

June 14, 2018

The Town of Corinth Town Board held a meeting on June 14, 2018 at 7:00 PM at the Town Hall.

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

Excused: Albert Brooks

Public: Matthew Fogarty, Mike Briner

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

**RESOLUTION #191**  
**APPROVE THE MINUTES FROM MAY 24, 2018**

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

ADOPTED      Ayes    5            Lucia, Byrnes, Halliday, Collura, and Butler  
                     Nays    0  
                     Absent 0

RESOLVED that meeting minutes from May 24, 2018 be approved.

There was discussion about the minutes from May 31, 2018 and it was decided to hold the vote until the end of the meeting.

Little League:

There was a brief discussion about the Little league water bill. Town Clerk Farr said that the Little League had been paying their bill.

**RESOLUTION #192**  
**TO RELEASE THE BUILDING PRINTS AS SOON AS CONTRACT IS SIGNED BY LITTLE LEAGUE**

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

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

RESOLVED that the building prints for the little league building be released once the contract is signed and the code enforcement officer returns.

EMS Reports: Mr. Fogarty reviewed the monthly EMS report with the board. Councilman Byrnes questioned the usage of the new ambulance and Mr. Fogarty explained that ambulance 2051 was out for repairs. This report is on file in the Supervisors office.

The following are on file in the Supervisors office:

Saratoga County Fair- 7/24-7/29

Certificates of Training-Town Clerk and Deputy Town Clerk

Rail Grants-

Supervisor Lucia said himself and Councilman Brynes met with Wayne LeMothe and the Town has \$31,950.00 due on one grant and \$19,750.00 due on another. Councilman Collura said they need a clerk of the works involved. Town Clerk Farr said the Town had one and it was Carl Dearborn. Councilman Collura said he believed that it was Dean Seelow for the electrical, Carl was for the construction. Supervisor Lucia said he would follow up with Niagara Mohawk about the proper procedure to follow. Councilman Brynes discussed in kind services and how they would be used.

County Real Estate-on file

Kessering update Milton- on file

AATV Request- Supervisor Lucia spoke about the MOU with Adirondack Park and the application of road salt. There was discussion among board members regarding the agreement and Highway Superintendent Eggleston said that it would have very little impact on his department because the town had only two roads that were in Adirondack Park.

**RESOLUTION #193**

**TO TABLE THE MOU WITH MUNICIPAL GOVERNMENTS WITHIN ADIRONDACK PARK REGARDING THE APPLICATION OF ROAD SALT FOR WINTER MAINTENANCE AND DE-ICING.**

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

ADOPTED	Ayes	5	Lucia, Brynes, Halliday, Collura, and Butler
	Nays	0	
	Absent	0	

RESOLVED to table MOU with municipal governments in Adirondack Park.

Attorney Letter- Supervisor Lucia said this had already been resolved.

Bicentennial Committee reports- Supervisor Lucia said that Marilyn O'Neill was in need of volunteers for the July 7th Celebrations.

Mining permit Palette- on file

Tomahawk News- on file

Equalization Rate Tentative- on file

Repeat Letter from County Health on ticks- on file

Stephen Cernek Letter-

Supervisor Lucia said the board had received a letter from Stephen Cernek requesting their presence at a meeting with the Trustees of the Hudson River Mill Museum on Saturday July 7<sup>th</sup> from 10-11am. Supervisor Lucia said he spoke with Mr. Cernek and informed him that the whole board could not attend as it would be a quorum. Supervisor Lucia said he would not be able to attend.

School Flag Day Ceremony- Supervisor Lucia said he attended the Flag Day Ceremony at Corinth Elementary School and they did a beautiful job. Supervisor Lucia said they honored the Corinth Fire Department, EMS, Veterans, Saratoga County Sheriff's and local Government officials. Supervisor Lucia said they also honored the Briner's for their dedication to Corinth Little League.

