

REGULAR BOARD MEETING - TOWN OF BRIGHTON - FRANKLIN COUNTY, NY

February 13, 2014

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A Regular Monthly Meeting of the Town Board of the Town of Brighton was held Thursday, February 13, 2014, at 7:00 p.m. at the Brighton Town Hall, Paul Smiths, NY, with the following:

CALL TO ORDER:

Meeting was Called to Order by Supervisor Peter Shrope at 7:04 p.m.

The "Pledge of Allegiance" to the flag was recited.

A moment of silence was held in memory of Jerome "Buster" Samburgh, a member of the Board of Assessment Review, who passed away on January 24, 2014.

ROLL CALL OF OFFICERS

PRESENT: Supervisor Peter Shrope

Council Members: Brian McDonnell, Steve Tucker and Lydia Wright

ABSENT: Council Member Amber McKernan,

OTHERS PRESENT: Paul Blaine-Code Enforcement Officer, Andy Crary-Superintendent of Highways, Holly Huber-Tax Collector, and Elaine Sater-Town Clerk

RESIDENTS: There were two residents present

GUEST: None

NOTICE OF MEETING:

Notice of this meeting was posted on the Town Clerk's Sign Board, in the three local post offices in the Town and notice was published in the Adirondack Daily Enterprise on Tuesday, February 4, 2014.

DEPARTMENT REPORTS

1. HIGHWAY – Superintendent of Highways Andy Crary: Report submitted prior to meeting
 - a. Plowing/sanding roads
 - b. Put up more salt/sand, almost out of sand, will need to get more out of bank; next year will need to get more screened in the Fall
 - c. Fixed lights and hydraulic fitting on the LT9000
 - d. Cut tree on Keese Mills road
 - e. Made dump run
 - f. Had tire fixed on loader
 - g. Had 2013 International inspected
 - h. Plowed during the big storm
 - i. Swept the shop floor
 - j. Had alternator fixed on LT9000
 - k. Need a resolution to request Franklin County Highway Department assistance to help pave the Keese Mills Road in the summer

RESOLUTION #29-2014

REQUEST FOR FRANKLIN COUNTY HIGHWAY DEPARTMENT ASSISTANCE TO PAVE KEESE MILLS ROAD TO THE SANTA CLARA TOWN LINE

Motion made by Supervisor Peter Shrope, Second by Lydia Wright,

RESOLVED that the Brighton Town Board be authorized to sign an Agreement with the Superintendent of Highways Andy Crary for the Expenditure of Highway Moneys in the amount of \$35,000 to make permanent improvements on the Keese Mills Road in the Town of Brighton for one half (1/2) mile leading to the Santa Clara Town line using dense binder for a traveled width of 18 feet with a 2inch thickness, and

BE IT FURTHER RESOLVED that the Town of Brighton Supervisor be authorized to make a request to the Franklin County Highway Department for assistance with a paver and roller or any other requested county equipment. It is agreed that this work is undertaken by the Town of Brighton Highway Department and the job is totally under the direction and supervision of the Town Highway Department. The Town is required to get necessary

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Agency permits, property owners' agreements, and provide utility notification. As an inducement for such assistance the Town will hold Franklin County harmless from property damages, and any claims brought by any third party as a result of this work, and if the County is held responsible for damages the Town will indemnify the County.

