

REGULAR MEETING - TOWN OF BRIGHTON - FRANKLIN COUNTY, NY

February 14, 2013

Page 1 of 7

The Regular Monthly Meeting of the Town Board of the Town of Brighton was held Thursday, February 14, 2013, 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.

ROLL CALL OF OFFICERS

PRESENT: Supervisor Peter Shrope

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

ABSENT: None

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

RESIDENTS: There were three residents present

NOTICE OF MEETING: Notice of this meeting was published in the Adirondack Daily Enterprise on Thursday, January 31, 2013. Notice was also posted on the Town Clerk's Sign Board, in the three local post offices and businesses in the Town.

DEPARTMENT REPORTS

1. **HIGHWAY – Andy Crary:** Report submitted prior to meeting
 - a) Plowing and sanding roads
 - b) Received new International truck and installed the plow and wing
 - c) Fixed the sanding chain on the PayStar 2002
 - d) Borrowed a curb guide for the plow from Town of Harriestown and replaced
 - e) Borrowed bolts from the Town of St. Armand and replaced
 - f) Put up more salt and sand
 - g) Pushed back the snow banks on the Town roads
 - h) Washed the new truck
 - i) Cleaned the shop floors
 - j) Checked the roads, roads are in good shape
 - k) Made a dump run
 - l) Submitting a request for Franklin County's assistance to pave 1 mile of the Keese Mills Road

RESOLUTION #27-2013

AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONIES IN THE AMOUNT OF \$30,000.00

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

BE IT RESOLVED by the Town Board of the Town of Brighton as follows:

Pursuant to the provision of Section 284 of the Highway Law, we agree that money levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. **General Repairs.** The sum of \$30,000 shall be set aside to be expended for primary work and general repairs upon 1 mile of town highway, including sluices, culverts, and bridges having a span of less than five feet and boardwalks or the renewals thereof.
2. **Permanent Improvement.** The following sum shall be set aside to be expended for the permanent improvement of Town Highways: On a road commencing at Keese Mills Road and leading to the Santa Clara town line, a distance of 1 mile, there shall be expended not over the sum of \$30,000. Type: Black Top, Width of Traveled Surface: 18 feet, Thickness: 2 inches, Subbase: Dense Binder.

AND BE IT FURTHER RESOLVED that the Town Board authorizes Supervisor Peter Shrope to sign a request for Franklin County Highway Department to assist the Town of Brighton Highway Department with a paver, roller and manpower or any other requested county equipment. It is agreed that this work is undertaken by the Town Highway Department and the job is totally under the direction and supervision of the Town Highway Department. The Town is required to get the necessary permits, property owners' agreements, and provide utility notification. As an inducement for such assistance the Town will hold the

REGULAR MEETING - TOWN OF BRIGHTON - FRANKLIN COUNTY, NY

February 14, 2013

Page 2 of 7

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 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0
Resolution #27 declared duly adopted.**

- 2. TOWN CLERK – Elaine Sater:** Report submitted prior to the meeting
 - a) Total Revenue to Supervisor as of January 31, 2013 was \$ 1,024.50 from 1 Marriage License (#1-2013), 1 Dog License renewed, 3 Building Permit (#13-001thru 003) and 1 Notary Signature
 - b) January 15 audit of Financial Records of Town Clerk was completed. Total Revenue for 2012 was \$6,361.54 and Disbursements were: \$5,418.46 to Town Supervisor, \$788.08 to Department of Environmental Conservation, and \$155.00 to Department of Agriculture and Markets.
 - c) January 29 received notice from Sodexo Management, Inc. dated January 24, 2013, regarding the renewal application for a Wine and Beer License for Paul Smith’s College.
 - d) January 31, posted notices, of the Regular Town Board meetings to be held on the second Thursday of each month, in three Post Offices and businesses in the Town. Notice was also published in the Adirondack Daily Enterprise.
 - e) February 5 sent notice to the Franklin County Board of Elections regarding the positions open for election in the November 2013 general election: Supervisor (2-Year Term), Superintendent of Highways (2-Year Term) and two Council members (4-Year Terms).
 - f) Also sent notice to the Franklin County Clerk of Bond Insurance for the Town Justice for the July 2012 to July 2013 year.
 - g) February 5 Annual Update Document (AUD) for 2012 was filed in the Town Clerk’s Office. Notice was posted in the three post offices and in the Adirondack Daily Enterprise on February 12.
 - h) TOWN HALL REQUEST: None
 - i) TOWN PARK REQUEST: None, need the new schedule for Food Pantry days.
 - j) RECORDS MANAGEMENT: Received records from the Bookkeeper for storage. Destruction of documents for the year 2012 has been accomplished. Received 2 Foil requests, sent response by email.

