

July 5, 2018

The Town of Corinth Town Board held a meeting on July 5, 2018 at 4:30 PM at the Town Hall.

Present: Richard Lucia, Town Supervisor
Jeffrey Collura, Councilman
Joshua Halliday, Councilman
C. Eric Butler, Councilman
Shawn Eggleston, Highway Superintendent
Albert Brooks, Building & Code Enforcement Officer
Jacquelyn White, Town Counsel
Anne M Bourdeau, Account Clerk

Excused: Edward Byrnes, Councilman
Rose E Farr, Town Clerk

Public: John A Musacchio, Esq.
Kevin Duerr-Clark

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

RESOLUTION #207

APPROVAL TO TABLE MINUTES FROM JUNE 21ST & JUNE 28TH, 2018

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

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

RESOLVED that the meeting minutes from June 21st and June 28th be tabled.

Corinth Little League

Supervisor Lucia stated that the Corinth Little League rebuild construction is underway. All paperwork has been approved and completed. Code Enforcement Officer Albert Brooks stated that there will be a couple changes made to the roofline, changing to a shed roof in order that the second story extend 4 feet over the snack bar. Albert Brooks stated Carl Dearborn will talk to the engineer regarding the change. Supervisor Lucia also stated that Carl Dearborn & Son have volunteered to complete the majority of the construction.

Councilman Collura also added that he would need to sign the TOC Little League Project Agreement and Release form and have his signature notarized. Councilman Collura also stated that he himself will need to sign a form as well. Two copies needed.

Saratoga County Real Estate sales: On file

Independence Day Celebration

Supervisor Lucia stated that the Fourth of July parade will be held this Saturday beginning at 2:00PM. He asked that the board members be there at 1:45PM and the dress code is open-can wear shorts or whatever they so desire for the parade. Councilman Collura suggested wearing patriotic clothing.

Supervisor Lucia told the board that Marilyn O'Neill called him and asked if she could get help transporting boxes from her porch up to the bank parking lot on Saturday morning between 10-11:00AM. Councilman Halliday stated he will not be in NYS at this time. Councilman Collura offered to help but would need a reminder call that morning and would help her with his truck.

Hendy Property

Attorney Jackie White spoke on behalf of the Town regarding the Hendy structure. She stated that a decision needs to be made regarding the removal of the Hendy structure or time to remedy, plus an assessment for the cost of a remedy which would reflect as a lien against the property. Attorney White stated she forwarded several request to Mr. Hendy's attorney John Musacchio, Esq of Towne, Ryan, and Partners, PC who's firm is settling the Hendy Estate, regarding the cancellation of the public hearing. Supervisor Lucia asked that John Musacchio, Esq approach the table and speak on behalf of his firm.

Attorney Musacchio introduced himself and stated he was representing the Hendy Estate, that he was contacted by Mike Hendy four days post Harold Hendy's death. He provided to Attorney White a copy of the order. He also stated that there was a cleaning company in the house-Mike Aviza's Super Clean out of Albany area. They felt that the structure of the house is fine, however after cleaning and scrubbing for days and they felt that the need to remove the flooring would be imperative, thus eliminating the offensive odor. The top flooring would definitely need to be removed, but he was unsure whether the bottom floor may have to be removed as well. He did also state that the rafters and joists are fine.

Albert Brooks stated that the odor is still horrendous and felt that this would be very hard to entertain the idea for anyone to live there.

Supervisor Lucia, Councilman Halliday and Councilman Collura verbally agreed that they would like to see the public hearing cancelled and an extension granted to finish cleaning up. Councilman Collura stated that pulling up the flooring will most likely, in his opinion, eliminate most of the smell. Councilman Collura also suggested that Attorney Musacchio meet with the Town of Corinth Health Officer and the Building Code Enforcement Officer beforehand.

John Musacchio, Esq stated that he would like to request a 3-4 week extension to remedy the clean up. Councilman Collura questioned whether they would need to remove both the top and bottom flooring. John responded by saying that they would do what they need to do.

Councilman Collura suggested they do both the 1st and 2nd flooring to be safe. Councilman Collura and Councilman Halliday suggested making a resolution for the four week extension.

Supervisor Lucia also spoke with Hendy's brother Mike Hendy earlier in the day and said he would have attended the meeting but lives in northern Vermont and was unable to attend. Mike Hendy stated to Supervisor Lucia that he wants to keep the structure as is.

John Musacchio, Esq asked for direct communication with Code Enforcement Officer Albert Brooks and stated that he would go along with whatever Albert Brooks and the TOC Health Officer would suggest.

Attorney White said that all direct communication could be funneled through her office and she would honor the attorney-client privilege. John also suggested an email chain be set up if ok with everyone. It was a concern by Councilman Collura about whether the structure was locked and that it had not really been an issue. Attorney John Musacchio stated that the house has not been locked in order that the Town officials needed to walk through. Attorney White stated that the order said to secure the structure. Councilman Collura suggested Mike Aviza, owner of the cleaning company lock all windows and doors. Attorney Musacchio stated that Michael Hendy, brother of the deceased will be meeting with Mike Aviza on Saturday to walk through and remove personal items of his brother.

Discussion was had regarding the house and purpose of resale. Attorney Musacchio asked if house could be put up for sale in its present state. Attorney White replied to say that it would be in NYS violation of state code;that flooring would need to be installed in order to obtain a Certificate of Occupancy. Councilman Collura stated that a house could be sold in any state, whether partially or fully completed. Councilman Butler stated that the NYS Health officer and Code Enforcer would need flooring installed to be able to walk around to do their inspections...that they would not be able to do this walking on rafters.

RESOLUTION #208

TO EXTEND THE HENDY PROPERTY CLEANUP TO AUGUST 2ND 4:30PM

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

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

RESOLVED that the Hendy property cleanup be extended until August 2, 2018 at 4:30PM

RESOLUTION #209

APPROVAL OF A SIX MONTH EXTENSION AUGUST 1,2018 TO FEBRUARY 28, 2019 FOR STEPHEN CERNEK'S CONTRACT

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

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

RESOLVED that a six month extension for a contract from Stephen Cernek dated for August 1, 2018-February 28, 2019 be approved.

Morgan's Way Complaint

A brief discussion was had by the board regarding a complaint back in May 2018 by a resident whose property is adjacent to a farm business. Attorney White stated that the two complaints were received and that her associate Tom Peterson is still working on it.

RESOLUTION #210

MOTION TO ADJOURN TO ATTORNEY-CLIENT PRIVILEGE MEETING WITH NO DECISION

On a motion made by Councilman Halliday and seconded by Councilman Butler and the following was

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

RESOLVED with there being no further business the meeting be adjourned at 5:12PM

Respectfully submitted,

Anne M Bourdeau
Account Clerk