ROLL CALL VOTE: Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

Resolution #29 declared duly adopted

2. TOWN CLERK-Elaine Sater: Report submitted prior to meeting.
 - a. Total Revenue to Supervisor was \$110.99 for 5 dog licenses renewed and 1 Building Permit (#14-001)
 - b. January 14 Town Clerk's financial records were audited by the Town Board, no issues noted. Total revenue taken in and disbursed for 2013 was \$9,822.14; \$9116.95 to the Town and \$705.55 to outside agencies and people.
 - c. January 23 received Shared Services Agreement from the Town of Santa Clara, distributed to Highway and Supervisor
 - d. January 30 sent letters to:
 - i. Franklin County Board of Elections, Re: No Town offices to be voted on in the General Election in November 2014.
 - ii. Franklin County Clerk's Office, Re: Names, Addresses, and terms of offices for Town Officials Elected and Appointed
 - iii. Franklin County Real Property Office, Re: Notice of Jerome "Buster" Samburgh's passing, vacancy on the Board of Assessment Review
 - iv. Town Board, Re: Annual Review of the Town's Emergency Operations Plan
 - e. February 4
 - i. Posted notices of Regular Town Board meetings to be held on the second Thursday of each month at 7 p.m. on the Town Clerk's Sign Board and at local Post Offices and businesses. Notice also published in the Adirondack Daily Enterprise.
 - ii. Annual Financial Report for 2013 filed in the Town Clerk's Office. Notice to be published on February 11 in the Adirondack Daily Enterprise. Notices were posted in the local Post Offices and on the Town Clerk's Sign Board on February 6.
 - f. February 6, received a Freedom of Information request for Article 7 and building permit information on a property in the Town, sent a notice to the Attorney for the Town for review and advice. Also sent Code Enforcement and Assessor copies of the information request. Responded to the requestor to let them know the request was received.
 - g. TOWN HALL REQUEST: None
 - h. TOWN PARK REQUEST: None
 - i. RECORDS MANAGEMENT: Continuing to shred old records, completed 2006 Court records
3. TAX COLLECTOR – Holly Huber: Report submitted prior to meeting
 - a. Report:
 - i. Processed payments for 699 parcels totaling \$1,068,156.97. Nineteen taxpayers chose to pay for 37 parcels in person during scheduled office hours, the rest were received via mail.
 - ii. Issued checks to Supervisor Shrope on 1/7/14, 1/14/14, 1/21/14 and 1/28/14 in the amounts of \$42,500.00, \$200,000.00, \$133,000.00, and \$227,743.00 respectively, this fulfills the Town's portion of the Warrant at \$603,243.00.
 - iii. Issued check to County Treasurer on 1/29/14 in the amount of \$180,000.00
 - iv. Filled requests for tax bills and receipts
 - v. Located and attempted to locate property owners whose tax bills or receipts were returned as undeliverable.
 - b. Asked to no longer get copies of documents from the Town Clerk, such as minutes and budgets
 - c. Discussion was held concerning the Town phone number 327-3644 for the Tax Collector. Currently the phone is forwarded to the Tax Collector's home phone of 327-3275.

RESOLUTION #30-2014

PHONE NUMBER FOR TAX COLLECTOR

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Motion made by Brian McDonnell, second by Supervisor Peter Shrope,
WHEREAS the Tax Collector no longer wants to use the Town's phone number for the Tax Collector's Office, and
WHEREAS the Tax Collector's home phone number has been posted on the tax bills for the past two years and is listed on the Town's website, and

WHEREAS the Tax Collector wants to save the Town \$20.00 per month by disconnecting the Town phone number,
NOW THEREFORE BE IT RESOLVED that the Tax Collector Phone Number of 327-3644 be hereby changed to 327-3275 and the phone line in the Town Hall be no longer forwarded to the Tax Collector's home phone, and
BE IT FURTHER RESOLVED that a phone number be given to the Court.

ROLL CALL VOTE: Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

Resolution #30 declared duly adopted

4. JUSTICE – Nik Santagate: Report submitted prior to meeting:
Disposed of 36 cases and gave the Supervisor a check for \$3368.00
5. CODE ENFORCEMENT OFFICER-Paul Blaine: Report submitted prior to meeting
 - a. Building Permits (BP): Issued one BP #14-001
 - b. Certificates of Compliance/Occupancy (COC/COO): Issued one COO for BP#13-019
 - c. Discussing a building permit for a new project in the "Alcocer" subdivision.
 - d. Received a phone call concerning the sale of Camp Gabriels, will meet with DEC, DOH, APA, and new owner on February 25 to discuss project. Supervisor Peter Shrope and Steve Tucker plan to attend also.
6. ASSESSOR- Doug Tichenor: Report received prior to meeting
 - a. Senior Star Exemption renewals are due on or before March 1, renewals were sent late in December 2013.
 - b. Left a proposal with the Town Supervisor from Briggs Appraisal Service to conduct the Assessment Data Review Project. Upon approval and signing the proposal, work can commence on the project.