**RESOLUTION #194**

**MOTION TO APPROVE BILLS AS AUDITED WITH EXCEPTION**

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

ADOPTED      Ayes    5            Lucia, Byrnes, Collura, Halliday and Butler  
                      Nays    0  
                      Absent 0

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

**2018 ABSTRACT**

**Abstracts For 06/14/2018**

Voucher A - #180284-1830335; B #182204-182238; DB #183187-#183216; EF #187132. - #187151;  
 AHC -1814-1815; SW Passarelli -#184079; SW Eastern Ave - #184087; SW Tranquility - #184074;  
 SW Dorset Dr - #184026; SL So Corinth - #184004; SW Corinth 5 - #28,747.95; SL Eastern Ave - #184041;  
 SL Eggleston - 3184059

<u>General Fund A</u>	\$ 37,785.85
<u>General Fund/Outside Village - B</u>	\$ 19,412.54
<u>Community Development Grant - CD</u>	\$
<u>Highway/Part Town - DB</u>	\$ 15,050.66
<u>Medical – EF</u>	\$ 9,946.16
<u>Home Improvement</u>	\$
<u>AHC</u>	\$ 14,134.90
<u>Fire - SF</u>	\$
<u>Sewer/Water</u>	
Eastern Avenue	\$ 8,165.50
Tranquility	\$ 3,413.90
Passarelli	\$ 4,134.90
Dorset	\$ 1,628.20
Corinth #5	\$ 28,747.95
<u>Lighting</u>	
Eastern Avenue	\$ 199.68
Eggleston Street	\$ 103.86
South Corinth	\$ 172.06

Public Comment-

Mike Briner asked the board where the town was in the process regarding the building on the little league field. Supervisor Lucia said the Town was pretty close they had to review the rules and the signing of the MOU agreement. Town Clerk Farr said the waiver forms still needed to be signed. Attorney White said they were still working with the insurance company to make sure the waiver form is

correct. Supervisor Lucia asked Mr. Briner if he had a copy of the agreement. A copy of the proposed agreement was shared with Mr. Briner and Board members.

**Town Board:**

Councilman Byrnes- spoke about the following:

1. Marilyn O'Neil needing help with the 7/4 parade
2. Presentation at economic meeting was great
3. If the order for the second batch of bikes had been placed. Town Clerk said it had not.
4. Wanted to share the reply from Mayor Morreale regarding the email Town Clerk Farr sent to Village Board members asking them to reconsider their decision to not donate to the annual fun Day.

Councilman Collura read the reply into record.

The Village Board after much discussion decided that due to fact the Village Board already has had to cover \$32,500 in lost revenue, due to the town's inability to pay for the full amount of the fire contract, we are not in a position to donate to the fun day. If you remember the village used to get youth funding from the County, now the Town gets all the County Youth funding. In addition, because the youth of our community are very important to us, the Village board has substantially increased our summer youth program, and we are providing life guards and park attendants at significant cost which are available to residents without any support from the town.

We do wish you success with your fun day.

Sincerely,

Dennis

Councilman Butler-spoke about the following:

1. Attended his first Senior Center Board meeting. Councilman Butler said the new door at the Senior Center is in.

Councilman Halliday-No comment

Councilman Collura- spoke about the following:

1. Apologized for missing Flag Day ceremony at the Elementary school.
2. Wanted an update on where the town was with Skipper Lane.
3. Wanted to know what was happening with the open meeting laws.

Town Attorney Jacqueline White addressed the following:

1. Attorney White said in regards to if there were any legal requirements pertaining to broadcasting the Town Board meetings. Attorney White Public Officer's Law 103 doesn't appear to apply to Town Boards under the narrow definitions for "agency" and "authority"

set forth in this section. Councilman Halliday said he did not believe the Town had enough broadband to stream live.

Supervisor Lucia said the Town developed an official Face book page today to get information out to the public. Supervisor Lucia said it was created today to help spread the word to the public about the water shut offs that were occurring next week in the Towns water districts. Deputy Town Clerk Sullivan said that we needed to get the information out to the residents and we know that Face book works because the Village had posted something water related 2 weeks ago and the Town Clerks office has been fielding calls ever since. Deputy Town Clerk Sullivan submitted to the board a copy of what was posted to the Face Book page. Councilman Butler asked by what other means the residents are being notified. Town Clerk Farr said that calls are being made to those resident that have supplied contact information; this was just another way to get word out since the Town was just notified on Thursday. Councilman Butler questioned the use of Reverse 911. Town clerk Farr explained that was impossible to do with Water District 5.

