

REGULAR MEETING - TOWN OF BRIGHTON - FRANKLIN COUNTY, NY

March 14, 2013

Page 1 of 5

The Regular Monthly Meeting of the Town Board of the Town of Brighton was held Thursday, March 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 7:03 p.m.

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

RESIDENTS: There were no residents present

DEPARTMENT REPORTS

1. **HIGHWAY – Andy Crary:** Report submitted prior to meeting
 - a) Plowing and sanding roads
 - b) Cut and pushed back banks
 - c) Use loader on Keese Mills and Garondah Roads
 - d) Pushed ski-doo crossing back
 - e) Changed the cutting edge on the F-350 plow
 - f) Hit a deer with the F350 on Keese Mills Road, got a repair estimate, gave the police the information, and notified the insurance company
 - g) Put up salt and sand
 - h) Posted Town Roads to no vehicles with axel weight of 5 tons or over from March 15 to April 15. Town Clerk had notice published in the Adirondack Daily Enterprise and at local post offices and businesses in Town on March 14.
 - i) Sign for Hull Road will be replaced after the ground thaws.
2. **TOWN CLERK – Elaine Sater:** Report submitted prior to meeting
 - a) Total Revenue to Supervisor as of February 28, 2013 was \$ 139.00 from 1 Marriage License (#2-2013), 2 new Dog Licenses (#114 and 115), 1 Building Permit (#13-004) and 6 copies from a FOIL request
 - b) February 16 to 20, attended workshops in New York City sponsored by the Association of Towns along with Supervisor Shrope and Council Member Wright.
 - c) Town Clerk’s Office will be closed on Thursday, March 21.
 - d) TOWN HALL REQUEST: None
 - e) TOWN PARK REQUEST: Saranac Lake Youth Soccer, Tuesdays and Wednesdays, July and August, 5 to 9 p.m. Saturday, July 27, and August 10, 10 am to 1 pm
 - f) RECORDS MANAGEMENT: Sent Notice to the Court System requesting permission to shred court files that are due for destruction, waiting a reply. Received a FOIL request for records, sent financial file by email, requestor picked up copies of invoices.
3. **TAX COLLECTOR – Holly Huber:** Report submitted prior to meeting
 - a) Recorded, deposited and provided receipts for payments
 - b) Collected and paid \$666.29 in penalties to the Supervisor
 - c) Paid the County Treasurer \$280,000
 - d) Provided receipts to mortgage lenders
 - e) There remain 100 parcels for which taxes are not fully paid. The country is still owed approximately \$137,631 on which the town may realize up to \$2752 in penalties and up to \$200 in 2nd notice fees.
 - f) Second notices will be mailed on Friday morning, 3/15/13.

Amber McKernan said the Tax Collector is supposed to give a monthly statement to the Supervisor of the amount collected, the Supervisor is supposed to sign the statement. Duplicate forms were available in the past for this statement. The BAS system can produce the necessary information.

