

April 16, 2020

The Town of Corinth Town Board held a virtual meeting on April 16, 2020 at 5:00 PM via telephone.

Present: Richard B. Lucia, Town Supervisor
Edward Byrnes, Councilman
Jeffrey Collura, Councilman – Arrived late
Joshua Halliday, Councilman - Excused
C. Eric Butler, Councilman
Robert Hafner, Town Counsel
Rose E. Farr, Town Clerk
Shawn Eggleston, Highway Superintendent - Excused
Albert Brooks, Sr., Code Enforcement Officer – Excused
Matthew Fogarty, EMS Director

After roll call and prayer, the following business was conducted:

Supervisor Lucia spoke on the following:

- Transfers

RESOLUTION #136

TO APPROVE THE BUDGET ADJUSTMENTS

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

ADOPTED	Ayes	3	Lucia, Byrnes, and Butler
	Nays	0	
	Absent	2	Collura and Halliday

RESOLVED to transfer \$41,211.88 from Highway Truck Reserve *6736 to DB fund *1818 for purchases.
Budget Adjustment increase to DB appropriation 51302.04 from General DB fund \$41,211.88

- Minutes

RESOLUTION #137

TO TABLE THE MINUTES FROM MARCH 26, 2020

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

ADOPTED	Ayes	3	Lucia, Byrnes, and Butler
	Nays	0	
	Absent	2	Collura and Halliday

RESOLVED that the minutes from March 26, 2020 be tabled until April 23, 2020.

- State of Emergency

Supervisor Lucia discussed the State of Emergency with the board and it was unanimously approved to renew the Declaration of Emergency.

- April 30th

Supervisor Lucia told Councilman Byrnes that Attorney White thought the Court proceeding scheduled for April 30, 2020 would be adjourned but she will keep the Town apprised.

- Corinth Management Corp.

After a short discussion the following resolution was approved:

**RESOLUTION AUTHORIZING SETTLEMENT OF
PROPERTY ASSESSMENT CASES
FILED BY CORINTH MANAGEMENT CORP.**

RESOLUTION #138

INTRODUCED BY: Councilman Butler

WHO MOVED ITS ADOPTION

SECONDED BY: Councilman Byrnes

WHEREAS, Corinth Management Corp. (“Petitioner”), filed an Article 7 Real Property Assessment Review case against the Town challenging the 2019 assessment on real property located at 97 Main Street (Tax Map # 73.27-2-1.1); and

WHEREAS, it appears to be in the best interests of the Town to avoid the significant costs that would result if the litigation continues and goes to Trial; and

WHEREAS, the Town Assessor now recommends proposed settlement terms which have been negotiated with Petitioner, the Village and the School District; and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby approves the proposed settlement of the tax assessment case filed by Petitioner for assessment year 2019 as follows:

1) The assessment shall be reduced as follows:

	Assessed Value	Reduced Assessed Value
2019	\$941,600	\$425,000

2) Refunds shall be paid based upon the assessment reduction; and

3) The assessed value for Tax Map Parcel # 73.27-2-1.1 shall be fixed at \$370,000 for 2020, 2021, 2022 and 2023 Assessment Rolls unless the property is further improved or the assessment is subject to some other exception under Real Property Tax Law Section 727; and

BE IT FURTHER, RESOLVED, that refunds based upon the assessment reduction shall be paid without interest provided they are paid within ninety (90) days after Petitioner serves a copy of the filed Court Order approving the settlement, with Notice of Entry, on the Town together with a Demand for Payment; and

BE IT FURTHER, RESOLVED, that the Town Board further authorizes and directs the Town Supervisor, Town Assessor and/or Town Counsel to execute settlement documents and take any additional steps necessary to effectuate the settlement in accordance with the terms of this Resolution.

