

December 12, 2019

The Town of Corinth Town Board held a meeting on December 12, 2019 at 7:00 PM at the Town Hall.

Present: Richard Lucia, Town Supervisor  
Edward Byrnes, Councilman-Excused  
Jeffrey Collura, Councilman  
Joshua Halliday, Councilman  
Eric Butler, Councilman  
Robert Hafner, Town Attorney  
Rose E. Farr, Town Clerk  
Cheri Sullivan, Deputy Town Clerk  
Shawn Eggleston, Highway Superintendent  
Albert Brooks, Code Enforcement Officer- Excused

Public:  
There was public present

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

Supervisor Lucia spoke on the following:

- Morgan’s Way-

Attorney Hafner said Attorney Petitjean has provided everything the Town requested. Supervisor Lucia said they can revisit the cemetery and the emergency exit issues at another time. Attorney Hafner said that having the cemetery and the emergency exit may have been part of Planning Board process but the Town Board makes the final decisions. It was stated that the builder would own the cemetery but are not required to maintain. Supervisor Lucia said there is a Veteran that currently volunteers his time to maintain it.

**RESOLUTION # 309**

**MOVING DISCUSSION ON MORGAN’S WAY TO THE FLOOR.**

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

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

RESOLVED that the discussion on Morgan’s Way be opened.

**RESOLUTION # 310**

**TO CLOSE DISCUSSION ON MORGAN’S WAY.**

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

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

RESOLVED that discussion on Morgan’s way be closed.

**RESOLUTION # 311**

**ACCEPTING DEDICATION OF MORGAN ESTATES BY FOLLOWING RESOLUTION.**

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

ADOPTED      Ayes    5            Lucia, Halliday, Collura, and Butler  
                  Nays    0  
                  Absent 1        Byrnes

RESOLVED that following resolution for dedication of Morgan Estates Roadway be approved.

**RESOLUTION ACCEPTING DEDICATION OF MORGAN ESTATES**

**WHEREAS**, The BH Group/Morgan’s Way, LLC has offered a deed to the Town of Corinth to dedicate Morgan Estates to the Town of Corinth as more particularly described in a Map entitled “Map of Morgan’s Way Lands to be conveyed to The Town of Corinth”, prepared by Darrah Land Surveying, PLLC, dated October 4, 2019; and

**WHEREAS**, the Town’s Highway Superintendent has confirmed that he has inspected Morgan Estates and it was found to be in general compliance with the requirements of his office and he consents to its dedication;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Corinth Town Board hereby accepts and approves the dedication of Morgan’s Way contingent upon all documentation related to such dedication being in form acceptable to the Town Supervisor and Town Counsel; and

**BE IT FURTHER,**

**RESOLVED**, that the Town Board authorizes and directs the Town Supervisor to execute any and all documents necessary to complete the transaction including all real property forms and the Town Supervisor, Town Highway Superintendent, Town Clerk and/or Town Counsel to take any actions necessary to effect this Resolution; and

**BE IT FURTHER,**

**RESOLVED**, that the Town Board further authorizes and directs The BH Group/Morgan’s Way, LLC to record the deed, after it is reviewed and approved by Town Counsel, in the Saratoga County Clerk’s Office, after which time the deed shall be properly filed and maintained in the Corinth Town Clerk’s Office.

- Lori Hay (USI Insurance)-

Ms. Hay was before the board to review this year’s policy with board. The following was discussed and decided.

1. To remove coverage for Court Officer.
2. Paid Family Leave was discussed. Councilman Halliday thought it was worth looking into.
3. Railroad Liability- had to change carriers and therefore rate increased. There was further discussion about the railroad and liability the Town has with the train cars sitting on the tracks.
4. The Town has received first check from NYMIR and will continue to receive until they have accumulated four checks

- MOU for Palmer Town Ridge in support of a conservation and recreation strategy -

Supervisor Lucia said this was needed for the meeting in Wilton Monday night. Councilman Collura had the following point of contention with the MOU.

1. Article 2 #3- Not comfortable with the non- motorized use, doesn’t want to see the lands restricted like what happened on Hartman Hill where hunting is no longer allowed. Stated that hunting and use of four wheelers are traditional uses.
2. Attorney Hafner stated Article VI discussed it being a 10 -year MOU and that it did allow one party to back out with a 3-month written notice.

