

TOWN OF BRIGHTON - FRANKLIN COUNTY, NY
REGULAR BOARD MEETING
March 12, 2015
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The Regular Meeting of the Town Board of the Town of Brighton was held Thursday, March 12, 2015, at 7:00 p.m. at the Brighton Town Hall, 12 County Road 31, Paul Smiths, NY, with the following:

CALL TO ORDER:

Meeting was Called to Order by Supervisor Peter Shrope at 7:01 p.m.
The "Pledge of Allegiance" 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 four other people

GUESTS: Dean Fountain and Dave Werner from the Franklin County Traffic Safety Board

NOTICE OF MEETING:

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

Franklin County Traffic Safety Board (TSB): Dean Fountain-Law Enforcement Coordinator, and Dave Werner, Co-Chairs of the TSB, gave a presentation on the protocol for highway signs used on Town Roads and State Highways. Each sign has a particular use and regulation for its placement; a sign cannot be moved because someone wants it moved. There are three main categories of signs. Some signs are regulatory and they must be followed. Some signs are for warning people who are not familiar with an area. Some are guide and information signs, such as number of miles to the next Town. There is a Federal Uniform Traffic Control Devices manual and a State supplement that provides the regulations for highway traffic signs in New York State. Dean Fountain and Dave Werner give briefings to State Police on the same subject. The new speed sign with an arrow on it indicates a change in speed of 15 mph, such as, from 55 to 40 mph, or the reduced speed sign is around a corner and cannot be seen. The TSB provides infant car seats to new parents through a grant program. The TSB is currently monitoring drivers who use cell phones and people who pass school buses when children are getting on or off. They have asked the District Attorney's Office to not give reductions for any tickets written for these violations. The TSB meets on the 4th Wednesday of the month at the E911 building on Bare Hill Road in Malone or at Paul Smith's College and the public is invited to attend.

REPORTS

1. Highway Department - Superintendent Andy Crary
 - a. Had radios installed in new trucks
 - b. Plowing and sanding continues
 - c. Pushed back banks with loader on the Keese Mills and upper Rainbow Lake (County Road 60) Roads
 - d. Cleaned up the floors in the shop
 - e. Took the new plow truck to Plattsburgh, it had a wiring problem near the clutch, truck came back today
 - f. Culverts are frozen on Clark-Wardner and Wardner roads, Franklin County Highway Dept came and helped thaw them out. Keese Mills Road also have a frozen culvert
 - g. Almost out of screened sand, mixed sand with salt
 - h. Finished putting up signs on the Fuel Shed per NYS DEC regulation; also had to put up extra signs inside the shed.

2. Town Clerk- Elaine Sater:
 - a. Total Revenue to the Supervisor as of February 28, 2015 was \$116.00 from 3 new dog licenses (Tag#150 through 152); 1 Park use donation, and 1 replacement for a lost parking tag
 - b. February 19, updated contact information for Town Officials on Division of Local Government and

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- School Accountability's website, added the new assessor's information
- c. Feb 26 received 2015 Town and County Directories from Franklin County Legislature, distributed to Board and Town Justice.
 - d. March 3 sent letter to Franklin County Board of Elections and Franklin County Clerk notifying them of positions and terms that will be on the November Election ballot, Tax Collector, Town Clerk, Town Justice and two council members - 4 years terms, Supervisor and Superintendent of Highways - 2 year terms, a copy was distributed to people whose terms are ending in December 2015.
 - e. New York State Town Clerk's Convention and Annual Meeting is April 26 to 29, in Rochester, would like a resolution to attend; voucher for hotel and registration is submitted
 - f. TOWN HALL REQUEST: None
 - g. TOWN PARK REQUEST: Saranac Lake Youth Soccer Association is reserving the park fields for Tuesdays and Wednesdays from July 8 to August 12 from 5 to 8:30 p.m. and Saturday, August 1 from 9 a.m. to 2 p.m. for a tournament. They also sent a donation of \$100.00.
 - h. RECORDS MANAGEMENT: Review of records retention schedule and shredding of records due for destruction continues. Setting up 2015 files.

RESOLUTION #32-2015

TOWN CLERK'S TRAINING AND ANNUAL MEETING

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

WHEREAS the New York State Town Clerk's Association provides educational seminars for Town Clerk's and conducts their annual meeting in April each year,

NOW THEREFORE BE IT RESOLVED that the Town Clerk Elaine Sater be authorized to attend the New York State Town Clerk's Association (NYSTCA)'s Convention and Annual Meeting in Rochester from April 26 to 29 and the Town pay the expenses.