RESOLUTION #31-2014

AUTHORIZATION FOR DATA COLLECTION SERVICES

Motion made by Supervisor Peter Shrope, second by Steve Tucker

WHEREAS the Assessor needs to update the Town's property data used for assessing real property,
NOW THEREFORE BE IT RESOLVED that the Town Board authorizes Supervisor Peter Shrope to sign an agreement with Briggs Appraisal Service of Cortland, NY, to provide professional Real Property Reassessment Services to complete the Town's Data Collection Project of 2014, and

BE IT FURTHER RESOLVED that the Town agrees to pay Briggs Appraisal Services the sum of \$10,000.00 in two payments of \$5,000.00 each for the services described in the agreement, the last payment being due on September 1, 2014. The Project will be completed during the period April 1, 2014 to August 15, 2014.

ROLL CALL VOTE: Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

Resolution #31 declared duly adopted

7. TOWN PARK-Supervisor Peter Shrope:
 - a. Sent a letter to Dan Spencer; gave him a deadline of February 12 to notify Supervisor Peter Shrope if he wanted to be reappointed as the Park Attendant; he has heard nothing from Dan Spencer. Dan Spencer is no longer taking out the trash for the Food Pantry.
 - b. Andy Crary will shut down the Park building when he has time.
 - c. There was a hole in the wall near the heater, plugged it up
 - d. There still needs to be a meeting with Barb Marshall to discuss issues with the Food Pantry
8. FOOD PANTY- Barbara Marshall: Received report prior to meeting
 - a. Served 183 people; there was a considerable drop in people due to the frigid temperature
 - b. Hawley (Snyder) is plowing around the building for distribution days.
9. HISTORIAN- Mary Ellen Salls: No report received

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Supervisor Peter Shrope had Pat Willis fill out a paper for Marty Podskoch who is writing a book about Adirondack Towns and Villages. Mary Ellen Salls was unable to do it.

10. ANIMAL CONTROL- Tri Lake Humane Society: No report received

11. SUPERVISOR – Peter Shrope:

- a. Presented a letter for the Board to sign to be sent to the Samburgh family
- b. Franklin County Self Insurance may reimburse the Town for sick time paid for a highway employee. Filling out paperwork to submit
- c. Contacted Hyde Fuel to get the Town Hall on automatic delivery for the fuel; will discuss the Park in the spring when the propane tank is accessible
- d. National Grid is asking for an update for contact information, Supervisor, Superintendent of Highways, and Deputy Supervisor are on the list.
- e. Joint Council for Economic Opportunity (JCEO) will be at the Brighton Park on the 2nd Monday of the month from 9 am to 2 pm. This Mobile Community Outreach Program provides resources and services to the economically disadvantaged, disabled and elderly populations.
- f. Camp Gabriels: Spoke with the attorney for the new owner Adam Fine from Rockland County, is interested in a children's summer camp. The highest bidder for the Camp was unable to come up with financing so the property went to the second highest bidder. Mary Ellen Rock received notice from the APA as an adjoining land owner, she is concerned that the property won't be going on the tax rolls
- g. DEC Meeting for Kushaqua Tract: Attended the public hearing held at Paul Smith's College to hear public input on the proposed recreation area, the deadline for public comment is February 21. There are 31 leased hunting camps in the area now. The hunters are concerned that the four wheelers will be restricted to certain areas. Snowmobilers are interested in having more trails.
- h. Franklin County is interested in holding a public auction, towns can be included if they want to provide a list of items
- i. Franklin County Supervisors met on January 30 at Paul Smith's College. The County Manager attended and discussed unpaid taxes; the County has to take out loans to cover expenses due to the unpaid taxes. Would like to offer the Town Hall as a space for the Supervisors to meet, each Town pays \$120 to cover the use of the space at Paul Smith's College.
- j. Boathouse on Keese Mills Road: With Brian McDonnell looked at the place where the boathouse is going to be built on the St. Regis River. The boathouse will be 1199 square feet with a height of 14' 10 5/8" which is just within the maximum limits.
- k. Budget: Distributed Monthly Budget report for January 2014
 - i. Revenues received: \$3,368 from Justice, \$110.99 from Town Clerk, \$560,743 from Tax Collector, and \$200 donation from the Food Pantry.
 - ii. NYCLASS interest: General Fund \$2.52, Total Fund \$85,264.11 and Highway Fund \$1.24, Total Fund \$40,108.19

CITIZENS COMMENTS:

Mary Ellen Rock – Gabriels: Concerned that Camp Gabriels property is going to be classified as a religious or educational property and be tax exempt, so the Town won't benefit. She is concerned about the type of people that will be coming to the area and if they will abide by the building code. She has heard a lot of rumors about what is going to be built there.