Councilman Collura requested that the minutes reflect that he wanted to give more time to Mr. Hendy. Town Clerk Farr said that had been addressed.

**RESOLUTION #195**

**APPROVE THE MINUTES FROM MAY 31, 2018**

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

ADOPTED	Ayes	5	Lucia, Byrnes, Halliday, Collura, and Butler
	Nays	0	
	Absent	0	

RESOLVED that meeting minutes from May 31, 2018 be approved.

**Town Clerk:**

Town Clerk Farr said the Attorneys office had previously stated that Councilman Byrnes could not vote on anything to do with the Little League. After attending an ethics class at the Town Clerks conference where they learned about impropriety she thought it should be reviewed, referencing concerns relating to Councilman Butler because he works for the Village and he should not be able to vote on any Village issues when the Town Board votes because there could be a problem because he is paid by the Village. The Board reviewed the paperwork before them from the Attorney General's office.

2. Attorney White also commented on General Municipal law 806 Attorney General Rulings:

Attorney White said these were just the Attorney Generals opinions, they are legal guidance to follow and they do not have the weight of any court decisions. Attorney White said it is the Attorney Generals interpretation/opinion on General Municipal Law 806. Councilman Collura said so there is a municipal Law referring to this opinion. Attorney White said if the board feels this should be looked into, they will. Councilman Byrnes said he felt this should be reviewed; there is no difference here than a board member making decisions on a policy that affects a family member that is also employed by the Town and he feels that they have to be careful. Councilman Byrnes said the Town just had an issue with the Board of Assessment review and it is worth looking into. Town Clerk Farr said that they have to be consistent and fair across the

board with all board members. Councilman Butler said he thinks it is foolish to look into. Councilman Butler said he wanted to make the comment that he prides himself in his communication between the Town and the Village board because it is a little shaky and he will continue to push forward with this whether or not he can vote will not make a difference to him. Attorney White said that she felt this would be covered under the scope of their agreement with the town meaning there would not be any extra costs associated with this review. Attorney White also stated that there was not a need for a motion to move this forward.

3. Attorney White gave the Board a copy of the Proposed Local Law on Water amending Corinth Town Code relating to Water Use Rules and Regulations for the board to review and a proposed notice to schedule a public hearing on said proposed law.

4. Attorney White said in regards to Skipper Lane, Michael Hendy had sent an email requesting more time before coming to the hearing with the board on the 21st of June. Attorney White said they have been working diligently to clean this place up and believes that the Town Code Enforcement officer could make a judgment on this. Attorney White did say that Michael Hendy is not an administrator of the estate yet however the paperwork has been filed.

**RESOLUTION #196**

**TO DELAY THE HEARING ON SKIPPER LANE PROPERTY WITH THE TOWN BOARD FOR TWO WEEKS UNTIL JULY 5<sup>TH</sup>, 2018**

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

ADOPTED      Ayes    5            Lucia, Byrnes, Halliday, Collura, and Butler  
                     Nays    0  
                     Absent 0

RESOLVED that the hearing scheduled with the Town Board relating to the Skipper Lane property be postponed for two weeks until July 5, 2018.

**Highway Superintendent Eggleston- No comment**

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

- Town Clerk
- Highway
- Building Department/ Code Enforcement
- Justice
- Assessors sales
- Fire Department
- Custodial
- Landfill

**RESOLUTION #197**

**MOTION TO ADJOURN.**

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

ADOPTED      Ayes    5            Lucia, Byrnes, Halliday Collura, and Butler  
                 Absent 0  
                 Nays    0

RESOLVED with there being no further business the meeting be adjourned at 8:33 PM

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Cheri Sullivan", with a long horizontal flourish extending to the right.

Cheri Sullivan  
Deputy Town Clerk