

March 22, 2018

The Town of Corinth Town Board held a meeting on March 22, 2018 at 4:30PM 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

Excused: Albert Brooks, Joshua Halliday

Public: Matthew Fogarty, Andy Kelly, Russell Bowers

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

**RESOLUTION #133**

**MOTION TO APPROVE TRANSFER OF FUNDS \$1200.00 FROM SALT RESERVE TO SNOW REMOVAL TOWARDS SALT PURCHASE.**

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

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

RESOLVED that transfer of \$1200.00 from \*\*7189 (Salt Reserve) to DB5142.4 (Snow Removal) be made.

**RESOLUTION #134**

**APPROVE THE MINUTES FROM MARCH 08, 2018**

On a motion 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 that meeting minutes from March 08, 2018 be approved.

**Fire Contract-**

Supervisor Lucia said Chief Kelly was before the board tonight to discuss the revised Fire Contract. Chief Kelly went through the Fire Contract by line items and discussed with the board where he skimmed back on the Fire Department Budget. Chief Kelley explained the line item that pertains to the floor of the Firehouse. Chief Kelly spoke with Arty Lozier and Don Rhodes and the solution found was to work with the Village Highway. Over all Chief Kelly said overall he removed \$90,000.00 from Fire Department Budget to help both entities. Chief Kelly said on the last page the Village has agreed to \$150,000.00 reserve to be split 50/50 and the remaining \$537,740.00 (other Expenses) to be a 64/36 split. Chief Kelly said the Town Contract cost would be for \$75,000.00 Reserves and other Expenses it would be \$343,981.00 for a total of \$418,981.00 for the Town. Chief Kelly said that \$418,981.00 is less than last year's proposed budget.

Chief Kelly said there was \$46,000.00 in insurance, \$130,920.00, in debt, which is the Firehouse and 150,000.00 in reserves, bringing the proposed budget in at \$687,470.00. Chief Kelly spoke about applying for a FEMA Grants over the next few years to assist with the funding of the air packs.

Councilman Butler asked how much longer the loan was going to be on the Fire House. Chief Kelly said the fire house was built in 2005. He knew Nicole had refinanced the loan once to get a lower interest rate but was not sure when it would end but he was sure that Nicole would have that information. Councilman Byrnes said so when the bond is paid off that will be another reduction in the cost to the Town. Councilman Butler said they should find out the date from Nicole.

The Board thanked Chief Kelly for the reduction in the proposed budget. The Board acknowledged that it was difficult for Chief Kelly to be in the middle of the municipalities. Chief Kelly said that a response from the Town was needed by April 15<sup>th</sup>.

Councilman Brynes asked if Luzerne had a scuba team. Chief Kelly said they did not. Councilman Byrnes asked if there was a possibility of the Corinth Scuba team flagging obstacles in the river for safety purposes as there are individuals that are going to be hurt. Chief Kelly said that the scuba team would need permission from who controls the river and they would need flags or markers. Chief Kelly spoke of an impending exercise at the dam on September 8<sup>th</sup> and there may be contacts there that he can speak with.

Chief Kelly said the Old Timer's dinner was going to be April 7<sup>th</sup>. Chief Kelly said that the Fire Department had purchased 6 of the shares the Town had for sale. Supervisor Lucia said he saw that and wanted to thank the Fire Department for their purchase.

Councilman Collura asked if the boards were going to get together again to discuss the Fire budget. Councilman Collura said that the committee members can only do so much as they are not the entire board and can't negotiate on behalf of the other board members. Councilman Collura asked what the first meeting in April was. Supervisor Lucia said it was booked, but they could meet on another night. Councilman Collura said that the board did not have any issues with the Fire Department.

Founders Day Dinner-Supervisor Lucia said there were only 6 tickets left for the Founders Day dinner on Sunday.

Resolution for Grant Monies Received-

Supervisor Lucia said that after two years the Town has finally received the grant monies for the repairs to the Town Hall and the EMS Building.

**RESOLUTION #135**

**MOTION TO SET DATE FOR BIDS ON FOR WORK TO BE DONE AT 600 PALMER AVENUE, CORINTH NY AND 101 SHERMAN AVENUE, CORINTH NY.**

A motion was made 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 the bid opening for the above mentioned locations be set to be opened on Thursday May 10<sup>th</sup> @ 7:10pm and that all bids submitted be in the Town Clerks office by 4:00pm on May 9th.

