

**TOWN OF CORINTH, TOWN BOARD MEETING
FEBRUARY 10TH 2022@6:00pm**

CALL MEETING TO ORDER

ROLL CALL:

Supervisor Butler
Councilman Byrnes
Councilman Collura
Councilwoman Crooks
Councilman Halliday
Building/Code Officer Brooks
Highway Superintendent Eggleston
Town Clerk Peris

EXCUSED: EMS Coordinator Fogarty

RESOLUTION #92

TO APPROVE TOWN BOARD MEETING MINUTES DATED 01/27/2022.

A Motion by Councilman Byrnes and Seconded by Councilman Halliday to Approve Town Board Meeting Minutes Dated 01/27/2022.

Ayes 5
Nays 0
Absent 0

Motion Passed

RESOLUTION #93

TO APPROVE BILLPAY ABSTRACT DATED 02/10/2022 TOTALING \$65,952.33 AND TRANSFERS TOTALING \$57,530.70.

A Motion by Councilman Collura and Seconded by Councilman Halliday to Approve Bill-Pay Abstract Dated 02/10/2022 Totaling \$65,952.33 and Transfers Totaling \$57,530.70.

Ayes 5
Nays 0
Absent 0

Motion Passed

REPORTS GIVEN TO BOARD:

- *Senior Center Report
- *Assessor's Report

ATTORNEY UPDATES:

- *Corrected Mill Museum Resolution provided to board for approval.

RESOLUTION NO. 94

INTRODUCED BY: Councilman Collura

WHO MOVED ITS ADOPTION

SECONDED BY: Councilwoman Crooks

CORINTH TOWN BOARD

**RESOLUTION TO CONVEY REAL PROPERTY FOR PURPOSES OF THE
HUDSON RIVER MILL MUSEUM**

WHEREAS, the Town Board previously passed Resolution 88 approving the sale of real property at 17 Pine Street to the Hudson River Mill Museum and such Resolution contained drafting errors not reflective of the intent of the Town Board; and

WHEREAS, the Town Board wishes to correct the record and substitute a Resolution that accurately reflects the desire of the Board and the agreement with the Museum; and

WHEREAS, the Town is the owner of real property located at 17 Pine Street in the Town of Corinth, formerly used by the International Paper Company as its paper production plant office (the "Premises"); and

WHEREAS, the HUDSON RIVER MILL MUSEUM ("Museum"), a New York not-for-profit educational organization chartered by the New York Education Department with its purpose being the preservation of the history and heritage of the Hudson River Mill that was located in the Town of Corinth; and

WHEREAS, the Museum desires to operate the Premises as a cultural and educational center and museum relating to the history of the Hudson River Mill, including the former

administrative offices to serve as the Museum's business office, and to house the Museum's developing library and its collection of artifacts, books, manuscripts, papers, photographs and other records and materials relating to the history of the Hudson River Mill located in the Town of Corinth,

WHEREAS, the Museum agrees to promote and preserve the historical significance of the Premises, and

WHEREAS, the Museum agrees to offer programs and to develop exhibits that feature interpretations of the role of the pulp and paper industry in Corinth's history and the cooperative relationship that existed between mill management and Town government through the 133-year history of the industry within the community; and

WHEREAS, the Town believes the most efficient way to encourage the use of the real property as a museum and to promote the interests of the Town and its residents regarding the history of the Hudson River Mill is to convey the property to the Museum, thereby, among other goals, eliminating the carrying charges and maintenance expense of the old building from the Town budget; and

WHEREAS, the Town and the Museum believe an Agreement will serve the best interests of both parties and further the atmosphere of mutual cooperation and respect already enjoyed by the parties; and

WHEREAS, the Town Board finds that an agreement by the Museum to operate such a cultural and educational resource relating to the Hudson River Mill within the Town constitutes fair consideration to the Town for the conveyance of the real property to the Museum on certain conditions; and

WHEREAS, the Town is authorized to enter into an Agreement pursuant to Town Law §64(2) and Cultural Affairs Law §57.07;

NOW BE IT RESOLVED that, subject to a legally binding written Agreement executed by an authorized officer of the Museum and the Town Supervisor:

1. The Town shall convey the Premises to the Museum for monetary compensation of one dollar (\$1.00) subject to a right of reversion under certain stated conditions.

