

TOWN OF BRIGHTON, FRANKLIN COUNTY, NEW YORK
REGULAR TOWN BOARD MEETING MINUTES - December 8, 2016

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The Regular Meeting of the Town Board of the Town of Brighton was held Thursday, December 8, 2016, at 7:00pm at the Brighton Town Hall, Paul Smiths, NY, with the following:

CALL TO ORDER:

Meeting was Called to Order by Supervisor Peter Shrope at 7:00pm
"Pledge to the Flag" was recited

ROLL CALL OF OFFICERS

PRESENT: Supervisor Peter Shrope

Council Members: Brian McDonnell, Amber McKernan, Steve Tucker and Lydia Wright

ABSENT: None

OTHERS PRESENT: Andy Crary-Superintendent of Highways, Elaine Sater - Town Clerk, and two residents

GUEST: Pat and Matt McGuire, Insurance Agents for NYMIR and Clyde Baker, President of Saranac Lake School Board

NOTICE OF MEETING:

Notice of this meeting was posted on the Town Clerk's Sign Board.

SCHOOL DISTRICT CAPITAL PROJECT:

Clyde Baker, President of the Saranac Lake School Board: Wanted people to be aware of informational sessions being held at school buildings to address capital projects the school district is proposing, there will be a vote on January 10, 2017. A brochure was provided with the details.

LIABILITY AND VEHICLE INSURANCE- New York Municipal Insurance Reciprocal (NYMIR):

Pat and Matt McGuire, Sid G. Spear, Insurance Agents: They represent NYMIR as agents in the area and would like to represent the Town since NYMIR is the Town's Insurance Company. A letter of recommendation was sent to the Town by NYMIR. They can do an in-depth review of the policies and submit proposals for the Town when renewal of insurance is due.

RESOLUTION #81-2016

APPOINTMENT OF INSURANCE AGENT SID G SPEAR

Motion made by Lydia Wright, Second by Steve Tucker,

RESOLVED that the Town Board accepts the insurance agency Sid G. Spear of Malone, NY, a representative of New York Municipal Insurance Reciprocal (NYMIR) the liability and vehicle insurance holder for the Town, as the broker of record effective January 1, 2017, for the Town of Brighton, and

BE IT FURTHER RESOLVED that the Supervisor is authorized to sign a letter stating the acceptance of Sid G. Spear as Insurance Agent of record for the Town to be sent to Karen Buckley, Field Representative for NYMIR.

Roll Call Vote: Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0

Resolution #81 declared duly adopted.

REPORTS

1. Highway Department - Andy Crary
 - a. Painted plows/wings on 2013 and 2015 trucks
 - b. Plowing and sanding on a regular basis
 - c. Mixing up salt with sand as used
 - d. Changed oil and filters in F-350 Pickup Truck
 - e. Fixed broken plow shoe and ordered more for the 2013 plow, other side was worn out also.
 - f. Met with the NYMIR representative for review of Town's insurance policy. Some suggestions were to send fire alarm directly to fire department, add battery disconnect switch to all vehicles, provide workplace violence training annually, review drug testing program, put check valves on hoses for cutting torch, location of furnace was questioned. Supervisor Peter Shrope said he spoke with the Attorney for the Town about the report. Need to determine which recommendations are suggestions and which are required.

