

TOWN OF BRIGHTON, FRANKLIN COUNTY, NEW YORK
REGULAR TOWN BOARD MEETING MINUTES

March 8, 2018

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The Regular Meeting of the Town Board of the Town of Brighton was held Thursday, March 8, 2018, at 7:00 pm 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: Amber McKernan, Steve Tucker, and Lydia Wright

ABSENT: Council Member Brian McDonnell

OTHERS PRESENT: Paul Blaine-Code Enforcement Officer, Andy Crary-Superintendent of Highways, Elaine Sater-Town Clerk, and three residents, one a representative of the media.

NOTICE OF MEETING:

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

REPORTS

1. Highway Department - Andy Crary
 - a. Plowing and sanding roads
 - b. Ran out of screened sand, getting it from the banks
 - c. Replaced mirrors on both trucks, the wings jump and break them
 - d. Had loader out moving snow
 - e. Replaced air valve on 2013 truck
 - f. New guard rail on Keese Mill Road damaged; found car that did it. Reported it to State Police who found the person who owned car. Insurance should cover damage.
 - g. Plow was damaged when 2015 plow truck slid on icy hill on Hoffman Road and hit a tree. Plow is ruined, contracted insurance company, waiting to hear back. Put an old plow on truck so it can still be used for plowing.
 - h. Fixed the spinner on the 2015 truck that was damaged when truck slid on ice
 - i. Put mud flaps on 2018 F350 pick up truck
 - j. Discussion held on replacing the loader and back hoe with one new loader, Highway Committee met with Superintendent, to discuss financing details. Amber McKernan thanked Andy Crary, Superintendent of Highways for being diligent in researching purchase of loader. Supervisor Peter Shrope also thanked the Highway Committee members for working with Andy Crary to come to an agreement satisfactory to all.

RESOLUTION # 34-2018

JOHN DEERE LOADER PURCHASE

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

WHEREAS the Highway Committee met with Andy Crary, Superintendent of Highways, to discuss possible financing of a new loader, and

WHEREAS there was \$37,000 in Highway Account DA5112.2 budgeted for paving the Keese Mills Road for 1/2 mile, and

WHEREAS the bridge that has to be replaced is part of the ½ mile so paving the whole ½ mile would be a waste of funds, and

WHEREAS \$20,000 from DA5112.2 could be used as down payment on a new loader, and

WHEREAS there would still be funds to pave part of the Keese Mills Road as well as the end of the Garondah Road
NOW THEREFORE BE IT RESOLVED that the Town Board authorizes the Superintendent of Highways to acknowledge to the John Deere dealer the acceptance of the purchase proposal for a new John Deere 524K-II loader from State Contract with Nortrax of Gouveneur in the amount of \$61,643.90 after trade-in of the 2003 John Deere 544HXT loader in the amount of \$38,000 and the 1993 John Deere 410D backhoe in the amount of \$21,500), and

BE IT FURTHER RESOLVED that the amount of \$20,000 from Highway Account DA5112.2 will be used as a down payment during 2018 and the remaining \$41,643.90 will be financed though NORTRAX for 2 years at an amount to be determined after the down payment is made.

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**ROLL CALL VOTE: Aye 4 (McKernan, Shrope, Tucker, Wright), Nay 0, Absent 1 (McDonnell)
RESOLUTION #34 declared duly adopted.**