**WORK SCOPE FOR 600 Palmer Avenue and 101 Sherman Avenue**

**600 Palmer Avenue:**

Lead Assessment

General Renovation: ceilings, repairs, walls, flooring

Electrical and Lighting.

Floor Coverings

Windows

**101 Sherman Avenue**

New Flooring in living quarters

Water Bill for Little League-

Supervisor Lucia said the Town Attorney stated that Councilman Byrnes would have to recues himself from the following conversation and state why. Councilman Byrnes asked if the board was going to go make a decision tonight. Supervisor Lucia said he did not know. Councilman Brynes said he was just asking because he had information from the last little league board meeting that may be relevant to any decisions. Town Clerk Farr said the Village bill is due by April 2 without penalty according to Nicole; the Towns Bill is due by the end of April without penalty. Supervisor Lucia said according to the Town Attorney there is nothing in the contract that refers to the "Utilities". Supervisor Lucia said the little League field currently pays their own lights. Supervisor Lucia said something else to consider is that if the Town does have to pay the water rent for the field that would negate the current agreement; in which the fields are to be solely used by the little league.

Councilman Byrnes recused himself from the conversation on the Towns property that the Little League rents, because he is a member of the Little League Board of Directors.

Councilman Collura asked what this cost was going to be a year and suggested that the Town pay a 1/3 the little league pay 1/3 and the Village pay 1/3. Councilman Collura suggested that the Town portion come out of the "youth". Supervisor Lucia explained that the "Youth" account has nothing to do with the little league, they are not part of the Towns youth program. Town Clerk Farr said where are they going to get that money from, and that is what she is afraid of, what is going to happen next year. Councilman Collura said then the little league is going to have to pay for it. Councilman Butler said for this billing cycle they should pay for it and if they are putting in a request to the village for assistance of some sort then the Town should wait and see what happens. Councilman Butler said if he was the little league he would approach both boards and see if they will give it to them for nothing. Councilman Butler said the little league should pay for the first bill and when it all washes out then if need be they

get refunded or they continue to be responsible. Councilman Butler thought it in the best interest of all involved to wait and see what happens.

Town Clerk Farr spoke to the board about the proposed water prices for next year that will begin in June. The rate is proposed to go to \$630.00 a year for Town residents. Town Clerk Farr said so it would be 3 times that for the property that the little League is using. Town Clerk Farr explained that the village's first quarter bills that will come out in May will be a onetime rate of \$157.50, then they will transition on their next billing cycle to \$114.80. Town Clerk Farr said this includes the 40,000 gals per year. Town Clerk Farr said she questions the billing part of this; if they are billing quarterly, if they use 12,000 gals one month but at the end of the year there are months with less usage and the homeowner is still less than 40,000 gals. Is the owner still going to be charged for overage in the first quarter?

Councilman Butler said they will be billed on their quarter use. Councilman Butler said the 40,000 is just a minimum number and it is so low that he does not think that anyone will not get to it. Town Clerk Farr said that there is also going to be a bond for the meters and this bond is going to be added to the tax bill of the homeowners, so it's another increase. Town Clerk Farr said her office is meeting with Don Rhodes next week because of billing issues and she is going to ask him for a hand out to help explain this to the people. Councilman Collura asked if it shows on our bills what the Town is being charged by the Village. Town Clerk Farr said it does not.

Supervisor Lucia said while on the topic of water if they should open the public speaking up as Mr. Bowers is here to speak to the board tonight about a water issue at this home. The Board agreed and Mr. Bower stated the following. Mr. Bowers shared his history with the board relating the lack of water pressure at his home back in 2000 with Mr. Walsh and the times that he has contacted Arty Lozier and now that it is with the Town he is before the board. Mr. Bowers said according to NYS he is required to be supplied with at least 33lbs of pressure under the Health code unless there is a fire emergency and then it is 20 lbs. Mr. Bowers said he only has 18lbs of pressure. Mr. Bowers said they don't have 18lbs of pressure going to their shutoff. There is a health code issue here.