Duly adopted this 16th day of April, 2020, by the following vote:

ROLL CALL: Supervisor Lucia - Yes
 Councilman Byrnes - Yes
 Councilman Butler - Yes

- Curtis Palmer

After a short discussion the following resolution was passed:

**RESOLUTION AUTHORIZING SETTLEMENT OF
PROPERTY ASSESSMENT CASES FILED BY
CURTIS/PALMER HYDROELECTRIC COMPANY, L.P.**

RESOLUTION NO.: 139

INTRODUCED BY: Councilman Butler

WHO MOVED ITS ADOPTION

SECONDED BY: Councilman Byrnes

WHEREAS, Curtis/Palmer Hydroelectric Company, L.P. (“Petitioner”), filed an Article 7 Real Property Assessment Review case against the Town challenging the 2019 assessment on its real property located at Pine Street and River Street (Tax Map # 74.21-1-32 and 73.27-2-26.2); and

WHEREAS, it appears to be in the best interests of the Town to avoid the significant costs that would result if the litigation continues and goes to Trial; and

WHEREAS, proposed settlement terms have been negotiated with Petitioner, the Village of Corinth and the Corinth School District; and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby approves the proposed settlement of the tax assessment case filed by Petitioner for assessment year 2019 as follows:

- 1) There 2019 Proceeding will be discontinued without reduction of the 2019 assessments.
- 2) The assessed value for Tax Map Parcel # 74.21-1-32 shall be fixed at \$108,000,000 for assessment rolls 2020, 2021, 2022, 2023 and 2024.

- 3) The assessed value for Tax Map Parcel # 73.27-2-26.2 shall be fixed at \$27,000,000 for assessment rolls 2020, 2021, 2022, 2023 and 2024.
- 4) The assessed values shall be fixed as set forth above unless the property is further improved or the assessment is subject to some other exception under Real Property Tax Law Section 727(2); and

BE IT FURTHER, RESOLVED, that the Town Board further authorizes and directs the Town Supervisor, Town Assessor, Special Counsel and/or Town Counsel to execute settlement documents in a form acceptable to Counsel and take any additional steps necessary to effectuate the settlement in accordance with the terms of this Resolution.

Duly adopted this 16th day of April, 2020, by the following vote:

AYES : 3 Lucia, Byrnes and Butler
NOES : 0
ABSENT: 2 Collura and Halliday

Supervisor Lucia told the board that Code Enforcement Officer Brooks was still working on the Campgrounds with the Department of Health.

Supervisor Lucia spoke about the following:

- Charter email
- Planning Board not reviewing anything currently
- His computer problems
- Census

Rail Cars

Supervisor Lucia said a company in Vermont wants to the rail cars that are on our tracks. He said he has an insurance certificate naming the town.

5:50PM Councilman Collura joined meeting.

After a short discussion it was decided as follows:

RESOLUTION #140

TO AUTHORIZE SUPERVISOR TO SIGN REGARDING RAIL CARS

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 Supervisor be authorized to sign any all documents regarding the rail cars located on the Town of Corinth tracks, and be further

RESOLVED that the Town Attorney must make sure that the insurance certificate names the Town and that the Town is not held liable for anything regarding the rail cars.

Spending

Supervisor Lucia discussed with the board the fact that revenues will be down considerably due to the COVID 19.

RESOLUTION #141

NO SPENDING WITHOUT SUPERVISOR'S APPROVAL

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

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

RESOLVED that no purchases over \$100.00 be made by anyone in the Town government without the prior approval of the Supervisor.

EMS

Matt Fogarty and the board discussed the hazard pay being paid to the EMS personnel.

RESOLUTION #142

TO AMEND RESOLUTION #129

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 to amend Resolution #129 to have \$3.00 hazard pay to be paid to the EMS personnel only through April 19th.

Matt Fogarty told the board that he thought the Town employees should have cloth masks.

RESOLUTION #143

TO CONTRACT WITH REBECCA ANDERSON ROBARGE

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

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

RESOLVED that the Town contract with Rebecca Anderson Robarge to make 25 cloth masks at the cost of \$3.00 each.