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- g. Incident with plow backing up on Split Rock Road, reported to NYMIR, police report also received, no injuries reported. Incident report needs to be completed by employee.
2. Town Clerk- Elaine Sater:
- a. Total Revenue to Supervisor as of November 30, 2016 was \$37.01 from 2 Sport Licenses, 3 certified copies Vital Records, 1 new Dog license (#182), and 1 copy on the copier
 - b. November 3, posted notices on Town Clerk Sign Board, at three local post offices and businesses for the 2017 Budget Public Hearing and the Regular Meeting time change held on Nov 10. Published notices in the Adirondack Daily Enterprise.
 - c. November 8 General Election was held, Presidential election year.
 - d. November 10, received notification from the Department of Taxation and Finance, RE: There is a vacant position on the Town's Board of Assessment Review, Tom Seymour's term expired on September 30, 2016. Board can reappoint or appoint someone new. Office of Real Property Tax Services needs to know for training purposes.
 - e. November 10, received notice from Office of New York State and Local Retirement, asking for adjustments for individual retirement days back to 2009. Bookkeeper Richard Meagher said the difference from the way he has been calculating hours and the way the State is requesting for each year is less than 3 hours of time. He will change the way he processes the days toward retirement per pay period starting in 2017, but will not change the past years as the difference for each individual who worked a full year is negligible.
 - f. December 1, received letters dated November 25, 2016, from the NYS Department of Agriculture and Markets, RE: Municipal Shelter and Animal Control Officer inspections were completed by Janet Collier on 11/18/16 and both were rated "Satisfactory".
 - g. Received notice from Town of Santa Clara, RE: Public Hearing to be held on December 8, 2016, at 6pm in regards to their proposed Local Law #4 for 2016 concerning the resumption of discontinued prior non-conforming uses of property containing buildings or structures that have been designated as a National Historic Landmark.
 - h. TOWN HALL REQUEST: None
 - i. TOWN PARK REQUEST: None
 - j. RECORDS MANAGEMENT: "Indexing of Minutes" up to 1895
3. Historian - Elaine Sater: Report given at Meeting: From the Minutes of 1890 to 1893
- March 4, 1890 - Election of Town Officials, 45 votes for each except Justice of Peace Ak Wilcox has 43 votes.
- March 12, 1890 - Board of Health is appointed: HBL Smith-President, JM Wardner, FTB Weller and Ed Hinkson - Justices of the Peace, Geo Knowles-Clerk, CA Church-Health Officer, and Philemon King-Citizen.
- May 1, 1890 - HBL Smith and Geo Knowles to set up booths and other necessary fixtures according to the last Election law.
- Jan 10, 1891 - Justices of the Town met at the Town Clerk's Office and appointed Phelps Smith as Supervisor of the Town in place of HBL Smith who died on January 2, 1891.
- February 24, 1891 - Audit of records: Supervisor received and paid out \$627.15. Commissioners received \$1,027.20 and paid out \$704.59 leaving a balance on hand of \$322.61.
- March 3, 1891 - Election of Town Officials: Supervisor Phelps Smith 40 votes, Town Clerk Geo Knowles 40 votes, Justice of the Peace full term John Sprague 40 votes, Collector Fred Rork 39 votes, Commissioner Guy Rand 40 votes, Assessor CA McArthur 39 votes, Poor Master Phil King 40 votes and Inspector of Elections CA McArthur 40 votes and John McLaughlin 39 votes.
- March 7, 1891 - Appointment of Board of Health, Phelps Smith President, CA Church MD, Justices of the Peace JM Wardner, FTB Weller, Edward Hinkson, Philemon King, Citizen - all have the power to grant Transit Permits.
- Feb 2, 1892 - Audit of Records: Commissioner of Highways received \$572.61 and paid out \$615.10 leaving his due from Town \$42.49. Supervisor received (blank) and paid out (blank) leaving \$5.56 in his hands due District #1.
- February 9, 1892 - Election of Officers, 23 votes were noted for all except Commissioner of Highways Guy Rand 22 votes and Overseer of Poor Philemon King 22 votes
- February 20, 1892 - Met at King's Hall and organized Board of Health. Only two Justices of the Peace James M Wardner and John Sprague were appointed along with the others from 1891. All have power to grant Burial Transit Permits. CA McArthur is appointed to fill the vacancy of Justice of the Peace FTB Weller (died). Geo Knowles is appointed as Assessor to fill that vacancy.
- September 15, 1892 - Kate P Dicknson and William H Penfold - in the matter of laying out a private road, adjourned

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to July 14, 1893, jury of 18 freeholders are discharged.

Feb13, 1893(1894?) - Appointment of Town Clerk Geo Knowles, CA McArthur did not qualify.

Feb28, 1893 - Audit of Records: Commissioner of Highway received \$532.77 and paid out \$588.99 leaving Town to pay Guy Rand \$56.22. Meeting adjourned to March 7 to settle with Supervisor.