Councilman Byrnes said it was explained to the board that some of the properties would require booster pumps if they were below pressure and these cost would be absorbed by the homeowner. Councilman Collura said that they told the Town Board that they know what you need but the homeowner has to pay for it. Councilman Byrnes suggested that maybe Mr. Bowers speak with Don Rhodes. Mr. Bowers said that he works local so anytime during the week if he would like to meet up with him it would be possible.

Sales Tax- On File

Town Brochure-

Supervisor Lucia said Beverly Jacon has updated the Town of Corinth Brochure which includes all the numbers and names to the Town offices along with numbers and names for some of the County offices.

Tentative Special Franchise Full Value- On file

Resolution for Opposing Governor Cuomo's Proposal contained in the 2018 Budget-

**RESOLUTION #136**  
**OPPOSING GOVERNOR CUOMO’S PROPOSAL CONTAINED IN THE 2018 BUDGET REVIEW BILL TO AMEND LAWS REGARDING THE CURRENT 480 & 480A FOREST EXEMPTION AND TO ADD A NEW 480-B TAXATION OF FOREST LAND UNDER A FOREST PRACTICE PROGRAM OR FOREST CERTIFICATION PROGRAM KNOWN AS THE EMPIRE FORESTS FOR THE FUTURE INITIATIVE.**

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

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

WHEREAS, New York State currently has 2 Forest Exemptions, 480 Forest and Reforested Lands & 480-a Taxation of Forest Land, which are currently administered by each local municipality and its local assessors; and

WHEREAS, the Governor’s 2018 Budget Review Bill propose to add an additional 480-b Taxation of Forest Land under a Forest Practice Program or Forest Certification Program; and

WHEREAS, this proposal reduces the eligible tract from the current 50 acres of forest lands to 25 acres of forest land or other open space; and

WHEREAS, the proposal grants a 70% reduction of the assessed value on eligible land under the Forest Certification Program and a 40% reduction of the assessed value on eligible land under the Forest Management Practice Plan; and

WHEREAS, this proposal severely lowers the qualifications for an approved forest stand; and

WHEREAS, this proposal has the potential to dramatically reduce the taxable value of the local taxing jurisdictions; and

WHEREAS, local municipalities should be reimbursed for the full loss of the tax base, not the proposed 1%; and

WHEREAS, this proposal should be a local option to municipalities; and

WHEREAS, New York State currently owns 7805.19 acres of forested land in the Town of Corinth; and

WHEREAS, the Town of Corinth currently has 13 parcels, representing \$1,903,555.00 in exempt value already in the 480 & 480-a programs;

NOW, THEREFORE, be it

RESOLVED THAT THE Town of Corinth Town Board is vehemently and stalwartly opposed to Governor Cuomo’s proposal contained in the 2018 Budget Review Bill to amend laws regarding the current 480 & 480a forest exemption and to add a new 480b Taxation of Forest Land under a Forest Practice Program or Forest Certification Program known as the Empire Forests for the Future Initiative; and be it further

RESOLVED, that a copy of this resolution be forwarded to the Governor Andrew M. Cuomo, State Senator James Tedisco, Assemblyman Dan Stec and Congress Woman Elise Stefanik.

RESOLVED that The Town of Corinth Town Board approves to oppose Governor Andrew M. Cuomo’s above mentioned proposal.

Centralized arraignment for Saratoga County Jail-

Supervisor Lucia read the letter he received from Leann McCabe from the Town of Moreau Town Board requesting that the Town of Corinth adopt 2 resolutions in support of a centralized arraignment area. Supervisor Lucia said this was going to be mandatory. Councilman Collura wanted to know who made it

mandatory, and if it was the State why they needed the Towns approval because they have never asked for the Town approval before. Supervisor Lucia said it was through the NYS Courts system. Supervisor Lucia said they were looking for support as it is not mandatory yet, however it is one of the changes that Judge Clothier said was pending. Supervisor Lucia said that Judge Clothier couldn't be here tonight but he was willing to come and talk to the board if they wanted. Councilman Byrnes said the way that it is written look like it is going to be another cost to the taxpayers the way it is written by Moreau. Councilman Byrnes said if the board is going to approve it they should approve it so that the defendants are held in the Saratoga county Jail, where the facility already exists. Councilman Collura said he couldn't remember what the CPL was on arraignments and felt the board should get the Town Attorneys input on what the current law is before making a decision.