2. The Museum shall accept the conveyance and as additional consideration for the Premises shall commit that the Premises will be opened as a museum to the public for educational and cultural purposes. The Museum will benefit the Town through the preservation and promotion of the history of the pulp and paper industry as part of the Town's history, by the preservation and restoration of the Premises, which is listed on the National Register of Historical Places and by the promotion of the building's heritage and historical significance.

3. The Museum shall accept the conveyance of the Premises "as is" and no warranty or representation is made by the Town to the Museum as to the condition of the Premises. The

deed from the Town to the Museum will contain a right of reverter that will provide, in substantially similar language that: "This conveyance is made subject to the Grantee operating the property conveyed as a museum. In the event that the grantee ceases the operation of the property as a museum, by either failing to offer public exhibitions or public educational programs, Grantor is granted an option to purchase the property for one dollar (\$1.00).

4. If Grantor elects not to re-purchase, Grantee may convey to any third party and this deed restriction shall survive any such conveyance and the rights to re-purchase shall burden such third party grantee."

5. The conveyance contemplated herein will be subject to permissive referendum.

6. The Museum is responsible for determining its obligations, if any, under Federal, state and local laws and shall comply with those laws.

7. This Agreement shall be construed and enforced under the laws of the State of New York. Venue for any action to enforce or interpret this Agreement shall be in Saratoga County.

BE IT FURTHER RESOLVED that the Town Supervisor is authorized to take any actions and execute any documents or instruments necessary to implement the intent of this Resolution in a form approved by Town Counsel.

BE IT FURTHER RESOLVED that a prior Resolution No. 88 passed on January 27, 2022 is hereby RESCINDED.

Duly adopted this 10th day of February 2022, by the following vote:

AYES	:5
ABSENT	:0
NOES	:0

Motion Passed

*Raven Rail License Agreement

RESOLUTION #95

TO AUTHORIZE SUPERVISOR BUTLER TO SIGN THE RAVEN RAIL LLC AGREEMENT.

A Motion by Councilman Collura and Seconded by Councilman Halliday to Authorize Supervisor Butler to Sign the Raven Rail Agreement.

Ayes	4
Nays	1
Absent	0

Motion Passed

RESOLUTION NO. 96

INTRODUCED BY: Councilman Collura

WHO MOVED ITS ADOPTION

SECONDED BY: Councilman Byrnes

**RESOLUTION SCHEDULING PUBLIC HEARING
ON PROPOSED LOCAL LAW NO. 1 OF 2022
EXTENDING THE MORATORIUM ON**

SOLAR FARMS IN THE TOWN OF CORINTH

WHEREAS, the Town Board recognizes that solar energy offers benefits for energy conservation and reduction of reliance on fossil fuels but that the installation of large-scale solar energy facilities may have adverse impacts on neighboring land uses while the Town of Corinth's Land Use Law currently does not provide any regulation of these facilities; and

WHEREAS, the Town Board previously imposed a Moratorium in order to temporarily restrict the development of commercial solar facilities and solar farms so that the Town Board may consider enactment of land use regulations to encourage appropriate development of solar energy facilities that is consistent with the Town's land use development and zoning objectives; and

WHEREAS, the Board has determined that additional time is needed for its review of proposed regulations, finalization of a draft Local Law and compliance with statutory procedural requirements to ensure that regulations governing solar farms adequately protect the public health, safety and welfare of the citizens of the Town; and

WHEREAS, the Town Board has prepared proposed Local Law No.: 1 of 2022 entitled, "A Local Law Extending the Moratorium on Solar Farms in the Town of Corinth". Local Law No. 1 would extend the existing Moratorium on the review, approval, establishment or installation of any

solar farm project from its expiration on March 11, 2022 until September 11, 2022 and would be applicable to any solar farm project, including any for which an application is currently pending, unless all necessary approvals have been obtained and actual physical project construction had been substantially commenced as of March 11, 2021, and

WHEREAS, adoption of this legislation is authorized by New York Municipal Home Rule Law §10; and

WHEREAS, Municipal Home Rule Law §20 requires the Town Board to hold a Public Hearing prior to the adoption of any Local Law,

NOW, THEREFORE, BE IT

RESOLVED, that no review of the proposed moratorium is required under the State Environmental Quality Review Act (SEQRA) as adoption of a moratorium on land development is a SEQRA Type II Action under 6 NYCRR 617.5(c)(3); and be it

FURTHER RESOLVED, that the Corinth Town Board shall meet and hold a public hearing beginning at the Corinth Town Hall, 600 Palmer Avenue, Corinth, New York, beginning at 06:05 P.M. on Thursday, March 10, 2022 to hear all interested persons and take any lawful action concerning proposed Local Law No.: 1 of 2022; and be it