**ROLL CALL VOTE: Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0
Resolution #32 declared duly adopted**

3. Tax Collector - Holly Huber:
 - a. Collected \$ 246,656.87 in property taxes, \$627.79 in penalties and \$3.43 in bank account interest
 - b. Issued check #921 for \$34.34 to Core Logic, an escrow company, for an overpayment and check #922 for \$500,000.00 to the Franklin County Treasurer
 - c. A detailed list, updated daily, of individual payments received is available at <http://bit.ly/1EepVme>. A print copy of this list, showing the entire tax collection period, will be filed in the Town Hall after the season ends.
 - d. The Tax Collector's Cashbook detailing all deposits made and checks written is available at: (Removed per TOBB 05/14/15 Resolution #46-2015). A print copy of this Cashbook, showing the entire tax collection period, will be filed in the Town Hall after the season ends.
 - e. Filled requests for tax bills and receipts
 - f. Located and attempted to locate property owners whose bills or receipts were returned as undeliverable.

Supervisor Peter Shrope said the format of the report was changed slightly. He also received a check for \$700.00 for penalties on 3/12 which is not reflected on this report. Voucher from February meeting was resubmitted with receipts attached.

4. Town Justice - Nik Santagate: Supervisor Peter Shrope said he received a check in the amount of \$4,027.00 and that the Judge disposed of 42 cases for the month of February
5. Code Enforcement Officer - Paul Blaine: Issued one Certificate of Compliance for BP#14-020 located on Beech Hill Road.
6. Assessor - Roseanne Gallagher: Supervisor Peter Shrope said the Assessor had to purchase a new computer for \$651.81 and would like to share the cost of \$217.27 for each of the three Towns where she

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works. According to the Association of Towns there needs to be an inter-municipal agreement with the three Towns of Bellmont, Brighton and Westville. A voucher has been submitted for payment.

7. Town Park - Nothing to report

8. Food Pantry - Barb Marshall

- a. Report: 293 individuals served, received the letter from Peter Shrope concerning the law regarding town support/sponsorship of food pantry. Letter copies sent to George Earle-pantry staunch supporter, Father Pat Ratigan-church Pastor and the Regional Food Bank. Sue Lintner of the Food Bank said she'd be more than happy to speak to any Board members. She will contact Peter (Shrope) re: this issue - dealing with hundreds of agencies/pantries, many operate out of town buildings, as per her conversation with Sue (Lintner), her phone number is 786-3691, X224. The pantry in St. Regis works out of the basement of their Town Hall! Just one of many! Also, the town cannot sponsor a Pantry, only the Church can. Check is enclosed for electric.
- b. Kim Carpenter said she was speaking for Barb Marshall as a St. Paul's/Assumption Food Pantry representative. She would like to resolve the issue of the food pantry using the Town's property. Legally anyone can go to any food pantry, Brighton has the best. They would like to know if they can lease the building. She is concerned that the Food Pantry will not be available for people to use. She hopes the Town would give them a sufficient amount of time to address the issue.

Supervisor Peter Shrope said the NYS Constitution, Article 8, Section 1, says nothing in the Constitution shall prevent a county, city or town from making such provision for the aid, care, and support of the needy as may be authorized by law. There is no such local law in the Town. The town is giving away Town assets by paying for a private enterprise to use a Town building; this has been going on for many years. This issue was just brought to his attention last year during a Franklin County Supervisor's meeting when a supervisor asked about it. It was also mentioned by the Press Republican. A reporter read the Town's minutes on-line and published information on January 19, 2015, mentioning the Food Pantry was using a government building. He would like to start a dialogue with the Food Pantry to address this issue. He spoke with George Earle concerning the use of the government building and breaking the law. He also spoke with Sue Lintner of the Food Bank, who said that lots of people are using government buildings for food pantries. He told her this does not make it legal.

Amber McKernan asked the Food Pantry representative what support the Food Pantry was getting from Father Ratigan from the church.

Kim Carpenter said she did not know if Barb Marshall had spoken with him.

Brian McDonnell asked if any of the three people from the food pantry were residents of the Town. None of them were residents.

Brian McDonnell said the Food Pantry has become more than just a place for people who need food. He said Barb Marshall has become a victim of her own success. Many people come to the Food Pantry who do not live in the Town, but the Town's tax payers pay for the town building to remain open so people from other Towns can come here, when they have food pantries in their own Towns. He said there are other private buildings available in the Town that the Food Pantry could use.

Discussion was held on the Food Pantry using the recreation part of the building, the Board is not interested in leasing out the building. The Town residents are able to reserve the building now, but they may not be able to if it was leased to a private organization.

Kim Carpenter asked what would happen to the building if the Food Pantry moved out?

Supervisor Peter Shrope said the building would be shut down completely during the winter to save money if it was not being used. The Board does not plan to make the Food Pantry move tomorrow but they need to consider their future. He would like to follow the law. He thanked the three people who came to discuss the issue.

9. Historian - Mary Ellen Salls: Elaine Sater said she did not sign an oath of office as Mary Ellen Salls never resigned from the position, therefore it was not vacant. Mary Ellen Salls was appointed until December 31, 2015. Supervisor Peter Shrope will contact Mary Ellen Salls concerning this position.