2. Town Clerk- Elaine Sater:
 - a. Total Revenue to Supervisor as of February 28, 2018 was \$ 65.00, 3 Dog Licenses (1 new [#197] and 2 renewed), 1 Building Permit #18-001
 - b. Feb 6: posted notice for Regular monthly Board meetings on Town Clerk's Sign Board, in post offices and had published in the Adirondack Daily Enterprise.
 - c. Feb 8: Distributed 2018 Town and County Directories to Board members
 - d. Notified Franklin County Board of Elections that there are no open positions in the Town at this time for the General Election in November 2018.
 - e. Received request from Franklin County Board of Elections to use Town Hall as a polling site for Elections during 2018
 - f. Feb 15: Faxed requested information to Department of Motor Vehicles, issued 12 Blue Permanent and 4 Red Temporary Parking Hangtags to Town residents during 2017.
 - g. Feb 22: Annual Update Document was filed with Town Clerk, notice published in Adirondack Daily Enterprise and posted on Town Clerk's Sign Board on Feb 27
 - h. Feb 27: Received an Incident Report from the Highway Department, damage to snow plow on 2015 truck, March 8 received an Incident Report for damage to phone line at Town Hall
 - i. Sent MEMO to Board, Emergency Operation's Plan needs updating.
 - j. TOWN HALL REQUEST: Rainbow Lake Water Protection District (RLWPD), Wednesday, March 7, 1-3pm, Franklin County Legislature Public Hearing for RLWPD, Thursday, March 22, 5:30 to 6:30pm
 - k. TOWN PARK REQUEST: Sunday, May 6, 11am to 4:30pm, Hunter family
 - l. RECORDS MANAGEMENT: Still working on indexing minutes from 1935-1950 and completed shredding 2010 Town Records.
3. Historian - Elaine Sater: Received an email concerning a 1953 plate depicting the 54th Anniversary of the St. Regis Presbyterian Church on Keese Mills Road, responded to email but no response as of this date
4. Tax Collector - Holly Huber: Report received prior to meeting
Received an updated report for January 2018 showing checks #985 and #986 as being issued to taxpayers for overpayment. Received payment of \$37,735.68 for February and made payments to tax payer in the amount of \$20.00 (check #990) for overpayment and two checks to Franklin County Treasurer # 991 in the amount of \$270,000 and #992 in the amount of \$21,000 for the warrant. Received \$338.54 in interest.
5. Town Justice - Nik Santagate: Report received prior to meeting
Supervisor Peter Shrope said he received a check in the amount of \$4,689.00 and the Town Justice reported he disposed of 57 cases for the month of February.
6. Code Enforcement Officer (CEO) - Paul Blaine: Report received prior to meeting
 - a. One (1) Building Permit (BP#18-001) was issued in February
 - b. One Certificate of Compliance BP #17-033 was issued.
 - c. Starting to get busy again, property purchased at 298 County Road 60, new owners will take down buildings and rebuild. Received requests from Paul Smith's College for tents for graduation.
7. Assessor- Roseanne Gallagher: Report received prior to meeting
Working on updating records, finishing up STAR exemptions; will start data collection again next month
8. Animal Control - Tri Lakes Humane Society: No report
9. Supervisor - Peter Shrope:
 - a. Franklin County Self-Insurance: Received report from Franklin County, no payouts or incidents for Town during 2017
 - b. Census 2020: Volunteers received information for training
 - c. DEC Rangers Support: Town of Forestport Supervisor asked for copy of resolution to support increase in DEC Rangers staffing

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- d. Common Ground Alliance: Meeting in Lake Placid July 19
- e. BRIDGE NY: Submitted a request for replacing the bridge on Keese Mills Road
- f. Health Reimbursement Account (HRA): The new medical benefits go from March 1 to March 1 so there is no need to prorate the reimbursements to the HRA account
- g. Revenues: \$750 from traffic diversion program, \$22,288 from County Plowing Contract, \$33.00 refund from NYMIR, \$4,689.00 from Town Justice, and \$65.00 from Town Clerk
- h. NYCLASS interest received for the General Fund was \$104.60, total in account \$106,664.68 (\$20,000 for Town Hall Roof Project) and Highway Fund is \$39.89, total in account \$40,649.97
- i. Budget as of February 28, 2018, was provided to Board members

ACCEPT/AMEND MINUTES

-Regular Board – February 8, 2018

Motion made by Amber McKernan, second by Lydia Wright, to accept the minutes of the Regular Board meeting of February 8, 2018, as written. Aye 4 (McKernan, Shrope, Tucker, Wright), Nay 0, Absent 1 (McDonnell)

CITIZENS COMMENTS: None

BUSINESS

1. **Discharge of HUD Mortgage:** Received request for Discharge of two HUD Project Mortgages #94-T01 and T07.

