

May 16, 2019

The Town of Corinth Town Board held a meeting on May 16, 2019 at 4:30 PM at the Town Hall.

Present: Richard Lucia, Town Supervisor  
Edward Byrnes, Councilman  
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:

- Minutes-

Supervisor Lucia said there had been a revision made to the minutes of the May 02<sup>nd</sup> and the board would make another motion tonight regarding Spectrum @ the EMS building.

Councilman Collura requested two clarifications are made to the minutes of May 02,2019:

1. That in Bullet #5 from May 02, 2019 minutes he intended to say that the county made \$400,000 on all the private properties at the auction.
2. That he intended to say that he thought that maybe the County should take whatever was owed for back taxes and maybe a small percentage, and whatever was left over should be returned to the Property owner that the property was taken from.

**RESOLUTION # 169**

**TO APPROVE THE MINUTES FROM MAY 02, 2019 WITH CORRECTIONS #1 AND #2 NOTED ABOVE & MAY 09, 2019 AS PRESENTED.**

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

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

RESOLVED that the minutes from May 02, 2019 be approved with the above-mentioned corrections & May 09, 2019 be approved as presented.

- EMS Reports-

1. Mr. Fogarty reviewed the EMS reports presented.
2. Mr. Fogarty introduced Dr. Girling. Mr. Fogarty explained that Dr. Jagoda had given his two week notice and that he would be retiring as of May 31, 2019.

3. New dispatch procedures still a mess. Connectivity in the village is the issue. Hoping for improvement with addition of cell towers in town.
4. Asked for consideration on potential purchase of a new Fly car. Good position for good deal. Currently putting together a proposed bid and requested the board get back to him as soon as possible.
5. Community Para medicine- On the forefront with a significant push Nationwide. Currently a few pilot programs locally. It is on the state agenda for approval. Mr. Fogarty said he intend to move forward with this program.
6. Spectrum services- Concerns over services @ EMS. It was looked into and he found that all TV's had prime and the reason it shows up twice on the bill is because after a certain amount of boxes they charge twice. Mr. Fogarty said he spoke to a Spectrum representative and they dropped the cable bill \$100.00 and when they drop the phone service it will reduce the bill by another \$100.00.

**RESOLUTION # 170**

**MOTION TO CHANGE SPECTRUM SERVICES AT THE EMS BUILDING FOR THE SQUAD AND THAT SUPERVISOR LUCIA BE THE ONLY EMPLOYEE AUTHORIZED TO MAKE ANY CHANGES.**

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

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

RESOLVED to authorize only Supervisor Lucia to change Spectrum services at the EMS building.

- Water with Don Rhodes-

Don Rhodes was before the board to discuss the following issues:

1. Wall Street-

A resident had concerns about placement of meter pits and sharing the usage cost with neighbor. Mr. Rhodes stated that contractors were unable to decipher whose water is where. He was able to work with the Village DPW and they drew a map of where they believe the lines to be. There are a few shared lines but there is no main on Wall Street. These are private services that other people have tapped into; at this point it becomes a civil issue, but in the end they are receiving municipal services. Mr. Rhodes said it appears there are two to three buildings that are receiving service but haven't been billed for about thirty years. Mr. Rhodes said there are meter pits next to the main on Ash Street and those are what the Village is going to use to measure consumption. Then additional meters will be installed at the homes that are currently being billed. Mr. Rhodes explained how comparing the two readings will allow the Town to see any discrepancies with water usage. Mr. Rhodes said it is not that costly to preform a leak detection service.

Attorney Hafner explained the Town cannot have people connected to their water district without being in the district and the town being aware of it. This makes these homes "out of district" because they were not included in the mapping when District Five was created. These Out of District users have not paid for a very long time. Attorney Hafner stated in order to resolve a letter must be written explaining that they are:

- A. Illegally connected to the water lines and
- B. the Town will be forced to disconnect unless they comply with the rules and regulations currently in place with the Towns water contract and the IMA with the Village through an

out of district water agreement. Attorney Hafner explained the difference between district users and

out of district users. The Town Attorney was instructed to prepare an out of district contract for these homes by the board.

C. There may be other charges related, with and without compliance.

Attorney Hafner explained in order to add them to District 5 the Town would have to file a new Map, Plan, report, have a public hearing and incur all the costs associated with it. Attorney Hafner said it is cheaper and easier to do the agreement which states that if the district is ever expanded, they will automatically be added. Clarification was sought as to who was going to be paying for the meters. Don Rhodes said it will be stated in the letter that it will be the homeowner's responsibility to pay for the meter because they were not included in District 5 when it was created.