REGULAR MEETING - TOWN OF BRIGHTON - FRANKLIN COUNTY, NY

March 14, 2013

Page 2 of 5

4. **TOWN JUSTICE – Nik Santagate:** Report submitted prior to meeting.
Supervisor Peter Shrope received \$6,905.00 for fees and fines from the Justice with a list of 108 disposed cases
5. **CODE ENFORCEMENT OFFICER – Paul Blaine:** Report submitted prior to the meeting.
 - a) **Building Permits:** Issued one (1) Building Permits (BP #13-004)
 - b) **Certificate of Occupancy/Compliance:** None
 - c) **Complaints:** One still open
 - d) Issued another permit today for a new home on Vosburgh Road. There will not be a tofu manufacturer; the building will be converted into apartments instead. Another manufactured home will be going up in Deer Meadows.
6. **ASSESSOR – Douglas Tichenor:** Report submitted prior to meeting
 - a) As of March 1 taxable status date, which is the deadline for filing exemptions and renewals for exemptions such as the Senior STAR, there were 8 property owners that had failed to renew. Sent renewal forms out to all owners that must renew late in December and posted a reminder in the newspaper in mid-February. Sent a final renewal to the ones who have missed the deadline, giving them until March 15 to get the form back to him. If they miss that, the exemption will be removed.
 - b) The NYS Dept of Taxation and Finance are the overlords of the Office of Real Property Tax Services (ORPTS). Taxation and Finance are implementing policy to aggressively monitor the STAR exemptions for they are the entity that reimburses the School District the amount saved in the exemption. Expect to hear more about this in the future.
 - c) It appears that the equalization rate for the Town will fall in at around 81.98%. While he still does not agree with this, it is slightly better than last year, which was 78%. He is posting his Level of Assessment (LOA) at 86% of full value. Same as last year.
 - d) Submitted a sales ratio report and summary of valid sales that have occurred in the Town from 1/1/2011 to present. This is what he has based his estimate of LOA on.
 - e) Also submitted the ratios derived by ORPTS, which is what the equalization rate will be based on.
 - f) Work is on going in producing the 2013 Tentative Assessment Roll which will be filed May 1.
 - g) **GRIEVANCE DAY IS JUNE 6, 2013** from 5 pm to 9 pm at the Brighton Town Hall.
7. **TOWN PARK – Dan Spencer:** Report submitted prior to meeting
 - a) Snow removal around building and on court; removed ice and snow that fell off roofs into paths
 - b) Keep trying to work on skating rink, fire department came one time to dump a load of water, when they went to get more water the truck froze up. Lost all rear lights and was unable to bring more water. They have not been back so he doesn't know if they fixed the problem.
 - c) Put garbage and recyclables out for food pantry. Garbage is picked up on Sundays and recyclables on Thursdays, recyclables were not picked up this week. Company may have changed.
 - d) Had trouble with snowmobilers driving through playground and drove over fence that was put up to protect that area. Tried to repair snow fence.
 - e) Called a repairman to come out to fix the heater in the field house. Food Pantry noticed it wasn't working and called him. Turned out to be a corroded connection, didn't take long to fix and invoice was submitted to Town Clerk
8. **FOOD PANTRY – Barb Marshall:** Report submitted prior to meeting.
 - a) Reported there were 224 families served, a total of 580 people.
 - b) Pantry's electrical usage can now have a paper trail. Need a copy of the monthly electric bill from the Town so she can deduct the watt usage of the pantry and then pay accordingly. This is required by the food bank as proof of where the grant dollars are going – to pay for the electric the food pantry uses. They have been very accommodating as this is the first time she put in for this kind of funding. Needs the info to keep going.

Supervisor Peter Shrope received a donation of \$240.00 toward the electric usage for the past 6 months from the Food Pantry. In addition he found the missing December Food Pantry report in his paper box at home. He also received an invoice from the electrical inspector in the amount of \$100.00 for work the Food Pantry had done. Discussion was held and on the advice of the Town Board he will call the company and have the invoice sent to the Food Pantry directly.

REGULAR MEETING - TOWN OF BRIGHTON - FRANKLIN COUNTY, NY

March 14, 2013

Page 3 of 5

9. HISTORIAN - Mary Ellen Salls: No report received

10. ANIMAL CONTROL OFFICER (Tri-Lakes Humane Society): No report received

11. SUPERVISOR:

a) Correspondence:

i) **BAR:** Sent a letter dated February 26, 2013, thanking Dan Grant for his participation on the Board of Assessment Review

ii) **PSGVFD:** Sent a letter requesting updated Certification of Liability Insurance naming the Town as additionally insured. Received a COI but no additional insured on it, just reference to contract.

b) **CSEA contract:** Received a new contract for 2013 with no changes from 2012. Met with the CSEA representative, Kyle Weaver. Will meet with him again in September to discuss the 2014 contract. There were some typos such as "leave" should be "least" in Para 8 and clarifications should be made for the 2014 contract, such as adding the new retirement tier, how often can boots be reimbursed, what is considered "one extra pay period".

RESOLUTION # 36

CSEA CONTRACT WITH HIGHWAY EMPLOYEES

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

RESOLVED that the Supervisor be authorized to sign a "Collective Bargaining Agreement" with the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO Town of Brighton Unit 6870, Franklin County Local 817, and the Town for the period January 1 to December 31, 2013, with the following changes:

1) Para 8.1.2 Change "leave" to "least",

2) Para 9.1.1 Add "Tier 6",

3) Para 9.2.1 Add "regular non-overtime" after "extra" in "one extra pay period"

4) Para 10.1.1 Add "annually" to sentence.

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

Resolution #36 declared duly adopted

c) Financial Report:

i) Budget as of February 28, 2013 was distributed to Town Board box for review.

ii) Revenues:

(1) General Fund: \$600 Traffic Diversions Program, \$240 Food Pantry donation, \$6905 Justice Court, \$139.00 Town Clerk, \$666.29 tax payment penalties, \$32.55 Zurich Insurance for positive-loss refund.