March 7, 1893 - Audit of Records Supervisor had a credit of \$547.02 and a debit of \$547.02 leaving an even balance. Election of Officers, no votes, Supervisor James M Wardner, Town Clerk CA McArthur, Assessor Geo Knowles, Justice of the Peace James Cross, EJ King (3 years term from Jan 1, 1894), Wallace Smith (2 year term from Jan 1, 1894), and Geo Knowles (1 year term from Jan 1, 1894), and Tax Collector Abner Tyler. Resolutions passed: \$25 for burying ground on Ricketson farm and expenses for all Justices of the Peace to go to Malone to qualify

July 3, 1893 - Raise \$150 to be laid out on Highways by Commissioner of Highways Guy Rand

4. Tax Collector - Holly Huber: Nothing to Report
5. Town Justice - Nik Santagate: Report received prior to meeting:
Supervisor Peter Shrope received a check in the amount of \$2,876.00 and the Justice disposed of 37 cases for the month of November
6. Code Enforcement Officer (CEO) - Paul Blaine: Report received prior to meeting
 - a. One (1) building permit (BPs #16-036) issued
 - b. Two (2) Certificates of Compliance were issued for BP #16-011 and 023
7. Assessor - Roseanne Gallagher: Report provided prior to meeting
 - a. The month has been taken up with paperwork
 - b. Mailed all the Enhanced Star Renewals and Agricultural District renewals this past Monday- 12/5
 - c. The county real property tax department was finally allowed to hire a new tax mapper to replace the 2 that retired. Therefore they have been able to catch up on processing transfers of property and several months worth were given to us at once.
 - d. Had 19 sales to process total. Of this there were 9 arms length sales, 6 family transactions, 3 splits, and 1 tax sale. There was also an easement for National Grid for 98 Wardner Rd. This goes through the property of Richard and Susan Fletcher for Wilhelmina Sheridan. One of the splits is the deeding of Tansy Way to the Town of Brighton.
 - e. The arms length sales:
 - i. 394.-3-13.100- Charles Dole to Camp Pot Luck LLC (from PA). This is the other part of the property that had a grievance filed on it in 2015. It is assessed at 957,100. It sold for 2,340,000 with 250,000 of personal property leaving the net sale price at 2,090,000.
 - ii. 334.-1-29- Nancy Reich to Martin and Jennifer Lieb, 97 Sunnyside Rd. It sold for \$192,000. Assessment is \$188,700.
 - iii. 367.1-4-21- Harrison to Chelsea Silver, 51 Vosburgh Rd. Sold for 170,000. Assessed at 167,000.
 - iv. 397.-3-6- This is a lot of 4.11 acres split off of what is remaining at Deer Meadows on Tansy Way. The vacant lot sold for 60,000 to Ramon Carele and Linda Grady from the Bronx. It is a split, so had no prior assessment.
 - v. 367.1-4-12- This is a supposedly vacant 2 acre lot on the abandoned railroad right of way off of Vosburgh Rd. It sold for \$34,000. It's assessed at \$8,100. Madeline LaHart and Wallace Gnaedinger from Lake Placid bought it. I will definitely look at this property.
 - vi. 367.1-6-11- 628 County Rt 60. William Ulinski to Kenneth and Anita Gocheneur. Sold for 186,000, assessed at 112,900
 - vii. 367.3-3-1- 521 County Rt 60. Schlesier to Paul and Margaret Tenerowics from Utica. Sold for 275,000, assessed 226,100.
 - viii. 367.3-3-1- 46 Garondah Rd. J and G's Ark to Alex and Geraldine Hay from Georgia. Sold for 465,000, assessed at 442,900.
 - ix. 367.1-3-16- .69 Acre lot on Vosburgh Rd., not waterfront. Schipa to Siskuyin from North Tonawanda, NY. Sold for 16,000, assessed at 10,700.
8. Animal Control - Tri Lakes Humane Society: No report