Supervisor Lucia spoke about the following:

- American Legion parade canceled
- Fun Day Cancelled
- Lyme Timber check

RESOLUTION #144

TO APPROVE BILLS AS PRESENTED

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:

2020 ABSTRACT

Abstracts For 04/16/2020

Voucher A - #200174-200200; B 202117 - #202137; DB #203690- #203700; CM #207070- #207090; SL Eastern = #204039; SL South Corinth - #204008 and SL Eggleston - #204067

<u>General Fund A</u>	\$ 15,348.26
<u>General Fund/Outside Village - B</u>	\$ 3,906.67
<u>Community Development Grant - CDBG</u>	\$
<u>Highway/Part Town - DB</u>	\$ 45,286.41
<u>Medical – CM</u>	\$ 14,321.80
<u>Home Improvement</u>	\$
<u>Fire - SF</u>	\$
<u>SW Consolidated Water</u>	\$
<u>Sewer/Water</u>	
Eastern Avenue	\$
Tranquility	\$
Passarelli	\$
Dorset	\$
Corinth #5	\$
<u>Lighting</u>	
Eastern Avenue	\$ 225.07
Eggleston Street	\$ 194.16
South Corinth	\$ 116.97

The following reports are on file:

- Fire Department
- Assessor's Report
- Building Department
- Highway

Supervisor told the Town Board that they were working on a way for the public to also be involved in the meetings.

Town Board

Councilman Collura

Councilman Collura asked about Senior Meals and if they were being delivered. Supervisor Lucia told him that Laurie Crossman is taking care of this.

Councilman Collura suggested that the hours of operation for the Food Pantry be placed on our website and where donations can be made.

Councilman Collura said a determine of essential and non-essential employees must be made. Attorney Hafner said this should be done in Executive Session.

Councilman Collura said that the Town needs to investigate liquidation of damages regarding the railroad.

Councilman Byrnes

Councilman Byrnes asked if it was legal for an Executive session to be recorded. Attorney Hafner said no it cannot.

Councilman Butler

Nothing

RESOLUTION #145 adjourn

MOTION TO ADJOURN @ 7:00PM

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

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

RESOLVED to adjourn at 7:00 PM.

Respectfully submitted,

Rose E. Farr, RMC
Corinth Town Clerk

Essential and Non-Essential Workers

After a lengthy discussion the following resolution was enacted

RESOLUTION #

WORK DURING COVID-19

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

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

RESOLVED as follows:

The Town Hall will be closed to the public with appointments only being allowed to enter Town Hall;

The Town Hall will be disinfected daily;

Starting March 30th essential workers will be paid regular pay and employees must be checking their emails and voicemails on a regular basis;

The Highway Department will work one more week as they have been and then the board trusts Highway Superintendent Eggleston to do whatever he sees fit;

The Town Board will be holding meeting only on the second and fourth Thursdays of the month until we are back to normal; and

The EMS employees will be paid an additional \$3.00 an hour as hazard pay for all time worked.

ROLL CALL: Supervisor Lucia - yes

Councilman Byrnes - yes
Councilman Collura - yes
Councilman Halliday - yes
Councilman Butler - yes

Supervisor Lucia told the board that he made the following declaration:

DRAFT

EMERGENCY ORDER

I, Richard B. Lucia, Town Supervisor of the Town of Corinth, in accordance with a Declaration of a State of Emergency issued on March 20, 2020 and in accordance with New York State Executive Law Section 24, do hereby **ORDER** all needed Town of Corinth personnel to take whatever steps are necessary to protect life and property, public infrastructure and provide such emergency assistance deemed necessary in the Town of Corinth related to the Coronavirus Disease 2019 (COVID-19) Pandemic and the threat of travel-related cases and community contact transmission of COVID-19. The Town Safety and Compliance Officer shall notify the Saratoga County Office of Emergency Services of this Order. Copies shall be filed with: 1) the Corinth Town Clerk's Office; 2) the Saratoga County Clerk's Office; 3) the New York State Secretary of State; and 4) the State Office of Emergency Management within the Division of Homeland Security.