APPROVAL/AMENDMENT OF MINUTES

- Organizational Meeting – January 9, 2014

Motion made by Lydia Wright, second by Brian McDonnell, to accept the minutes of the Organizational Meeting of January 9, 2014, as written. Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

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-Regular Board – January 9, 2014

Motion made by Supervisor Peter Shrope, second by Lydia Wright, to accept the minutes of the Regular Board meeting of January 9, 2014, as written. Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

BUSINESS

1. NYCLASS Amendment: Received a request to approve an amendment to the NY Cooperative Liquid Assets Securities System (NYCLASS) Municipal Cooperation Agreement

RESOLUTION #32-2014

NYCLASS MUNICIPAL COOPERATION AGREEMENT AMENDMENT

Motion made by Supervisor Peter Shrope, second by Lydia Wright,

WHEREAS the Town is a Participant in the NY Cooperative Liquid Assets Securities System (NYCLASS) and has signed a Municipal Cooperation Agreement amended and restated as of April 23, 2012, and

WHEREAS on January 13, 2014, the Governing Board has amended and restated the NYCLASS Municipal Cooperation Agreement of April 23, 2012,

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Brighton, Franklin County, New York, agrees to and accepts the amendment dated as of March 14, 2014 to the NYCLASS Municipal Cooperation Agreement as amended and restated as of April 23, 2012, so that the following changes are made:

1. The NYCLASS Investment Policy better conforms to New York State General Municipal Law
2. The Governing Body is empowered with the ability to further amend the Investment Policy without further amendment to the cooperative, but while still maintaining appropriate notice to Participants,
3. Allows for the potential creation of other investment options as market conditions change or improve over time.

And

BE IT FURTHER RESOLVED that the Supervisor Peter Shrope be authorized to sign the form for NYCLASS Client Services showing the Town Board agreed to and accepted the amendment of January 13, 2014, and the Town Clerk be authorized to certify the resolution.

ROLL CALL VOTE: Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

Resolution #32 declared duly adopted

2. Bond Payment for Highway Garage-NBT: Payment is due on March 15, 2014; there are 12 more payments, discussion was held on looking into paying off the bond of \$267,000 or getting a lower interest rate.

RESOLUTION #33-2014

BOND PAYMENT FOR HIGHWAY GARAGE 2014 TO NBT BANK NA

Motion made by Supervisor Peter Shrope, second by Brian McDonnell,

WHEREAS the Town Board acquired a Bond Note to pay for the construction of a new Highway Garage in 2006 and the payment for 2014 is due on March 15, 2014,

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes Supervisor Peter Shrope to make the annual payment of \$22,250.00 against the principal and a payment of \$13,884.00 for interest, a Total payment of \$36,134.00 to NBT Bank, NA, prior to March 15, 2014.

ROLL CALL VOTE: Aye 3 (McDonnell, Shrope, Tucker), Nay 0, Abstain 1 (Wright), Absent 1 (McKernan)

Resolution #33 declared duly adopted

3. Audit of Financial Records – Supervisor Peter Shrope:

RESOLUTION #34-2014

AUDIT OF FINANCIAL RECORDS FOR 2013

Motion made by Supervisor Peter Shrope, second by Lydia Wright,

WHEREAS the Financial Records for 2013 for the Supervisor, Town Clerk and Justice were audited during January 2014 with no significant findings,

NOW THEREFORE BE IT RESOLVED that the Town Board accepts the audit of the Town Clerk and Supervisor's

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Financial Records conducted on January 14 by Council members Amber McKernan and Lydia Wright, and the audit of the Town Justice's Financial Records conducted on January 16, 2014, by Council Members Brain McDonnell and Amber McKernan.

ROLL CALL VOTE: Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

Resolution #34 declared duly adopted

4. Budget Amendment – Supervisor Peter Shrope: A budget amendment needed due to an error in calculating the Worker's Compensation Insurance payment for the 2014 Budget:

GENERAL FUND 2014 BUDGET AMENDMENT #1

Motion made by Supervisor Peter Shrope, Second by Lydia Wright,

RESOLVED that the following amounts are hereby transferred

\$360.00 from Account No. A1990.4 (Contingency)

As follows:

\$ 360.00 to Account No. A9040.8 Worker's Compensation

ROLL CALL VOTE: Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

GENERAL FUND 2014 BUDGET AMENDMENT #1-2014 declared duly adopted.