FURTHER RESOLVED, that the Town Board further authorizes and directs the Corinth Town Clerk to publish and post a Notice of Public Hearing concerning proposed Local Law No. 1 of 2022 in the manner provided by law and to make a copy of the proposed Local Law available for public inspection in the Town Clerk's office following the adoption of this Resolution and until the Public Hearing is closed; and be it

FURTHER RESOLVED, that the Town Board further authorizes and directs the Corinth Town Clerk to send the proposed Local Law to the Saratoga County Planning Board for its review and recommendation pursuant to General Municipal Law Section 239-m; and be it

FURTHER RESOLVED, that the details of the Public Hearing and availability of the proposed Local Law for public inspection may be changed as necessary to comply with health and safety requirements related to the COVID-19 pandemic.

Duly adopted this 10th day of February, 2022.

Ayes 5
Nays 0
Excused 0

Motion Passed

RESOLUTION NO. 97

INTRODUCED BY: Councilwoman Crooks

WHO MOVED ITS ADOPTION

SECONDED BY: Councilman Halliday

**RESOLUTION SCHEDULING PUBLIC HEARING
ON PROPOSED LOCAL LAW NO. 2 OF 2022
EXTENDING THE MORATORIUM ON**

WIRELESS TELECOMMUNICATION FACILITIES IN THE TOWN OF CORINTH

WHEREAS, the Town Board recognizes that wireless telecommunications facilities (or “cell towers”) offer benefits for wireless communications but that the installation of large-scale wireless telecommunications tower facilities may have adverse impacts on neighboring land uses while the Town of Corinth’s Land Use Law currently does not provide any regulation of these facilities; and

WHEREAS, the Town Board previously imposed a Moratorium in order to temporarily restrict the development of cell tower facilities so that the Town Board may consider enactment of land use regulations to encourage appropriate development of cell tower facilities that is consistent with the Town’s land use development and zoning objectives and current federal regulations; and

WHEREAS, the Board has determined that additional time is needed for its review of proposed regulations, finalization of a draft Local Law and compliance with statutory procedural requirements to ensure that regulations governing wireless telecommunications facilities adequately protect the public health, safety and welfare of the citizens of the Town; and

WHEREAS, the Town Board has prepared proposed Local Law No.: 2 of 2022 entitled, "A Local Law Extending the Moratorium on Wireless Telecommunications Facilities in the Town of

Corinth”. Local Law No. 2 would extend the existing Moratorium on the review, approval, establishment or installation of any new wireless telecommunications facilities project from its expiration on March 11, 2022 until September 11, 2022 and would be applicable to any Wireless Telecommunications Facilities for which applications for all necessary Town approvals had not been made by March 11, 2021; and

WHEREAS, adoption of this legislation is authorized by New York Municipal Home Rule Law Section 10; and

WHEREAS, Municipal Home Rule Law Section 20 requires the Town Board to hold a public hearing prior to the adoption of any Local Law,

NOW, THEREFORE, BE IT

RESOLVED, that no review of the proposed moratorium is required under the State Environmental Quality Review Act (SEQRA) as adoption of a moratorium on land development is a SEQRA Type II Action under 6 NYCRR 617.5(c)(3); and be it.

FURTHER RESOLVED, that the Corinth Town Board shall meet and hold a public hearing beginning at the Corinth Town Hall, 600 Palmer Avenue, Corinth, New York, beginning at 6:15 p.m. on Thursday, March 10, 2022 to hear all interested persons and take any lawful action concerning proposed Local Law No.: 2 of 2022; and be it

FURTHER RESOLVED, that the Town Board further authorizes and directs the Corinth Town Clerk to publish and post a Notice of Public Hearing concerning proposed Local Law No. 2 of 2022 in the manner provided by law and to make a copy of the proposed Local Law available for public inspection in the Town Clerk’s office following the adoption of this Resolution and until the Public Hearing is closed; and be it

FURTHER RESOLVED, that the Town Board further authorizes and directs the Corinth Town Clerk to send the proposed Local Law to the Saratoga County Planning Board for its review and recommendation pursuant to General Municipal Law Section 239-m; and be it

FURTHER RESOLVED, that the details of the Public Hearing and availability of the proposed Local Law for public inspection may be changed as necessary to comply with health and safety requirements related to the COVID-19 pandemic.