This Order shall take effect **IMMEDIATELY** and shall remain in effect for 30 days unless rescinded earlier by Order of the Town Supervisor. This Order may also be renewed in five (5) day increments.

Failure to obey this Order is a criminal offense punishable by law under NYS Executive Law, Article 2-B.

Signed this 20th day of March 2020 at Three o'clock in the Town of Corinth, New York.

Richard B. Lucia
Richard B. Lucia
Town Supervisor

[Signature]
(Witness Signature)

Calvin E. Butler, Councilman
(Witness Name and Title)

3-20-2020
(Date)

RESOLUTION #
TO APPROVE DECLARATION OF EMERGENCY

On motion of Councilman Byrnes and seconded by Councilman Butler the following resolution was

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

RESOLVED that the board hereby agrees with the Emergency Ordered by the Supervisor on March 20, 2020.

RESOLUTION #
ASSESSOR'S SALARY

On motion of Councilman Byrnes and seconded by Councilman Butler the following resolution was

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

RESOLVED that Tina Dimitriadis not be paid for the first two weeks since she did nothing for the Town of Corinth: and be it further

RESOLVED that she will be paid from the point where the Town receives a back to work slip from the doctor.

Supervisor Lucia told the Town Board that the Town needed to pass a Policy for payment when a person is off.

RESOLUTION #127
POLICY FOR EMPLOYEES BEING PAID WHEN THEY ARE NOT WORKING

On motion of Councilman Byrnes and seconded by Councilman Butler the following resolution was

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

RESOLVED that when employees are off and are not working their pay shall be determined in a case to case basis with Town Board approval; and be it further

RESOLVED that if the Town declares an emergency it would be up to the Supervisor to decide; and be it further

RESOLVED that this be sent to the Town Attorney for an official policy to be drafted.

Supervisor told the board that he now had the Recycling Agreement from the County.

RESOLUTION #

AUTHORIZING SIGNING OF RECYCLING AGREEMENT

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

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

RESOLVED that Supervisor is given authority to sign the Recycling Agreement with the County of Saratoga.

RESOLUTION #

TO APPROVE BILLS AS PRESENTED

On a motion by Councilman Halliday and seconded by Councilman Butler 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,

2020 ABSTRACT

Abstracts For 03/26/2020

Voucher A - #200159-200173; B 202108- #202116; DB #203683- #203689; CM #207065 - #207069; and
Town of Corinth Consolidated #209803

<u>General Fund A</u>	\$ 56,087.95
<u>General Fund/Outside Village - B</u>	\$ 5,451.16
<u>Community Development Grant - CDBG</u>	\$
<u>Highway/Part Town - DB</u>	\$ 37,106.50
<u>Medical – CM</u>	\$ 6,806.97
<u>Home Improvement</u>	\$
<u>Fire - SF</u>	\$
<u>Town of Corinth Consolidated Water</u>	\$ 3,500.00
<u>Sewer/Water</u>	
Eastern Avenue	\$

Tranquility \$
Passarelli \$
Dorset \$
Corinth #5 \$

Lighting

Eastern Avenue \$
Eggleston Street \$
South Corinth \$

Town Board

Councilman Collura

Councilman Collura said he wanted everyone to stay safe and call if anyone needed anything.

Councilman Byrnes

Councilman Byrnes wanted everyone to be smart and help their neighbors.

Councilman Halliday

Councilman Halliday wanted everyone to stay safe and thanked the employees that were coming in.

Councilman Butler

Thanked Town Clerk Farr for keeping all this in order.

Town Clerk

Town Clerk Farr wanted everyone to stay safe,

RESOLUTION

MOTION TO ADJOURN @ 6:15PM

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

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

RESOLVED to adjourn at 6:15 PM.

Respectfully submitted,

Rose E. Farr, RMC
Corinth Town Clerk