RESOLUTION #35-2018

DISCHARGE OF MORTGAGE HUD PROJECT #94-T01

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

WHEREAS, the Town of Brighton secured by mortgage dated February 15, 1995, for a Town of Brighton Housing Rehabilitation Program loan (HUD#94-T01) in the amount of Five Thousand Dollars, \$ 5,000.00 and such mortgage was recorded on March 24, 1995, in Book 463 of Mortgages starting at page 259 in the Office of the Clerk of the County of Franklin, and

WHEREAS, the mortgage contains a provision that the mortgagor will abide by all terms of the Note, and

WHEREAS, the terms of the Note have been met including the completion of five years after the date of the Mortgage of February 15, 1995 to end without repayment of the principal or accrued interest, and

NOW THEREFORE, BE IT RESOLVED, that the Supervisor of the Town is authorized to sign and issue a Discharge of Mortgage for HUD Project 94-T01, a mortgage dated February 15, 1995, in the amount of Five Thousand Dollars \$5,000.00 as recorded on March 24, 1995, in Book 463 of Mortgages starting at page 259 in the Office of the Clerk of the County of Franklin, NY.

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

Resolution #35 declared duly adopted

RESOLUTION #36-2018

DISCHARGE OF MORTGAGE HUD PROJECT #94-T07

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

WHEREAS, the Town of Brighton secured by mortgage dated June 9, 1995, for a Town of Brighton Housing Rehabilitation Program loan (HUD#94-T07) in the amount of Twelve thousand Five Hundred dollars, \$12,500.00, and such mortgage was recorded on August 7, 1995, in Book 475 of Mortgages starting at page 345 in the Office of the Clerk of the County of Franklin, and

WHEREAS, the mortgage contains a provision that the mortgagor will abide by all terms of the Note, and

WHEREAS, the terms of the Note have been met including the completion of five years after the date of the Mortgage of June 9, 1995 to end without repayment of the principal or accrued interest, and

NOW THEREFORE, BE IT RESOLVED, that the Supervisor of the Town is authorized to sign and issue a

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Discharge of Mortgage for HUD Project 94-T07, a mortgage dated June 9, 1995, in the amount of \$12,500.00 as recorded on August 7, 1995, in Book 475 of Mortgages starting at page 345 in the Office of the Clerk of the County of Franklin, NY.

**ROLL CALL VOTE: Aye 4 (McKernan, Shrope, Tucker, Wright), Nay 0, Absent 1 (McDonnell)
Resolution #36 declared duly adopted**

2. **Polling Site Agreement:** Franklin County Board of Elections sent an agreement for approval for using a Town building as a polling site for elections during 2018

RESOLUTION #37-2018

POLLING SITE AGREEMENT

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

RESOLVED, that the Supervisor of the Town be authorized to sign an Agreement with the Franklin County Board of Elections to let them use the Town Hall as a polling site for Brighton District 1 during 2018 as follows: Federal Primary on June 26, State and Local Primary on September 11 (could be changed to September 13), and General Election on November 6. Hours for the Primaries are 11:15am to 10pm and for the General Election 5:15am to 10pm. Any Special Elections will be announced.

**ROLL CALL VOTE: Aye 4 (McKernan, Shrope, Tucker, Wright), Nay 0, Absent 1 (McDonnell)
Resolution #37 declared duly adopted**

3. **AATV:** Request for support of opposition to Payments in Lieu of Taxes (PILOT) for State land in NYS.

RESOLUTION #38-2018

OPPOSITION TO TAXABLE NYS OWNED LAND CONVERSION TO PILOTS

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

WHEREAS, the Adirondack Association of Town & Villages (AATV) has asked the Town Board to support the AATV's Resolution #1-2018 opposing the conversion of local assessment of taxable State-owned land into a Payment in Lieu of Taxes (PILOT), and

WHEREAS State owned lands are currently assessed by the local municipality where the State land is located, and
WHEREAS Governor Andrew Cuomo is proposing to convert the land assessment of taxable State-owned land into a Payment in Lieu of Taxes (PILOT) program based on existing tax amounts to be increased each year by the allowable levy growth factor, and

WHEREAS said payment change will result in loss of local assessment of taxable State-owned as well as loss in tax revenue to local municipalities due to changes in value not reflected in a PILOT agreement,

NOW THEREFORE BE IT RESOLVED by the Town Board of the Town of Brighton, Franklin County, NY that the assessments of taxable State-owned land should remain under control of the local municipality where such property is located and is hereby opposed to New York State converting the assessment of taxable State-owned land into a Payment in Lieu of Taxes, and

BE IT FURTHER RESOLVED that copies of this resolution be sent to Governor Andrew Cuomo, New York State Senator Betty Little, and New York State Assemblymen Dan Stec and Billy Jones.