- 3. TAX COLLECTOR – Holly Huber:** Report (for two months) received prior to meeting
 - a) Renewed annual contract with Tax collection program provider BAS
 - b) Renewed Post Office box rental
 - c) Replenished office supplies
 - d) Picked up Remote Capture Device from NBT Bank used for the scanning and depositing of tax payment checks; worked with NBT to update associated software
 - e) Emailed tax insert to Compass Printing and picked up the finished product
 - f) Picked up tax bills and warrant at County Courthouse in Malone
 - g) Machine folded bills and insert, machine posted envelopes, manually stuffed, sealed and mailed envelopes
 - h) Prepared and sent bills to tax services for property owners in escrow
 - i) Prepared Public Notice and distributed it to area post offices, Town Hall and Adirondack Daily Enterprise
 - j) Worked with software supplier, BAS, to update program and download tax bills
 - k) Staffed home office during posted hours
 - l) Recorded and deposited payments for 748 parcels in the amount of \$1,246,129.77
 - m) Delivered three payments to Supervisor Shrope in the amounts of \$200,000 on 1/14/13, \$250,000 on 1/23/13, and \$141,736 on 1/25/13 for a total of \$591,736 which satisfied the Town’s portion of the total warrant of \$1,669,294.78.
 - n) Collected and paid \$311.52 in penalties to Supervisor Shrope on 2/12/13
 - o) Paid the County Treasurer \$400,000 on 2/4/13
 - p) Rationalized to a taxpayer the charging of a penalty on a payment postmarked 2/1/13 – citing the notice included with the bill.
 - q) Forwarded USPS-determined “undeliverable” bills whenever a better address could be determined
 - r) Forwarded bills when requested due to missed recording deadlines or various other reasons
 - s) Provided either change of address form or computer link to form
 - t) Provided direction for assessment issues, property boundary curiosity, obtaining duplicate copies of bills from town website, etc.

REGULAR MEETING - TOWN OF BRIGHTON - FRANKLIN COUNTY, NY

February 14, 2013

Page 3 of 7

4. **TOWN JUSTICE – Nik Santagate:** Report submitted prior to meeting.
Supervisor Peter Shrope received \$3,790 for fees and fines from the Justice with a list of 58 disposed cases
5. **CODE ENFORCEMENT OFFICER – Paul Blaine:** Report submitted prior to the meeting.
 - a) **Building Permits:** Issued three (3) Building Permits (BPs #13-001 thru 003)
 - b) **Certificate of Occupancy/Compliance:** Issued two (2) COOs for BP#12-012 and 014
 - c) **Complaints:** Received one complaint (#13-001) for building code, Status is Open.
 - d) Waiting for plans for a new home, will be issuing a COO for modular on Rainbow Lake Road, tofu manufacturing planning additional uses.
6. **ASSESSOR – Douglas Tichenor:** No report received
7. **TOWN PARK – Dan Spencer:** No report received
8. **FOOD PANTRY – Barb Marshall:** Report received prior to meeting.
 - a) Reported there were 201 families served, a total of 545 people.
 - b) Electrical inspector to meet with Tom Ammon next week. Key was given to Dan Spencer. Mailed Town Clerk insurance certificate.
 - c) Needs some kind of bill for electrical usage so she can issue a check to the Town, needs to return paperwork to Latham by February 1.
Supervisor Peter Shrope provided the figures for the electrical usage in a letter dated Jan 31, 2013. In January there was a large increase in electrical usage at the Park building. Park Attendant Dan Spencer was not able to determine the cause.
9. **HISTORIAN - Mary Ellen Salls:** No report received
10. **ANIMAL CONTROL OFFICER (Tri-Lakes Humane Society):** Report (for four months) received prior to meeting.
 - a) September 2012: Someone picked up a female beagle running loose on State Route 30 between Paul Smiths and McColloms. No one identified the dog so it was transferred to the shelter after the 5-day holding period and put up for adoption. Three kittens were abandoned on State Route 86 in Paul Smiths, no one claimed them so they were put up for adoption.
 - b) October 2012: A beagle was picked up and transported to White Pine Camp from County Road 55 where it was found running loose. The owner who was from out-of-town was contacted from the information on the dog's tag. They claimed the dog and paid the impound fee.
 - c) November 2012: A dog gave birth to 14 puppies on 11/4/12. The owner could not afford the veterinary fees so the shelter took the mother and 8 of the puppies, the other 4 died at birth. The dogs needed emergency medical care and were nursed back to health after two weeks at the veterinarian. The NYS police were contacted regarding the neglected condition of the dog and an investigation was conducted at the owner's home. No charges were brought against the owner, but a case file has been created for future reference.
 - d) December 2012: A resident of the Collins Trailer Park claimed to have found four cats living outside the home. The cats were taken to the shelter, spayed 2 of them; one gave birth to 5 kittens two days after arriving at the shelter.
 - e) Assisted the Town Clerk with Dog License renewal letters. During the period September to December, mailed 6 notices to residents, most have renewed their dog's license. Mailed certified letters to four owners; three have renewed their dog's license. One letter was returned "unclaimed/unable to forward."
 - f) During 2012 the Tri-Lakes Humane Society provided shelter services for a total of 29 animals from the Town, accounting for 7.5% of the animals taken into the shelter for the entire year.
11. **SUPERVISOR:**
 - a) **Financial Report:** Budget as of January 31, 2012 was distributed to Town Board box for review.
 - b) **Tax Revenue:** Received all the tax payments from the Tax Collector to fill the Town's Budgets: \$900 for Street Lighting, \$79,193 for Fire Special District, \$343, 866 for General, and \$167,777 for Highway.
 - c) **Traffic Diversions Program:** Received notice from the Franklin County District Attorney's Office that