There was no action taken on the MOU.

- Day contract for EMS-

Attorney Hafner said he has reviewed this contract and it is NYS Law and they must abide by it. They are still waiting on Greenfield.

**RESOLUTION # 312**

**TO APPROVE THE CONTRACT WITH THE TOWN OF DAY RELATING EMS SERVICES.**

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

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

RESOLVED to approve the contract with the Town of Day relating to EMS Services.

- Tomahawk News- On file
- Minutes

**RESOLUTION # 313**

**TO APPROVE THE MINUTES FROM DECEMBER 05, 2019.**

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

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



Supervisor Lucia said the Re-Organizational would be on January 09, 2020 and auditing of the books will be at 6:00pm and the Reorganizational will begin at 7:00pm. Supervisor Lucia said there **will not** be a Town Board meeting on January 02, 2020.

**PUBLIC SPEAKING:** There was no comment from the public present.

**Town Board & Town Offices:**

Councilman Collura-

Discussed the following:

- Attorney fees accumulated for Water Districts-

Councilman Collura stated the Attorneys fees for the water districts over the last two years at a minimum have been paid out of the Town general fund. He wanted to know if the monies spent from the general fund could be paid back retroactively from the water fund. Attorney Hafner said he thought those fees were being paid with the grant monies. It was confirmed that the grant monies could not be used for such. Attorney Hafner said the monies could be paid back from the water fund to the general fund even retroactively, it is perfectly legal. Attorney Hafner said where the money is coming from may be the issue the first year. Councilman Collura said that someone from South Corinth or Comstock Road should not be paying for the Attorney fees of the water districts. Attorney Hafner said there is some discretion that the Town Board gets to make relating to the fees of the water district but it appears that you would have to generate these monies by raising water taxes or an increase in the quarterly water rent charge.

Town Clerk Farr said that dollar amount would need to be calculated and figured into next year's budget as an expenditure. Supervisor Lucia said at the end of the year if there is a surplus that maybe some could be transferred back to the general fund, but we wouldn't know what was available until the end of the year. Attorney Hafner said the budget can't be changed until next year now but the quarterly water rent could be changed at any time.

Councilman Byrnes- Excused

Councilman Halliday- No Comment

Councilman Butler - No Comment

Town Clerk Farr-

Discussed the following:

- CDBG- The Town has received the check; it needs to be in an interest-bearing account and left until March 31<sup>st</sup> the end of NYS fiscal year.
- Copier- Steve Smead emailed her that having Electronic Office handle the scanner was a good idea.
- Senior Citizen Christmas Party-

Town Clerk Farr asked if the Supervisor was going to inform everyone when the Senior Christmas Party was. Supervisor Lucia said the invitation was for him not the board, but the board is welcome to go if they wish and it is Saturday @ 12pm. Councilman Butler was attending as he is on the Senior Board as Charlie was.

Deputy Town Clerk Sullivan -

Discussed the following:

- Resolution #281-

Deputy Sullivan wanted clarification of what the board was going to do. Attorney Hafner said it is already addressed between the Intermunicipal agreement adopting the Village water law and further all water departments have charges such as this. If the board choses to not charge the water user then they have to figure out where they are going to get the money from within the district or everyone else is going to have to pay and the cost and it would be shared by people who have nothing to do with it. Deputy Sullivan said she just wanted to clarify that the Town Clerks office had the authority in the future to accommodate customers with options for paying for emergencies that arise.

Councilman Collura said to give the customer the option and that the clerk's office did not need to come before the board. The Supervisor agreed.

Highway Superintendent Eggleston – No comment  
Building/Code Enforcement Officer Brooks –Excused

**RESOLUTION # 315**

**MOTION TO ADJOURN TO EXECUTIVE SESSION ON A CONTRACT WITH NO DECISION @ 8:08PM.**

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	
	Absent	1	Byrnes

RESOLVED to adjourn to executive session on a contract with no decision at 8:08 pm.

Respectfully submitted



Cheri Sullivan, RMC  
Deputy Town Clerk  
Town of Corinth