**RESOLUTION #137**

**MOTION TO TABLE DECISION ON JUDGES RESOLUTION IN SUPPORT OF A CENTRALIZED ARRAIGNMENT AREA AT THE SARATOGA COUNTY JAIL.**

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

Be it further RESOLVED that the Town Board **tabled** a decision pending clarification from Town Attorney.

Tree Shrub Program-On file Last day to take orders is April 2<sup>nd</sup>

Merchants Letter-

Supervisor Lucia read a letter to the board requesting yearly monetary support of the Corinth Merchants Association.

**RESOLUTION #138**

**TO APPROVE THE MONIES REQUESTED BY MERCHANTS ASSOCIATION**

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

ADOPTED	Ayes	3	Lucia, Collura, and Butler
	Nays	0	
	Absent	1	Halliday
	Abstain	1	Byrnes

RESOLVED that The Town of Corinth support a yearly amount to the Town of Corinth Merchants Association.

County Real Estate- On file

Sheriff's Press Release-On File Supervisor Lucia said it contains major drug trafficking organization arrest and information.

Southern Adirondack Ad-

Supervisor Lucia he received a letter from the 2018/2019 Southern Adirondack guide- The official magazine to the First Wilderness corridor. Supervisor Lucia said they have a special currently offering a two page spread ad in the magazine and they will reimburse the Town half of the advertising fee.

Supervisor Lucia said he would like to see a two page spread in the magazine with it being the Town of Corinth 200 year Bi-Centennial

**RESOLUTION #139**

**TO APPROVE THE \$472.50 NECESSARY TO PLACE AD SOUTHERN ADIRONDACK GUIDE.**

On a motion 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 the Town Board approve \$472.00 for ad in the 2018/19 Southern Adirondack Guide.

Quotes for Hill Electric-On file.

Supervisor Lucia said the following report is on file:

Custodial Report

Supervisor Lucia said he needed a resolution to **not** have a meeting on the 5<sup>th</sup> week of March.

**RESOLUTION #140**

**MOTION TO NOT HAVE A MEETING ON THE 5<sup>TH</sup> WEEK OF MARCH 2018**

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

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

RESOLVED that the bills be approved as audited with exceptions

Supervisor Lucia told the board that the reports requested by Councilman Collura are in the front of their books.

**RESOLUTION #141**

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

On a motion by Councilman Butler 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 bills be approved as audited with exceptions as follows:

**2018 ABSTRACT**

**Abstracts For 03/22/2018**

Voucher A - #180147-#180174; B #182083- #182113; DB #183095-#183109; EF #187064 - #187073:  
SSW Passarelli - #184078 and CDBG #4-#8

General Fund A

\$ 29,993.65

General Fund/Outside Village - B

\$ 12,654.63

<u>Community Development Grant - CD</u>	\$ 20,903.00
<u>Highway/Part Town - DB</u>	\$ 44,018.36
<u>Medical – EF</u>	\$ 10,488.22
<u>Home Improvement</u>	\$
<u>CDBG</u>	\$
<u>Fire - SF</u>	\$
<u>Sewer/Water</u>	
Eastern Avenue	\$
Tranquility	\$
Passarelli	\$ 117.25
Dorset	\$
<u>Lighting</u>	
Eastern Avenue	\$
Eggleston Street	\$
South Corinth	\$

Public Comment- Russell bowers see above

**Town Clerk-** Town Clerk Farr shared during the Water discussion.

**Deputy Town Clerk-**

Deputy Town Clerk Sullivan said she was following up on an email sent pertaining to a parcel that sits within the Town but is adjoined by a parcel that is in the Village and receives Village water. Deputy Town Clerk Sullivan said the building is on the Town parcel, the Assessor’s office confirmed that the building parcel is taxed by the Town. Deputy Town Clerk Sullivan said Mr. Rhodes told her that in keeping things consistent this parcel should stay with the Village until a proposed development is established and then the water would come off the main at Main St., not Beech Street. Councilman Butler said that they are doing that way because at some point when developed they were going to take it off the Main in Front of Cheri’s house.