REGULAR MEETING - TOWN OF BRIGHTON - FRANKLIN COUNTY, NY

February 14, 2013

Page 4 of 7

funds are available from the Traffic Diversion Program in the amount of \$600.00 from 2012. Completed the necessary forms and submitted them to the District Attorney's Office. Funds from 2011 (\$300) are no longer available to the Town since the paperwork was not submitted for it. This program was started in 2011.

- d) **NYSERTA:** Received reimbursement funds in the amount of \$172.49 for the new printer/copier.
- e) **CSEA contract:** Discussed renewal of the CSEA contract with the Highway employees and their union representative; there are no changes from the 2012 contract. A new contract will be sent for approval.
- f) **County Road 60:** Received complaints from residents in the Rainbow Lake area concerning the condition of County Road 60 near the Post Office, sent a letter to Jon Hutchins, Superintendent of Franklin County Highways, dated February 7, 2013, asking him to inspect the road and fill the potholes.
- g) **NYMIR Inspection:** Survey of buildings was completed by NYMIR for liability insurance in January. The fuel shed and contents needed to be added to the policy. The boilers in the Town Hall and Garage needed inspecting and the fire alarm system in the Garage needs repair. Vouchers have been submitted for the additional insurance and the boiler inspections.

APPROVAL OF MINUTES

- Organizational Meeting - January 10, 2013

Motion made by Amber McKernan, **second** by Steve Tucker, **to accept the minutes of January 10, 2013 with Brian McDonnell added as a member of the Salaries and Benefits Administration Committee on Page 2, Para 7, Resolution #5-2013. Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0**

- Regular Board – January 10, 2013

Motion made by Supervisor Peter Shrope, **second** by Lydia Wright, **to accept the minutes of January 10, 2013 with “road” changed to “rode” on page 6, Committees, Para 1 Highway, and the addition of “Brian McDonnell” to Para 9, Salaries and Benefits Administration.” Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0**

CITIZENS COMMENTS:

Tom McKernan - Gabriels: The Highway Department is doing an excellent job on the roads.

BUSINESS

1. **AUD -** The Bookkeeper has completed the Annual Update Document (AUD) and it was filed with the State Comptroller's Office on February 11, 2013 and submitted to the Town Clerk on February 5.

RESOLUTION #28-2013

ANNUAL UPDATE DOCUMENT FOR 2012 FILING

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

RESOLVED that in accordance with Town Law Article 3, Section 29, Para 10a, a copy of the Supervisor's Annual Update Document (AUD) for 2012 to the State Comptroller is to be submitted to the Town Clerk within the first 60 days of 2013, unless the Comptroller extends the filing date by 60 days, in which case the same extension shall apply to the filing with the Town Clerk.

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

Resolution #28 declared duly adopted

2. **AUDIT OF FINANCIAL RECORDS FOR 2012:** The Town Clerk, Justice and Supervisor's Financial Records were audited by the Town Board on January 15, 2013.

