Albert Brooks, Joshua Halliday

Public: Matthew Fogarty, Justin Gonyo

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

RESOLUTION #211
APPROVE THE MINUTES FROM JUNE 21st, 2018

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

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

RESOLVED that meeting minutes from June 21, 2018 be approved.

Attorney financing of Truck: Attorney Hafner addressed the following-

- 1. Bond Resolution \$189,516.00
- 2. Borrowing term-5 year
- 3. 4 yes votes required
- 4. 20 days after publishing can borrow monies

RESOLUTION NO.: 212
INTRODUCED BY: Collura
SECONDED BY: Byrnes
DATED: 07/12/2018

RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$189,516 SERIAL BONDS OF THE TOWN OF CORINTH TO PAY THE COST OF A NEW DUMP/PLOW TRUCK; AND AUTHORIZING THE ISSUANCE OF UP TO \$189,516 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 Volvo VHD64B300 truck with dump body and plow, and related equipment, 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 Eighty-nine Thousand Five Hundred Sixteen and 00/100 Dollars (\$189,516.00).

Section 2. The plan for the financing of such maximum estimated cost is the issuance of up to \$189,516 serial bonds or bond anticipation notes of said Town, hereby authorized to be issued pursuant to the Local Finance Law. The proceeds of the bonds or bond anticipation notes may be used to reimburse expenditures paid by the Town from other funds or otherwise on or after the date of adoption of this Bond Resolution. Pursuant to Local Finance Law Section 107.00(d)(9), a down payment from current funds is not required.

Section 3. 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 occurring within sixty (60) days prior to adoption of this Resolution. 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 4. It is hereby determined that the period of probable usefulness of the specific object or purpose is fifteen (15) years, pursuant to Local Finance Law Section 11.00[a][28]. 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](1).

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 \$189,516, the maximum maturity of which shall not exceed the fifteen (15) year period of probable usefulness set forth above (which is further limited by the five (5) year limitation detailed in Section 4 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 \$189,516 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. Miller, Mannix, Schachner & Hafner, LLC, Glens Falls, New York, is hereby designated bond counsel.

Section 18. 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 19. This Resolution or a summary thereof shall be published in *The 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 20. This Resolution shall take effect immediately except as provided in Section 17 above.

Section 21. 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, Byrnes, Collura, Butler

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.

Thank you Letter:

Supervisor Lucia requested that Town Clerk Farr send a Thank you letter to the following:

1. Marilyn and the Image Committee
2. To all who donated for the annual Corinth Fun Day- town clerk Farr was waiting on this letter for the Youth Commission meeting on the 23rd.

Little League Contract:

Supervisor Lucia said the final copy of the contract with changes was ready and signed.

Town Clerk Farr said that she did not have the original on file. Attorney Hafner said it needs to be filed with the Clerk.

Justin Gonyo:

Mr. Gonyo was before the board with a proposal for the railroad for the board to review requesting that the Town leave the rail lines open until another buyer can be found. Supervisor Lucia said the Town was in the position to leave the lines open as there are many options still available to the community if left open. Supervisor Lucia spoke of the Letter the board received from Gregory Klinger pertaining to the Future of the Saratoga and Warren County railroad.

EMS Report:

Mr. Fogarty gave his monthly report to the board. There was also discussion had relating to the following-

1. New Medical Director search
2. 3 bids for bathroom repairs- prevailing wage
3. Flooring Repairs- Grant-RFP's required
4. Creating an office space

Resignation of Mr. Sadousky:

Supervisor Lucia said he just received the written confirmation, and the question is when they hire another are they needed for Town Board and Planning/Zoning Board meeting. Discussion was had and the following ensued-

RESOLUTION #213

TO TABLE THE DISCUSSION ON HIRING OF NEW COURT ATTENDANT PENDING FURTHER DISCUSSION RELEVANT TO HOURS REQUIRED TO WORK

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

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

RESOLVED that the hiring of new court attendant be tabled for further discussion with full board.

Pay Housing and CDBG checks:

RESOLUTION #214

MOTION TO APPROVE AND PAY AFFORDABLE HOUSING AND CDBG CHECKS AS FOLLOWS

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

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

RESOLVED the approval and payment on the Housing and CDBG checks as follows:

2018 ABSTRACT
Abstracts For 07/12/2018

Voucher CDBG #17-20 and Home Improvement #1816-1817

<u>Community Development Grant</u>	\$ 48,228.00
	\$
<u>Home Improvement</u>	\$ 14,553.00

Senior Sentinel: On File

National Grid light pole:

Supervisor Lucia said he received an email from National Grid stating there is a light pole on 9n north that sits on the Town Lines. The Town of Corinth has never paid for it; and National Grid wants to know if we are willing to be billed for it or have it shut off. Councilman Byrne’s suggested that the Town find out what the cost of having this light pole is on going to be.

RESOLUTION #215

TO TABLE THE DISCUSSION ON NATIONAL GRID LIGHT POLE

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

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

RESOLVED TO table discussion on National Grid Light pole until cost is known.