RESOLUTION #35-2014

PAYMENT FOR FRANKLIN COUNTY SELF INSURANCE IN THE AMOUNT OF \$360.00

Motion made by Supervisor Peter Shrope, second by Brian McDonnell,

WHEREAS the General Fund Budget for 2014 did not reflect the full amount of the Worker's Compensation payment due to a calculation error of \$360.00, and

WHEREAS the Town Board authorized an amendment to the General Fund Budget for the amount of \$360.00,

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes Supervisor Peter Shrope to pay the additional amount of \$360.00 owed to the Franklin County Self Insurance Program for Worker's Compensation for 2014.

ROLL CALL VOTE: Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

Resolution #35 declared duly adopted

5. **Franklin County Occupancy Tax – Supervisor Peter Shrope:** Franklin County is trying to get a “bed tax” passed for tourism revenue. This has not been accepted unanimously by the Franklin County Legislature, the Legislature from Tupper Lake area is against it. Looking for support from the towns. Will send a sample resolution for consideration.
6. **Town's Emergency Plan:** People at Paul Smith's College have changed; Brian McDonnell will contact PSC to see who the point of contact is now.
7. **Sewer Smell in Gabriels-Amber McKernan:** No further information

COMMITTEES:

1. **Insurance/Investments - Lydia Wright, Amber McKernan:** NYCLASS amended its Agreement, see Business Para 1
2. **Town Hall Project/Open House – Supervisor Peter Shrope, Lydia Wright:**
 - a. Celebration for 100 years to be held on Sunday, July 27th, emailed Betty Little to save the date, has not received a response yet. Will have a meeting on Sunday with Kevan Moss to discuss invitations and details of event.
 - b. Town Hall Project Voucher: Finally heard from Gail Underhill-Plumb, there are discrepancies with the voucher for final payment; items claimed are not being allowed. Supervisor Peter Shrope has to review the package to explain the discrepancies. Cannot claim the interest on the loan taken out to cover expenses.

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3. **Salaries/Benefits Administration – Brian McDonnell, Supervisor Peter Shrope:** Will meet with CSEA representative and Highway employees to discuss changing health benefit contributions in the contract for new employees.
4. **Parks and Recreation – Steve Tucker, Supervisor Peter Shrope:** A letter to the editor was published in the Adirondack Daily Enterprise thanking people and businesses for supporting the Saranac Lake Area Youth Program; the Town of Brighton was listed first.

CITIZENS COMMENTS:

The Paul Smiths Gabriels Volunteer Fire Department is having their Lasagna Dinner on March 22, 2014, from 4 to 8 p.m. The PSGVFD insurance policy is being reviewed and updated.

There will be a Full Moon Ski party on Friday, a Chili Ski Festival on Saturday, and a Ski Race on Sunday at the Visitor's Interpretive Center (VIC) at Paul Smiths College. Nordic skating will be available on the Heron Marsh ice. There will be a training exercise for emergency rescue volunteers at the VIC also.

AUDIT OF VOUCHERS

RESOLUTION #36-2014

PAYMENT OF AUDITED VOUCHERS AS LISTED ON THE ABSTRACTS

Motion made by Lydia Wright, second by Supervisor Brian McDonnell,

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

PREPAID FUNDS: Abstract #2 for Voucher #2A through and including #2C for 2014 General Funds in the amount of \$778.46 and STREET LIGHTING FUNDS in the amount of \$92.06

GENERAL FUND: Abstract #2 for Voucher #30 through and including #55 for 2014 funds in the amount of \$50,853.72 and

HIGHWAY FUND: Abstract #2 for Voucher #12 through and including #28 for 2014 funds in the amount of \$13,261.03

ROLL CALL VOTE: Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

RESOLUTION #36 declared duly adopted.

ADJOURNMENT

Motion to Adjourn at 9:25 p.m. made by Lydia Wright, Second by Supervisor Peter Shrope, Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

Respectfully Submitted,

Elaine W. Sater, RMC
Brighton Town Clerk