10. Animal Control - Tri Lakes Humane Society: No report

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11. Supervisor - Peter Shrope:
 - a. Sent a letter dated Feb 26, 2015, to the United States Department of Agriculture supporting the grant request from the Paul Smiths-Gabriels Volunteer for the purchase of a truck.
 - b. Received a letter dated March 2, 2015 from North Country Life Flight, Inc, thanking the Town for supporting them.
 - c. Distributed Budget as of February 28, 2015, to the Board, Revenues: \$700 in penalties from Tax Collector, \$4,029 from Town Justice, and \$116.00 from Town Clerk
 - d. NYCLASS interest received for the General Fund was \$2.27, total in account \$85,296.06 and Highway Fund is \$1.11, total in account \$40,123.34.

APPROVAL/AMENDMENT OF MINUTES

- Regular Board – February 12, 2015

Motion made by Amber McKernan, second by Steve Tucker, to accept the minutes of the Regular Board Meeting of February 12, 2015 with the following changes: Page 4, Business Para 2, Abolish Tax Collector Elected Position?, delete the last line, and Page 5, Para 3, Food Pantry - Legal Issue: Change 5th line starting with “The Press Republican... on January 19...” to read “A reporter took information from the town meeting minutes and mentioned the Food Pantry using the Town building in the Press Republican on January 19...”.
Aye 4 (McDonnell, McKernan, Shrope, Tucker), Nay 0, Abstain 1 (Wright)

CITIZENS COMMENTS: None

BUSINESS

1. **Update Emergency Operations Plan (EOP) for 2015 - Supervisor Peter Shrope:** The Town’s EOP needs to be updated, the Fire Chief and 1st Assistant has changed, a phone number is needed for the 1st Assistant.
2. **Payment for Fire Service - Supervisor Peter Shrope:** The final payment for 2015 is due April 1

RESOLUTION #33-2015

PAYMENT FOR FIRE SERVICES FINAL FOR 2015

Motion made by Supervisor Peter Shrope, Second by Amber McKernan,

WHEREAS the Town of Brighton contracts with Paul Smith’s Gabriels Volunteer Fire Department to provide fire protection services to our citizens,
BE IT RESOLVED that the Town of Brighton Board authorizes the Supervisor to pay the amount of \$42,008 as the final payment for 2015 to the Paul Smiths Gabriels Volunteer Fire Department.

**ROLL CALL VOTE: Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0
Resolution #33 declared duly adopted**

3. **Painting Roof of Pavilion - Supervisor Peter Shrope:** Received a request from Chad Quinn to provide documentation to show proof of donation of work to paint roof of pavilion. Discussion was held on what would be needed to support this request. Chad Quinn needs to send an invoice to the Town. Supervisor Peter Shrope will acknowledge it before the next meeting as Chad Quinn needs it for income tax purposes.

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COMMITTEES:

1. **Saranac Lake Area Youth Program (SLAYP) - Steve Tucker:** The Village of Saranac Lake reversed their decision to not administer the SLAY Program for 2015. Ruth Pino joined the SLAYP Board as the school liaison.
2. **Adirondack Association of Towns and Villages (AATV) - Brian McDonnell:** Will attend the AATV meeting on March 13.
3. **Assessment - Brian McDonnell, Lydia Wright:** Still determining who to appoint for the Board of Assessment Review.

CITIZENS COMMENTS: None

EXECUTIVE SESSION

Motion made to GO INTO EXECUTIVE SESSION at 8:50 p.m. by Supervisor Peter Shrope to discuss current litigation "Humes vs Town of Brighton" in accordance with Public Officers Law, Article 7, Section 105d, second by Amber McKernan, Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0

Motion made to GO OUT OF EXECUTIVE SESSION at 9:05 p.m. by Supervisor Peter Shrope, Second by Amber McKernan, Aye 5, (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0

AUDIT OF VOUCHERS

Discussion was held on needing receipts for proof of payment before reimbursing individuals for large expenses that should be paid by voucher directly to the company.

RESOLUTION #34-2015

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 #3 for Voucher #3A through and including #3C for 2015 General Funds in the amount of \$754.67 and STREET LIGHTING FUND in the amount of \$71.27

GENERAL FUND: Abstract #3 for Voucher #53 through and including #74 for 2015 General funds in the amount of \$73,759.49

HIGHWAY FUND: Abstract #3 for Voucher #25 through and including #32 for 2015 Highway funds in the amount of \$7,730.45

SPECIAL FUND - FIRE DISTRICT: Abstract #2 for Voucher #2 for 2015 Fire District Special Fund in the amount of \$42,008.00

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

Resolution #34 declared duly adopted.

ADJOURNMENT

Motion to Adjourn the meeting at 9:15 p.m. made by Lydia Wright, Second by Amber McKernan, Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0

Respectfully Submitted,

Elaine Sater, RMC, Brighton Town Clerk