Letter /Preservation League of NYS:

Supervisor Lucia said he received a letter stating that the grant that Mr. Cernek had applied for was denied. Mr. Cernek said he will apply again for the grant.

Friday Morning interviews for Building Dept:

Supervisor Lucia stated they will be interviewing 5 applicants.

Bicentennial Parade is growing everyday:

Supervisor Lucia said the Bi-Centennial celebration continues to grow! Councilman Byrnes asked how people with classic cars could get into the parade. Supervisor Lucia said to contact either Andy Kelly or Jeannine Butler.

Following Reports are on file if presented:

Town Clerk- On File

-Town Clerk Farr said the one before the board was not the one that she gave to the Supervisors' secretary .Her office turned in over \$51,000.00.

Highway-on file

Animal Control-on file

Building Department-on file

Justices-on file

Planning Department-

Zoning Department-

Fire Department-

Senior Center-on file

Assessors Report- on file

Custodial Reports-on file

Landfill Reports- on file

Public Speaking: None

Town Board:

Councilman Byrnes-

Councilman Byrnes spoke about the following:

1. Asked Highway Superintendent Eggleston how the Hiram Hollow Fire had affected the Town Landfill and if he knew how long it was going to be out of service. Highway Superintendent Eggleston did not know how long they would be out of service but did state that it was impacting the Corinth Landfill.
2. Recycling Building @ Landfill-

Councilman Byrnes said the recycle building should probably be replaced. Highway Superintendent Eggleston said he would love to and he believes that the funds are available in the Landfill upgrade account; however he would not be able to start the project until the fall.

3. Hudson River Mill Museum-

Councilman Byrnes said many people were very excited about this project when he was there over the weekend. He said there are a few things that need to be addressed.

- a. Issues with finding the address of the site
- b. Grant did not cover all expenses; they need \$14,000.00 more to raise in funding.
- c. Interior Work- there may be issues with Lead paint when it comes to the work on the inside of the building.
- d. The board needs to complete a long term lease between the Town and the Museum
- e. The town also needs to give the Museum a letter of consent for use of the building.

4. Collection Development Campaign- Looking for IP memorabilia to be donated to or loaned to the Museum.

5. Landscape out front-

Councilman Byrnes said the landscaping needs some attention. Supervisor Lucia said it was already being addressed.

Councilman Butler- No comment

Councilman Collura-

Councilman Collura spoke of the following:

1. EMS-

Councilman Collura reported that he had been notified that our EMS Personnel are very courteous and professional!

2. Microphones-

Councilman Collura suggested that the Town purchase more microphones for the board so that they can be heard on the recorder.

3. Asked if the board was going to have a discussion on the Attorney/ Client transmission received. Town Attorney Hafner said after the meeting the board is going to have a discussion pertaining to that.

Town Clerk:

Town Clerk Farr told the board that it was very difficult to hear what is being said on the recorder when there are multiple conversations at the same time; in the future the minutes will state "Discussion was had" when this occurs.

Highway Superintendent Eggleston:

Highway Superintendent Eggleston spoke on the following:

- 1. Winslow road Bridge project to begin 7/23/2018
- 2. Already on their 3rd road project for the summer

Town Attorney:

Town Attorney Hafner spoke on the following:

- 1. Clarification of the Museum Lease-
Attorney Hafner said he wanted to know if he was to start working on the contract with the museum before or after the board met with Steve Cernek and members. Supervisor Lucia said they had to approve the Contract with Steve Cernek first; it will be forwarded to Attorney Hafner tomorrow. Town Clerk Farr said at last week’s meeting the Board approve the contract with Steve. Supervisor Lucia said the Board approved a 6 month contract at the last meeting. The actual contract that needs to be approved had some items in it that still needed to be approved in the full contract. Attorney Hafner requested that Town Clerk Farr send him a copy of the last two year contract that was signed so that he can compare the two.
- 2. Bond Resolution- Already done this evening
- 3. Polsenello Fuels-
Language has been reviewed and approved, waiting for mechanics’ lien to be removed; monies are to stay in escrow until lien is removed. Councilman Collura confirmed that the furnace had been replaced.
- 4. Union Contract-
Attorney Hafner said he is somewhat optimistic about a signing of the Union Contract. They are working out the smallest of details currently. It should be before the board for their review shortly.

Supervisor Lucia made a motion to adjourn to executive session on attorney/client privilege and Town Attorney Hafner said that motion wasn’t necessary; the board is ending one meeting and starting another 3 minutes later which is an attorney/client meeting.

RESOLUTION #216
MOTION TO ADJOURN.

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

ADOPTED	Ayes	4	Lucia, Byrnes, Collura, and Butler
	Nays	0	

Absent 1 Halliday

RESOLVED with there being no further business the meeting be adjourned at 8:13 PM

Respectfully submitted,

Cheri Sullivan
Deputy Town Clerk