RESOLUTION #29-2013

AUDIT OF FINANCIAL RECORDS FOR 2012

Motion made by Supervisor Peter Shrope, **second** by Amber McKernan,

REGULAR MEETING - TOWN OF BRIGHTON - FRANKLIN COUNTY, NY

February 14, 2013

Page 5 of 7

RESOLVED that in accordance with Town Law Article 8, Section 123, Town Board members conducted an audit of the Financial Records for 2012 of the Town Clerk, Town Justice, and Town Supervisor with no significant findings. The Town Board approves the audit as conducted on January 15, 2013.

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

Resolution #29 declared duly adopted.

3. ANNUAL CONTRACTS:

a. North Country Life Flight Medevac Services 2013:

RESOLUTION #30-2013

NORTH COUNTRY LIFE FLIGHT FOR MEDEVAC SERVICES FOR 2013 FOR \$1,500.00

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

RESOLVED that Supervisor Peter Shrope be authorized to sign a contract with North Country Life Flight, Inc. in Saranac Lake to provide Medical Evacuation Services during 2013 in the amount of \$1,500.00 and BE IT FURTHER RESOLVED that Supervisor Peter Shrope be authorized to pay the amount of \$1,500.00 to the North Country Life Flight, Inc. for the 2013 services from General Fund Account A4540.4.

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

Resolution #30 declared duly adopted

b. Saranac Lake Adult Center for Senior Services 2013:

RESOLUTION #31-2013

SARANAC LAKE ADULT CENTER FOR SENIOR SERVICES 2013 FOR \$750.00

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

RESOLVED that Supervisor Peter Shrope be authorized to sign a contract with the Saranac Lake Adult Center, Inc. in Saranac Lake to provide services for seniors such as Congregate Meals, Home Delivered Meals, case management, and assistance with various benefit programs for 2013 in the amount of \$750, and BE IT FURTHER RESOLVED that Supervisor Peter Shrope be authorized to pay the amount of \$750.00 to the Saranac Lake Adult Center, Inc. for the 2013 services.

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

Resolution #31 declared duly adopted

c. Saranac Lake Civic Center for Recreational Services in 2013:

RESOLUTION #32-2013

SARANAC LAKE CIVIC CENTER FOR RECREATIONAL SERVICES 2013 FOR \$1,500.00

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

RESOLVED that Supervisor Peter Shrope be authorized to sign a contract with the Saranac Lake Civic Center, Inc. in Saranac Lake to provide services for youth such as ice skating, hockey and other recreational activities for 2013 in the amount of \$1,500.00, and BE IT FURTHER RESOLVED that Supervisor Peter Shrope be authorized to pay the amount of \$1,500.00 to the Saranac Lake Civic Center, Inc. for the 2013 services.

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

Resolution #32 declared duly adopted

4. TAX COLLECTOR RETIREMENT HOURS: Log of hours recorded for 2012 business has been received from the Tax Collector.

RESOLUTION #33

TAX COLLECTOR RETIREMENT HOURS

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

RESOLVED that the Town Board hereby establishes the retirement hours to be recorded for the Tax Collector Holly Huber at 2.199 days per pay period (4.76 per month) based on 343 hours for the year 2012 and a 6-hour work day and 26 pay periods.

REGULAR MEETING - TOWN OF BRIGHTON - FRANKLIN COUNTY, NY

February 14, 2013

Page 6 of 7

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

- 5. FORECLOSURE BILLS FROM THE NYS ASSEMBLY- Supervisor Peter Shrope:** Assemblyman Michael Kerns from the 142nd District sent a request to the Supervisor dated January 2, 2013, to obtain Town support on two bills (A.88 and A.824) in the State Assembly. These bills are to make it mandatory for lending institutions to provide to municipalities contact information for property managers or person responsible for property upkeep and maintenance on properties that are in foreclosure. Discussion was held but no action taken.
- 6. FIRE ADVISORY BOARD (FAB) – Steve Tucker:** Supervisor Peter Shrope received notice that there will be a meeting of the Fire Advisory Board on February 21 at 6 p.m. at the Harriestown Town Hall; Steve Tucker plans to attend.
- 7. BOARD OF ASSESSMENT REVIEW (BAR) APPOINTMENT – Brain McDonnell:** Dan Grant does not want to renew his appointment to the BAR. Paul Pillis has indicated that he is interested in serving on the BAR. Discussion was held on holding a training session at the south end of the County. Supervisor Peter Shrope will contact the Office of Real Property to discuss the possibility.

RESOLUTION #34

APPOINTMENT OF PAUL PILLIS TO BOARD OF ASSESSMENT REVIEW

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

WHEREAS, the term of Dan Grant on the Board of Assessment Review has expired and he does not want to be reappointed,

BE IT RESOLVED that Paul Pillis of Gabriels is hereby appointed to serve on the Board of Assessment Review (BAR) for a term of 5 years commencing on February 14, 2013 and ending on September 30, 2017.