Duly adopted this 10th day of February, 2022.

Ayes 5

Nays 0

Excused 0

Motion Passed

Attorney recommended 2 board members per law to work with Jim Martin and the attorney's office to get the Solar Farm and Cell Towers Laws in place.

*Councilwoman Crooks & Councilman Byrnes on Solar Committee

*Supervisor Butler and Councilman Collura on Cell Committee

*Councilman Halliday will be the alternate.

SUPERVISOR BUTLER:

*County released a Non-for -Profit Covid Relief Fund form small Non-for -Profit organizations. Information to apply is on the Saratoga County Website.

*Water bond Payment----Would like to put \$117,000.00 towards what is owed.

*Mask mandate sign removed

*Covid Test being given out from clerk's office

HIGHWAY:

*Reports given to the board

*Bicentennial Signs are down and ready for repair.

BUILDING/CODE:

*Beaver Dam is down---no water on the tracks

CLERK:

RESOLUTION #98

TO GRANT PERMISSION TO THE TOWN CLERK TO SIGN A RELEASE FOR THE TOWN TO BECOME SUBORDINATE TO HRCCU ON A LIEN FOR A PREVIOUS CDBG RECIPIENT WITH 1 YEAR LEFT ON THE LIEN.

A Motion by Councilman Halliday and Seconded by Councilman Collura to Grant Permission to the Town Clerk to Sign a Release for The Town to Become Subordinate to HRCCU on a Lien for a Previous CDBG Recipient with 1 Year Left on the Lien.

Ayes	5
Nays	0
Excused	0

Motion Passed

PUBLIC:

Jennifer Michelle:

- *During Zoom meetings if the town could do screen share
- *Road Salt---Governor appointed a task force
- *Native Plants---Is it possible to plant native plants around cell towers or solar farms.
- *Garden Committee

Bill Biscone:

*Thanked Jackie White, Jim Martin and the board for working on the Solar Farm and Cell Tower Laws. March 10th Public Hearing for the Morotoria----will the laws be approved that night? Attorney White did not believe it would due to the steps that are required.

TOWN BOARD:

Councilwoman Crooks:

*Youth Committee update---Councilman Byrnes and I met with the athletic director at the school. Looking to revitalize athletics in the school.

Councilman Halliday:

*Thank Matt and his team at the Emergency Squad

Councilman Collura:

*Thank Kate Halliday for her years of service and congratulate her on her retirement. Wish her the best.

*Landfill Profit/Loss Statement

*Verizon Cell Tower on Freight House Rd. is hearing service in Town is better.

Councilman Byrnes:

*Wish Kate the best in retirement and thanked her for her service

*Youth commission very exciting things to come

*Great Job by the Corinth Girls Basketball

RESOLUTION #99

TO RETURN FROM ATTORNEY/CLIENT PRIVLAGE

A Motion by Councilman Collura and Seconded by Councilwoman Crooks to Return from Attorney/Client Privilege.

Ayes 5

Nays 0

Excused 0

Motion Passed

RESOLUTION#100

TO AUTHORIZE SUPERVISOR BUTLER TO SIGN THE AGREEMENT TO ENGAGE WITH PROFFESIONAL EXPERT WILLIAM JOHNSON IN ACCORDANCE WITH THE CELL TOWER LITIGATION.

A Motion by Councilman Collura and Seconded by Councilman Byrnes to Authorize Supervisor Butler to Sign the Agreement to Engage with Professional Expert William Johnson in Accordance with the Cell Tower Litigation.

Ayes 5

Nays 0

Excused 0

Motion Passed

RESOLUTION#101

TO ADJOURN TO EXECUTIVE SESSION ON PERSONNEL

A Motion by Councilman Halliday and Seconded by Councilwoman Crooks to Adjourn to Executive Session on Personnel.

Ayes 5

Nays 0

Excused 0

Motion Passed

RESOLUTION #102

TO RETURN FROM EXECUTIVE SESSION ON PERSONNEL

A Motion by Councilman Halliday and Seconded by Councilman Byrnes to Return from Executive Session on Personnel.

Ayes 5

Nays 0

Excused 0

Motion Passed

RESOLUTION # 103

TO ADJOURN MEETING

A Motion by Councilman Halliday and seconded by Councilwoman Crooks to Adjourn Meeting.

Ayes 5

Nays 0

Excused 0

Motion Passed

RESPECTFULLY SUBMITTED BY
BRENDA PERIS, TOWN CLERK