**ROLL CALL VOTE: Aye 4 (McKernan, Shrope, Tucker, Wright), Nay 0, Absent 1 (McDonnell)
Resolution #38 declared duly adopted**

4. **Town's Emergency Operations Plan (EOP)Update:** Updates made to plan for 2018

RESOLUTION #39-2018

UPDATE TO EMERGENCY OPERATIONS PLAN (EOP) 2018

Motion made by Supervisor Peter Shrope, second by Lydia Wright

RESOLVED that the Town Board has reviewed and accepts the changes on pages 9,1-3, 5-2, and 7-2 of the Emergency Operations Plan for 2018.

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**ROLL CALL VOTE: Aye 4 (McKernan, Shrope, Tucker, Wright), Nay 0, Absent 1 (McDonnell)
Resolution #39 declared duly adopted**

5. **Town Tax Collector Manual Update:** The Highway Superintendent's Manual was updated not the Tax Collector's.

COMMITTEES:

1. **AATV:** Supervisor Peter Shrope spoke with the new President Matt Simpson about getting Camp Gabriels on their agenda to support a constitutional amendment to determine the land classification of the property.
2. **SLAYP:** Need a new director for the summer program
3. **Park & Recreation:** Supervisor Peter Shrope sent a Certificate of Liability Insurance to Paul Smith's College for the Park Use Lease, no further information on lease.
4. **Website:** Town Clerk asked the announcement be removed for the Budget Public Hearing.

CITIZENS COMMENTS: None

EXECUTIVE SESSIONS

Motion made by Supervisor Peter Shrope to **GO INTO EXECUTIVE SESSION** at 8:05pm for discussion of the employment history of a particular person in accordance with Public Officers Law, Article 7, Section 105(f), second by Lydia Wright, Aye 4 (McKernan, Shrope, Tucker, Wright), Nay 0, Absent 1 (McDonnell)

Motion made by Supervisor Peter Shrope to **GO OUT OF EXECUTIVE SESSION** at 8:25pm, second by Amber McKernan, Aye 4 (McKernan, Shrope, Tucker, Wright), Nay 0, Absent 1 (McDonnell)

Motion made by Supervisor Peter Shrope to **GO INTO EXECUTIVE SESSION** at 8:27pm for discussion of the medical history of a particular person in accordance with Public Officers Law, Article 7, Section 105(f), second by Lydia Wright, Aye 4 (McKernan, Shrope, Tucker, Wright), Nay 0, Absent 1 (McDonnell)

Motion made by Amber McKernan to **GO OUT OF EXECUTIVE SESSION** at 8:31pm, second by Lydia Wright Aye 4 (McKernan, Shrope, Tucker, Wright), Nay 0, Absent 1 (McDonnell)

AUDIT OF VOUCHERS:

RESOLUTION #40 -2018

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 2018 General Funds in the amount of \$917.93 and STREET LIGHTING FUNDS in the amount of \$68.00.

GENERAL FUND: Abstract #4 for Voucher #45 through and including #61 for 2018 funds in the amount of \$64,426.22

HIGHWAY FUND: Abstract #5 for Voucher #26 through and including #37 for 2018 funds in the amount of \$5,674.05

SPECIAL FUND - FIRE DISTRICT: Abstract #2 for Voucher #2 for 2018 funds in the amount of \$45,902.00

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**ROLL CALL VOTE: Aye 4 (McKernan, Shrope, Tucker, Wright), Nay 0, Absent 1(McDonnell)
Resolution #40 declared duly adopted**

ADJOURNMENT

Motion to Adjourn the meeting at 8:32pm made by Amber McKernan, second by Lydia Wright, Aye 4 (McKernan, Shrope, Tucker, Wright), Nay 0, Absent 1 (McDonnell)

Respectfully Submitted,

Elaine W. Sater, RMC
Brighton Town Clerk

Draft