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

Resolution #34 declared duly adopted.

- 8. PERMISSION FOR ROW– Supervisor Peter Shrope:** A request has been made to the Supervisor for a Right-of-Way (ROW) to cross Town property at the Mt. View Cemetery with irrigation pipes. A person who is leasing the fields behind the cemetery would like to irrigate the fields from the property across Country Road 55. Supervisor Peter Shrope told him to call the Association of Towns to discuss the appropriateness of using a cemetery for a Right-of-Way. Discussion was held on showing proper respect to the Cemetery and how the water would get over the road and if the APA needs to be involved. The person will have to do more research on this issue.
- 9. AATVNY MEMBERSHIP – Supervisor Peter Shrope:** Voucher has been submitted to pay for 2013 membership in the Adirondack Association of Towns and Villages (AATVNY) in the amount of \$250.00. Information on the organization was distributed to the Board and is available on their website at “aatvny.org.”
- 10. ADIRONDACK TOURISM FUNDS – Brian McDonnell:** If Franklin County is giving out funds for tourism then Gordy Crossman should be made aware of the amount of tourism in the Town since he is the Town’s County Legislature representative. Other communities are receiving funds from the County. Some of the tourists to the Town consist of 7500 people who visit the Visitor’s Interpretative Center, 4000 who visit the corn maze, snowmobilers, visitors to Paul Smith College, and those who visit the artist studios. Discussion was held on how to get the information to the County Legislature. Supervisor Peter Shrope will draft a letter to send to Gordy Crossman.

COMMITTEES

- 1. HIGHWAY- Brian McDonnell and Steve Tucker:** Nothing further to report
- 2. ADIRONDACK REGIONAL AIRPORT – Tom and Amber McKernan:** Nothing further to report

REGULAR MEETING - TOWN OF BRIGHTON - FRANKLIN COUNTY, NY

February 14, 2013

Page 7 of 7

3. **PARKS AND RECREATION – Supervisor Peter Shrope and Steve Tucker:** Nothing further to report
4. **INVESTMENTS AND INSURANCE – Lydia Wright:** NYCLASS account had interest of \$.21 for General and \$.10 for Highway, total interest of \$.31 for January 2013.
5. **CEMETERIES AND BUILDINGS – Amber McKernan and Steve Tucker:** Overhead door has been installed on cemetery garage.
6. **TOWN HALL PROJECT/OPEN HOUSE – Supervisor Peter Shrope and Lydia Wright:** Met with Tawnya Kentile to discuss final report, she is working on the budget items. Will be discussing Open House with Lydia Wright before the next meeting.
7. **ASSESSMENT – Brian McDonnell and Lydia Wright:** Assessor Doug Tichenor wants to meet with the committee; they will need to set up a date with him.
8. **SALARIES/BENEFITS ADMINISTRATION – Supervisor Peter Shrope and Brian McDonnell:** Looking at the salaries and benefits and savings from health insurance changes. Total savings will be about \$60,000. Salaries for elected official's positions should be increased to compensate for lost benefits. Each year the buyouts will change as elected officials are reelected or changed. This will be discussed more at future meetings.

CITIZENS COMMENTS:

Robyn Burgess: Invited the Board to attend the next Local Government Day for the Adirondack Park Agency on April 24 and 25 at the Crowne Plaza in Lake Placid.

Brain McDonnell said the Newcomb VIC is closed until May due to a water main break.

AUDIT OF VOUCHERS

RESOLUTION #35

PAYMENT OF AUDITED VOUCHERS AS LISTED ON THE ABSTRACTS

Motion made by Lydia Wright, second by Amber McKernan,

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 2013 General Funds in the amount of \$793.35 and 2013 Street Light Funds in the amount of \$81.07

GENERAL FUND: Abstract #2 for Voucher #21 through and including #43 for 2013 funds in the amount of \$57,206.51.

HIGHWAY FUND: Abstract #2 for Voucher #11 through and including #23 for 2013 funds in the amount of \$11,576.85

CAPITAL PROJECT FUND – TOWN HALL PROJECT: Abstract #43 for Voucher #102 in the amount of \$335.00.

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

Resolution#35 declared duly adopted

ADJOURNMENT

Motion to Adjourn at 8:56 p.m. made by Amber McKernan, Second by Lydia Wright, Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0

Respectfully Submitted,

Elaine Sater, RMC
Brighton Town Clerk