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9. Supervisor - Supervisor Peter Shrope:
 - a. Budget as of November 30, 2016, was provided to Board members, Revenues of \$2,876.00 from Town Justice and \$37.01 from Town Clerk
 - b. NYCLASS: Interest of \$26.62 for General Fund; total in account \$105,604.25 (\$20,000 is reserved for Town Hall), and Highway Fund interest is \$10.15, total in account \$40,245.65
 - c. NYMIR Report: Met with a representative of NYMIR for the renewal of liability insurance, several incidents recorded on their records are for the other Town of Brighton in Monroe County, there are 7 prior claims for the park and 4 for the Highway.
 - d. Mining Permit for Highway Department: Still working on completing the Adirondack Park Agency (APA)'s Mining Permit application; they asked for supplemental information (SI).
 - e. County Road 31, aka Jones Pond Road: A resident is trying to sell property and the tax map shows the Town owning a portion of their driveway, the tax map probably should reflect the property parallel to the Clark-Wardner Road, not parallel to County Road 31. This property of .45 acre (Tax Map #366.-1-7-3.00) was deeded to the Town in May 2004 by Joan Allen because a Town Road runs through it. Contacted Chris Leifheit to see if a survey was done at the time to show the actual site of the property.

REVIEW/AMENDMENT OF MINUTES

- Regular Board – November 10, 2016

Motion made by Amber McKernan, second by Brian McDonnell, to amend the minutes of the Regular Board meeting of November 10, 2016 with the following changes: Page 1, OTHERS PRESENT and line before "Reports", change "Legislature" to "Legislator" and Page 4, Business, Para 2, Minutes, Recording/Amending, line 4, change "summery" to "summary". **Roll Call Vote:** Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0

-Public Hearing Preliminary Budget 2017 - November 10. 2016

Motion made by Amber McKernan, second by Lydia Wright, to accept the minutes of the Public Hearing on November 10, 2016, for the Preliminary Budget for 2017 as written. ". **Roll Call Vote:** Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0

- Public Hearing Fire Services Contract - November 10. 2016

Motion made by Amber McKernan, second by Brian McDonnell, to accept the minutes of the Public Hearing on November 10, 2016, for the Fire Services Contract as written. ". **Roll Call Vote:** Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0

- Public Hearing Rescue Services Contract - November 10. 2016

Motion made by Amber McKernan, second by Lydia Wright, to accept the minutes of the Public Hearing on November 10, 2016, for the Rescue Services Contract as written. ". **Roll Call Vote:** Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0

CITIZENS COMMENTS: None

BUSINESS

1. **Fire Services Contract- Supervisor Peter Shrope:** Paul Smiths-Gabriels Volunteer Fire Department (PSGVFD) revised the 5 year contract to include an "opt out" clause for both parties as per the public hearing discussion. Dan Whitson gave further information on the trucks used by the fire department used on a recent fire call.

RESOLUTION #82-2016

FIRE SERVICES CONTRACT WITH PSGVFD FOR 2017 TO 2021

Motion made by Brian McDonnell, Second by Amber McKernan,

WHEREAS, a public hearing was held on November 10, 2016, in accordance with Town Law Section 184, to allow

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public comment on the five-year Fire Services Contract proposed by Paul Smiths-Gabriels Volunteer Fire Department,

NOW THEREFORE BE IT RESOLVED that the Town Board approves a five-year contact, with an option to cancel the contract, with the Paul Smiths-Gabriels Volunteer Fire Department (PSGVFD) to provide fire protection services to the Town of Brighton covering the period January 1, 2017 to December 31, 2021, with a 3% increase in funds each year starting with \$89,130.00 in 2017. Yearly payments will be split in half each year, the first half being due by February 1 and the remainder by April 1; and

BE IT FURTHER RESOLVED that the Supervisor be authorized to sign the Fire Protection Contract with PSGVFD.

**ROLL CALL VOTE: Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0
Resolution #82 declared duly adopted.**

2. **Board of Assessment Review (BAR) - Brian McDonnell:** Contacted Tom Seymour and he is willing to continue to serve on the BAR.