Deputy Town Clerk Sullivan said there were also two other parcels that the assessor’s office confirmed that the homes on these parcels were considered within the Town and keeping Town Tax parcels in the Town is being consistent. Deputy Town Clerk Sullivan said when creating the water district the Town was told that we had to go to a water district or the other option was a permissive use agreement. Deputy Town Clerk Sullivan said Mr. Rhodes told her that the other parcels on Lemont Ave. and the one on Main Street were accessing their water through a Village parcel first and that is why they should stay in the Village. Deputy Town Clerk Sullivan said she was looking for conformity with these parcels because they are Town parcels and it shouldn’t matter where the main comes from.

Councilman Butler asked if they paid taxes on the Village parcel also. Councilman Butler said it is a wash if they do because there is also a Village parcel there, and he sees’s both sides of it. Deputy Town Clerk Sullivan said she disagrees, it is a Town tax parcel that is receiving Village water, it is no different than Lou Lueck and where his main connects the next street over, his line is coming through village parcels. So if we are being consistent then these are Town tax parcels that are being serviced by the village when they should be part of District 5. Councilman Byrnes asked if there is a need for repairs then does the cost come out of the Village or the District. Councilman Butler said it

would depend on where the main is. Deputy Town Clerk Sullivan said it does not matter to her either way, it's just that they are Town tax parcels, the homes are listed as Town Parcels they are receiving Village water. Councilman Butler decided to just leave it as it is currently. Councilman Collura said the line on the map shows it is split so they pay taxes to both. Councilman Byrnes said if the Village has to be responsible for the lines then we should leave it, the Town is not losing any money by leaving them in the Village. Councilman Byrnes thanked Deputy Sullivan for her research into this.

### **Town Board:**

Councilman Byrnes- No comment

Councilman Collura-

Councilman Collura asked if they should be discussing the fire budget at all because he is being sent to the meetings. Councilman Collura said the way it stands now if the Town pays 64% minus the reserve the Town will be paying about \$343,900 and the Village will be paying about \$193,000 which is 36%.

Councilman Collura said he heard the Supervisor mention going to if they went to a 55%/45% split. Councilman Collura said if they did the raw numbers would be the Town would pay \$295,000, and the Village would pay \$241,000 which leaves the Town still paying \$50,000 more than the Village. Supervisor Lucia said he does not believe they can get to those numbers with the Village.

Councilman Butler said he feels that if they can get the budget to 60/40 he would agree, knowing that in the future years they could still negotiate these numbers to something that is more acceptable to the Town. Councilman Byrnes said he agrees that it just makes sense to negotiate down. Councilman Butler said that number is more in alignment with the numbers that Trustee Kelly had when she said there were 2600 parcels in the Town and 900 in the Village.

There was some discussion as to what equipment the Town uses vs. what equipment the Village uses.

Councilman Halliday- Excused

Councilman Butler-

Councilman Butler addressed the board with his concerns relating to the water district and not moving forward with agreements fast enough. Councilman Butler said he had a conversation with Don Rhodes yesterday after the Village meeting and they discussed the intermunicipal agreement. Councilman Butler said they need to be diligent about getting it signed so that they can move forward. Town Clerk Farr said that Don must be talking to him about the ordinance because the intermunicipal has already been signed. Councilman Butler said there was still a contract that needed to be signed that would allow the Town to work with the Vendors. Town Clerk Farr said she believed that he is referring to the Ordinance. Councilman Collura said he thought the Town already agreed to piggy back with the Village. Councilman Butler said from what he hears the Town is dangerously not moving fast enough, and he just doesn't want the Town to miss the boat. Councilman Collura asked if the Attorneys were looking over the ordinance and stated there might be some things it in that the Town is not fond of. Councilman Butler said that he thought the board agreed to have the Supervisor sign off on the intermunicipal agreement. Supervisor Lucia asked why the Village is saying June 1st. Councilman Butler said the Villages meters will be in by that date and the Town can't wait until then to move forward because the vendors will be packing up and leaving. Supervisor Lucia said if Don is waiting on something he needs to let the Town know. Town

Clerk Farr said that she can speak with Don at the meeting she is having with him on Wednesday. Councilman Collura said that maybe they need to get hold of Town Attorney Hafner and see how he is progressing.

**RESOLUTION #142**

**MOTION TO ADJOURN.**

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

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

RESOLVED with there being no further business the meeting be adjourned at 6:15 PM

Respectfully submitted,

Cheri Sullivan  
Deputy Town Clerk