Attorney Hafner explained it is cheaper and easier to sign the contract. It was clarified that unpaid water amounts cannot be rolled onto the Town and County taxes with out of district users. Therefore, it is sometimes written into the contract that if they don't pay, we shut the water off. Don Rhodes said it is a little more than just shutting of the water. If it's an abandonment of service, the village would have to do digging, there are fees associated with that which the homeowner would be liable for.

Town Clerk Farr said the Local Law passed by the Town stated it would adhere to the Village ordinance. The ordinance states if the line goes by their house and there is a connection even without a home, then they must pay the minimum value charge. Councilman Butler said there is no main on Wall Street, they are all individual services, so it wouldn't necessarily apply to that. Don Rhodes said it would apply to #61 because there is a cap and shut off right in front of that house. It would not apply to those that have wells or that have service lines going past them. Attorney Hafner clarified with the board what they wanted the letter to say and what they wanted in the Out of District water user agreement.

The following points were discussed:

1. Meter costs- add to contract
2. Payment of Water tax- add to contract
3. Security deposit /payment in advance-The Board chose not to do security deposit for time being, knowing that it can be added later if needed.
4. Administrative fees
5. Charge for hook-up-Don Rhodes already connected only cost to be incurred are meters/ meter pit ranging from \$600.00- \$1,000.00+.
6. Water Tax- Attorney Hafner said out of district users will not pay a water tax but instead will pay a contract amount charged a rate that is calculated by a specific formula that is similar in district water users.
7. How much time- 2 weeks
8. Explain what happens if homeowners don't sign the agreement.
9. Clarification on billing process was sought- Don Rhodes said 30 days to pay then interest applied same as what is already in code.

**RESOLUTION # 171**

**AUTHORIZING TOWN ATTORNEY TO WRITE LETTER FOR OUT OF DISTRICT USERS AND PREPARE CONTRACT FOR OUT OF DISTRICT USERS.**

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

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

RESOLVED to authorize Town Attorney to write letter for out of District users and to prepare contract for out of district users.

2. Leakage-

Town Clerk Farr asked Mr. Rhodes to explain about leakage. Mr. Rhodes said the meter pits are as close to the main as possible. They will capture the water that goes to all these houses, shared or unshared. Some of them are dedicated lines and one-meter pit will serve that house. Where they are shared additional meters will be put inside the homes and the Village will be billing the town water districts off the meter pits that are outside the shutoff. The Town will be using the indoor meters or meter pits that are located next to the house. There may be leaks in the lines that will be a cost of the district just like leaks that are on the mains. If in the future there are leaks, the residents will have to fix it, if they don't the Town will, and the Town will send them a bill for repairs. Mr. Rhodes said this is something that needs to be a part of the agreement, because issues like this would almost be a civil matter because the town does not know where the splits in the service lines are. Mr. Rhodes said it would be a couple of months before all the meter pits are in, they are obviously in default of their contract at this point.

3. Maps

Mr. Rhodes said he has not completed the consolidated water district map because he needs to sit down with the Town Clerks office and review line by line. Mr. Rhodes said the map of District 5 shows all the boundaries of the 4 other water districts including District 5. Mr. Rhodes said to move this project forward he has assembled all the necessary information and forwarded it to Attorney Hafner and Rose and it should be sufficient. The consolidated map is going to require a little more time.

- Hill Electric-

Supervisor Lucia said Hill Electric dropped off a packet for the board to review. They also put together a contract for Attorney White to review. Supervisor Lucia said everything is in this packet including the three quotes. The prices are all there including labor and material, there are no other charges. Supervisor Lucia said the only cost the Town will incur is the \$12,000.00-dollar figure. It was stated the board already authorized the Supervisor to sign the contract. The board was asked to review the quotes and get back to the Supervisor as to which contractor they wanted to go with.

- Consolidated Water District /Attorney-

Attorney Hafner explained the process required to consolidate. Attorney Hafner reviewed the revised version of the consolidated agreement and the following was noted in record:

1. In paragraph #4 of the consolidation agreement "Territorial Boundaries of proposed Consolidation District" Attorney Hafner said the Town must have what the bounds of the district are. It consists of the appendixes A, B, C, D, and E, which are the five districts. Attorney Hafner read the following correction to this paragraph into record and stated, "*The consolidated water district map is shown in the towns records, relating to water district #5 as map titled proposed Corinth Water District # 5, dated May 10, 2017 and revised August 17, 2017.*" Attorney Hafner said the map is not being attached because it is too big.
2. Exhibit G is added, and this is the list of all the properties, the tax map number, who the owners are and other information.