**RESOLUTION #83-2016
BOARD OF ASSESSMENT REVIEW (BAR) APPOINTMENT**

Motion made by Brian McDonnell, Second by Steve Tucker,

RESOLVED that the Town Board appoints Tom Seymour, a resident of the Town of Brighton, as a member of the Board of Assessment Review (BAR) for the term October 1, 2016, to September 30, 2021.

**ROLL CALL VOTE: Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0
Resolution #83 declared duly adopted.**

3. **Animal Control Officer and Shelter Services Agreement - Supervisor Peter Shrope:** Received a contract for 2017 at the same price as 2016

**RESOLUTION #84-2016
ANIMAL CONTROL OFFICER AND SHELTER SERVICES AGREEMENT**

Motion made by Supervisor Peter Shrope, Second by Steve Tucker,

RESOLVED that the Town Board approves an agreement with the Tri-Lakes Humane Society, Inc., of Saranac Lake, to provide for a Dog Control Officer (Agricultural and Markets Law, Article 7, Section 113) and Shelter Services (Section 114) for the Town of Brighton in the amount of \$3,788 for the year 2017, and

BE IT FURTHER RESOLVED that the Supervisor be authorized to sign the agreement with Tri-Lakes Humane Society.

**ROLL CALL VOTE: Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0
Resolution #84 declared duly adopted.**

4. **ANCA Membership - Supervisor Peter Shrope:** Received information concerning membership in this organization, discussion was held but not much interest in having the Town be a member, individuals can donate themselves if they want.
5. **Audit of Town Financial Records - Supervisor Peter Shrope:** Need to set up a date for auditing the Court, Town Clerk, and Supervisor's Financial Records from 2016; audit is due by January 20th. Decision was made to audit on Tuesday, January 10, 2017, at 6 pm.
6. **Organizational Meeting for 2017 - Supervisor Peter Shrope:** January 12, 2017, is the regular meeting, will hold the organizational meeting first at 7pm.

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COMMITTEES:

1. **Park & Recreation - Supervisor Peter Shrope and Amber McKernan:**

Dead Trees: Supervisor Peter Shrope looked at trees with National Grid, they will take some down in the Spring. He also spoke to John Hutchins at the Franklin County Highway Department and contacted NYSDOT in Malone, Rob Haines, Engineer, who will look at the trees. Amber McKernan will let Paul Smith's College, Randall Swanson, know about the trees.

2. **Website Review- Supervisor Peter Shrope:** Adding a new committee to review the outdated pages on the website and remove information that no longer pertains. Amber McKernan will review with Supervisor Peter Shrope.

3. **Cemeteries and Town Buildings - Amber McKernan:** Would like a display of pictures of what the Town Hall looked like before the restoration.

CITIZENS COMMENTS: None

AUDIT OF VOUCHERS:

Voucher #231 was removed, questioned by Board as to why the Town is paying for a repair that was probably caused by the person who cleaned the boiler; Supervisor Peter Shrope will contact Hyde-Stone to discuss the repair cost.

RESOLUTION #85-2016

PAYMENT OF AUDITED VOUCHERS AS LISTED ON THE ABSTRACTS

Motion made by Amber McKernan, second by Lydia Wright,

RESOLVED that the Supervisor be authorized to pay the audited vouchers as listed on the abstracts as follows:

PREPAID FUNDS: Abstract #12 for Voucher #12A through and including #12C GENERAL FUNDS in the amount of \$427.20 and STREET LIGHTING FUNDS in the amount of \$59.53

GENERAL FUND: Abstract #12 for Voucher #226 through #230 and #232 through and including #246 in the amount of \$ 6,989.35 (Hold #231 for review with Hyde-Stone)

HIGHWAY FUND: Abstract #12 for Voucher #103 through and including #111 in the amount of \$5,838.87

ROLL CALL VOTE: Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0

Resolution #85 declared duly adopted

ADJOURNMENT: Motion to Adjourn the meeting at 9:05pm made by Amber McKernan, second by Lydia Wright; **Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0**

Respectfully Submitted,

Elaine W. Sater, RMC
Brighton Town Clerk