Attorney Hafner said these are the only changes that have been made to the Agreement. Attorney Hafner said they need the information in Paragraphs 8 & 9 and that was received today. Attorney Haffner said the town has to list the assets of each of the districts and what is presented is what they have been told. He said they are supposed to have values, but they don't because they are pipes in the

ground. Cash and cash reserves are listed for each of the districts. Attorney Hafner said the board now has a snapshot of the five districts and what assets each of them has pre-consolidation. Attorney Haffner said regarding paragraph #9, the only bond in all these water districts is the BAN/Bond for the water meter projects. Attorney Haffner said if the board is okay with what is presented, then a Resolution endorsing the agreement and scheduling the public hearing must be done. Attorney Hafner said the date on the resolution will need to be changed to today's date. Town Clerk Farr was asked if she noticed anything that may need correction. Town Clerk Farr said there was a date of January 01, 2019 that she thought was incorrect, and on the first page of the consolidation agreement it refers to the Town Highway Water Superintendent and the Town does not have one. Attorney Hafner said the correction of the date was in paragraph #12 and the date had been changed to January 01, 2020. Attorney Hafner said to cross out the "Town Water Superintendent" in the 5<sup>th</sup> paragraph page 1. Attorney Hafner said the public hearing on this will be scheduled for July 11, 2019 @7:00 pm. The following Resolution was moved:

**RESOLUTION # 172**

**AUTHORIZING THE CONSOLIDATION AGREEMENT OF TOWN OF CORINTH WATER DISTRICT NUMBERS 1-5 AND THE SCHEDULING OF THE REQUIRED PUBLIC HEARING SET FOR JULY 11, 2019.**

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

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

RESOLVED to authorize the Consolidation agreement of the Town of Corinth Water District numbers 1-5.

**RESOLUTION ENDORSING CONSOLIDATION AGREEMENT  
AND SCHEDULING PUBLIC HEARING CONCERNING  
PROPOSED CONSOLIDATION OF  
TOWN OF CORINTH WATER DISTRICTS NUMBERS 1 THROUGH 5**

**RESOLUTION NO.: 172**

**INTRODUCED BY: Councilman Collura**

**WHO MOVED ITS ADOPTION**

**SECONDED BY: Councilman Halliday**

**WHEREAS**, New York General Municipal Law Article 17-A authorizes water and sewer districts to consolidate into combined districts if such combination "shall be conducive to the public health, welfare, and convenience and be of special benefit to the lands of the districts"; and

**WHEREAS**, Water Districts have been duly established by the Town Board and have been expanded by extensions over the past several years; and

**WHEREAS**, water mains and fire hydrants currently exist to serve the parcels within the Water Districts, no new capital improvements are required, the existing improvements are maintained by the Town or, in some instances, by the Village of Corinth (the "Village") pursuant to an Intermunicipal

Agreement between the Town and the Village (the “Intermunicipal Agreement”) and are sufficient to provide water to the parcels within the Water Districts; and

**WHEREAS**, the Town Board has studied whether it would be to the mutual benefit, and in the best interests of the customers each District serves, to combine the Water Districts into one District, and have determined that such a combination would create greater operating efficiencies, provide better service to the public, and generate cost savings by avoiding duplication in administrative services; and

**WHEREAS**, New York General Municipal Law Article 17-A requires endorsement of a Consolidation Agreement to commence proceedings to consolidate districts, and the purpose of this Agreement is to comply with this requirement; and

**WHEREAS**, the Town Supervisor and Town Counsel have prepared a proposed Consolidation Agreement and provided it to the Town Board for its review;

**NOW, THEREFORE, IT IS HEREBY RESOLVED:**

1. The Town Board hereby endorses the proposed Consolidation Agreement.

2. As stated in the proposed Consolidation Agreement, the Town Board shall meet at the Corinth Town Hall, 600 Palmer Avenue, Corinth, New York, on Thursday, July 11, 2019 at 7:00 p.m. to hear public comments on the proposed Consolidation Agreement and to take such other and further action as may be required or authorized by law.

3. The Town Board hereby authorizes and directs the Corinth Town Clerk to:

(a) cause a copy and a summary of the Agreement to be displayed and readily accessible to the public for inspection in a public place within each District;

(b) cause a copy and a summary of the Agreement and a reference to the public place where they may be examined to be displayed on the Town’s website; and

(c) arrange for the summary of the Agreement and a reference to the public place where the Agreement may be examined to be published at least once each week for four successive weeks in The Post Star,

not more than five (5) business days after adoption of this Resolution, as required by New York General Municipal Law.

4. The Town Board further authorizes and directs the Town Clerk to cause a Notice of the Public Hearing, including a summary of the Agreement and a reference to the public place where it may be examined, to be published and displayed on the Town’s website not less than 10 or more than 20 days before the Public Hearing, as required by New York General Municipal Law.

5. The Town Board authorizes and directs the Town Supervisor, Town Clerk, Town Bookkeeper and Town Counsel to take all actions necessary to effectuate this Resolution.

Duly adopted this 16<sup>th</sup> day of May 2019 by the above-mentioned vote:

AYES: 5

NOES: 0

ABSENT: 0

Councilman Butler asked if the date of the public hearing was going to have an impact on what is happening with the Village and what they are requesting to do with the bond and their money issue. Attorney Hafner said it has already been bonded, and this shows it is consolidated, and that is part of the process they wanted to know, and it will be done as of the next calendar year.

- Weekly County Deeds- On file
- Bill Pay-

**RESOLUTION #173**

**MOTION TO PAY BILLS AS AUDITED WITH EXCEPTIONS**

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

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

RESOLVED that the bills be approved as audited with exceptions.

**2019 ABSTRACT**

**Abstracts For 05/16/2019**

Voucher A - #190219-190265; B #192160-192194 (#192159 VOID); DB #193157-#193200(#193173-193178, #193183, #193199 VOID); CM #197104- #197125 (#197108-197112, #197126 VOID); SW Consolidated #199906; SL So Corinth #194003; SL Eggleston ST #194058; and SL Eastern Ave - #194040

<u>General Fund A</u>	\$ 33,452.79
<u>General Fund/Outside Village - B</u>	\$ 15,120.02
<u>Community Development Grant - CDBG</u>	\$
<u>Highway/Part Town - DB</u>	\$ 40,235.22
<u>Medical – CM</u>	\$ 5,628.57
<u>Home Improvement</u>	\$
<u>Fire - SF</u>	\$
<u>SW Consolidated Water</u>	\$ 5,180.00
<u>Sewer/Water</u>	
Eastern Avenue	\$
Tranquility	\$
Passarelli	\$

Dorset	\$	
Corinth #5	\$	
<u>Lighting</u>		
Eastern Avenue	\$	216.86
Eggleston Street	\$	112.50
South Corinth	\$	187.09

- Memorial Day Parade-Supervisor Lucia said it is scheduled for May 30<sup>th</sup> @5:45pm.

**Town Board & Town Offices:**

Councilman Collura-

Discussed the following:

- Road Closure on Hamilton Ave.-

Councilman Collura said there is an issue with the signs. They need to be moved and state that how long it is going to be closed for. Mr. Rhodes said they have already been issued two letters addressing this situation. Councilman Collura said he stopped and talked to them today, he thought they understood to put the detour sign up where the detour is. Mr. Rhodes said it was supposed to state that the road would be closed from June 1<sup>st</sup> to July 31<sup>st</sup>, this was never done. Mr. Rhodes said he can't enforce this but the Town can and since the board has brought it to his attention he will let the contractor know that if they don't comply the Town will, and they will be billing the contractor for any cost incurred for doing so.

- Thanked EMS and Fire Department for quick response and action taken at the scene of the accident on outer Main Street last week.
- Offered condolences to Charlie Browns family and spoke of him and his work and his dedication to the town.

Councilman Byrnes-

Discussed the following: No Comment

Councilman Halliday-

Discussed the following:

- Attended meeting for fire contract –

Councilman Halliday said he assumed it was a negotiating meeting but shortly in realized that it was a meeting simply letting us know what the charges were going to be. Councilman Halliday said he requested that the Town have a say in the budget and the ability to control how expensive it is. Councilman Halliday stated they were told that could not be done because of liability reasons, because if the town made a wrong statement the Village would be liable. Councilman Halliday said his suggestion as a board is to gather facts and figures and do further research because fact and figures can be manipulated. Councilman Halliday felt there were a lot of omitted facts. Councilman Halliday said he discussed with Councilman Butler and he feels it may be best to hire someone to look at this for the Town. He said it may be an initial cost now but, in the end, it could only be 1% of the bill that the Town is currently being charged by the Village. Councilman Collura thought they had already done this and if it hasn't, then all we they have to do is call and ask. There were operating cost of other towns discussed. Councilman Collura said he gathered from the meeting that the Mayor wants the Town to pay their fair share. Councilman Collura said he walked away with the feeling that the Village is going to stand firm with the 68% of everything. Councilman Halliday said a clear vision of what the Town Board is looking

for is needed so that Jeff and himself can move forward. Supervisor Lucia suggested a board workshop on just the Fire district. There was further discussion about what the Village based the number of 68% on. Councilman Halliday said it was stated that it was based on the number of calls for the Town and other numbers pertaining to the operation came close to that number so that is what they went with. And, by looking at similar towns that were charging 75% that they thought this was a fair number. Councilman Butler said from the information he has the call numbers vary every year. Last year's numbers were 90 Town and 80 Village. Councilman Butler explained what Greenwich and Schuylerville do. There was some discussion about the current cost of tankers and the future cost of tankers. Attorney Hafner suggested getting hold of Barbara Tierney at the Town of Queensbury because she may have information that the board is looking for. Councilman Halliday thought it was a good first meeting and once they go back a couple more times with better information it could head in a better direction.

Supervisor Lucia-

- There are more residents following the minutes now and some of them have information and knowledge on Fire Districts.
- Charlie Browns Calling hours.
- Thanked Shawn and his crew for fixing the sink hole in front of the Town Hall due to an old septic system.

Councilman Butler -No comment

Town Clerk Farr- No Comment

Deputy Town Clerk Sullivan: No comment

Highway Superintendent Eggleston:

Discussed the following:

- Fire Department-

Mr. Eggleston said that there are a lot of districts in this area that have nowhere near the amount of equipment that Corinth has. Mr. Eggleston said spending should be reeled in if they can't afford it. Mr. Eggleston said he has spoken to many fire departments and equipment can be purchased for lesser amounts. Mr. Eggleston explained the truck that currently sits in the garage is a 1994 has only 21,200 miles and it can be refurbished there is no need for a brand new one. Mr. Eggleston said that the 2016 truck averages 500 miles a year. Highway Superintendent Eggleston explained that if an outdated vehicle is refurbished then it is no longer considered outdated.

Attorney Hafner -

- Charlie Brown –

Attorney Hafner gave condolences to Charlie Brown and his family. Attorney Hafner said Charlie was with the Town for many years. He was a man of integrity; he did a lot of hard work for the town behind the scenes never looking for recognition.

Building/Code Enforcement Officer Brooks –Excused

Bookkeeper Halliday -

Discussed the following:

- Monthly Water Report-

Presented the board with the monthly water report, there were no questions asked. Supervisor Lucia said he had received potential dates from the Village to meet with Tom to review the books. When he comes in this week on Wednesday Kate will sit down with him and figure out what will work.

**RESOLUTION # 174**

**MOTION TO ADJOURN TO EXECUTIVE SESSION ON PERSONNEL WITH DECISION @ 6:04 PM.**

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 to adjourn to executive session on personnel with decision at 6:04 pm.

Supervisor Lucia said that Dr. Jagoda, the Town of Corinth’s current Medical Director will be retiring on May 31<sup>st</sup>. Supervisor Lucia said after interviewing a decision has been made to appoint Dr. Douglas Girling, MD as the Town of Corinth Medical Director.

**RESOLUTION # 175**

**MOTION TO RECONVENE FROM EXECUTIVE SESSION ON PERSONNEL WITH DECISION @ 6:21 PM.**

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 to reconvene from executive session on personnel with decision at 6:21 pm.

**RESOLUTION # 176**

**MOTION APPOINTING DR. DOUGLAS GIRLING, MD AS MEDICAL DIRECTOR FOR THE TOWN OF CORINTH EFFECTIVE JUNE 01, 2019.**

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

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

RESOLVED to appoint Dr. Douglas Girling, MD as Medical Director for the Town of Corinth Emergency Squad effective June 01, 2019.

**RESOLUTION # 177**

**MOTION TO RETURN TO EXECUTIVE SESSION ON PERSONNEL MATTER WITH NO DECISION @ 6:28PM.**

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

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

RESOLVED to adjourn to executive session no decision at 6:28 pm.

Respectfully submitted



Cheri Sullivan  
Deputy Town Clerk