(2) Highway Fund: \$20,358.00 Snow and Ice agreement 1st payment

APPROVAL OF MINUTES

- Regular Board – February 14, 2013

Motion made by Supervisor Peter Shrope, second Brian McDonnell, to accept the minutes of February 14, 2013 with typographical errors corrected (2012s to 2013s) as well as Page 3, Para 10c, change "other 4" to "others" and Page 4, Reports, Supervisor, Para 11f, County Road 60, reword to use words directly from letter. Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0

CITIZENS COMMENTS: None

BUSINESS

1. **CSEA Agreement 2014:** Will meet with CSEA representative on Tuesday, September 10 at 10 am to discuss the 2014 agreement.

REGULAR MEETING - TOWN OF BRIGHTON - FRANKLIN COUNTY, NY

March 14, 2013

Page 4 of 5

- 2. FX BROWNE, INC. Post Closure Monitoring of Landfill:** Received an agreement for 2013 services.

RESOLUTION #37-2013

POST CLOSURE MONITORING OF LANDFILL FOR 2013 FOR \$3,420.00

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

RESOLVED that the Supervisor be authorized to sign an agreement with FX Browne for post closure monitoring of the landfill for 2013 in the amount of \$3,420 as follows: \$2,000 for services, \$400 for reimbursable expenses, and \$1,020 for laboratory fees from a subcontractor.

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

Resolution #37 declared duly adopted.

- 3. FIRE ADVISORY BOARD (FAB) – Steve Tucker:** John Sweeney from the Village of Saranac Lake called the FAB meeting to find out what the Towns wanted to do with the Board, keep it going or disband it. The Saranac Lake Fire Department and Rescue Department were not invited but also attended to find out what was going on. The FAB plans to meet with them next month.
- 4. PERMISSION FOR ROW– Supervisor Peter Shrope:** Had a visit from Ralph Childs, a farmer from Malone, who is leasing fields from Leavitt, he spoke with the County Superintendent of Highways, Jon Hutchins, about going under County Road 55 to get water over to the fields behind the cemetery. There are criteria he would have to meet. The Adirondack Park Agency (APA) and the NYS Department of Environmental Conservation (DEC) will also be involved because of the fish in Ricketson Brook.
- 5. GRANT FUNDS FOR COURT – Supervisor Peter Shrope:** Received a phone call from J.P. O'Brien from the Police Department in the other Town of Brighton in Monroe County. He was asking about funds sent to the Town in October 2011. A former supervisor deposited the funds in the General Fund as "Court Funds". These funds were grant funds that belong to the other Town of Brighton. A check will be sent to the other Town of Brighton in the amount of \$1,195.46. Documentation was obtained to back up this transaction.
- 6. AATV:** Sent an email concerning the activities of the Adirondack Association of Towns and Villages.
- 7. TAX WARRANT:** Received notice that the Tax Warrant was changed by Resolution #70 from the Franklin County Legislature.
- 8. AIRPORT PRESENTATION:** The Regional Airport manager will be at the April 11, 2013, regular Board meeting to present information on the airport. There is no contract from them.

COMMITTEES

- 1. HIGHWAY- Brian McDonnell and Steve Tucker:** Nothing further to report
- 2. ADIRONDACK REGIONAL AIRPORT – Tom and Amber McKernan:** There will an article in the Press Republican about the airport. The Young Eagles program is available for children 8 to 16 years old.
- 3. PARKS AND RECREATION – Supervisor Peter Shrope and Steve Tucker:** Youth soccer will be using the fields on Tuesday and Wednesday evenings during the summer. To charge fees for park usage a local law will have to be enacted.
- 4. INVESTMENTS AND INSURANCE – Lydia Wright:** NYCLASS accounts had no interest for February 2013. Spoke with the Cutwater Assets representative in New York City, she recommended putting funds into different banks due to the FDIC insurance limits. Supervisor Peter Shrope will contact the Comptroller's Office to discuss the procedure.
- 5. CEMETERIES AND BUILDINGS – Amber McKernan and Steve Tucker:** Town Clerk received a call from a funeral home in Plattsburgh that is planning a burial, faxed them the cemetery policy.

REGULAR MEETING - TOWN OF BRIGHTON - FRANKLIN COUNTY, NY

March 14, 2013

Page 5 of 5

6. **TOWN HALL PROJECT/OPEN HOUSE – Supervisor Peter Shrope and Lydia Wright:** Submitted the close out/final report documents on March 8, 2013. It has been 10 years since this project was started. The building will be 100 years old in 2014.
7. **ASSESSMENT – Brian McDonnell and Lydia Wright:** Supervisor Peter Shrope spoke with Jeanette Tummons from Office of Real Property Tax Services. She said Jerome Samburgh has not been to training since 2005. She said he has been given several opportunities to attend training and he refused to go. He cannot sit on the BAR on Grievance Day until he attends a training class even though he has been on the BAR for 40 years. The next training is Wednesday, May 8 from 1-4 p.m. Brian McDonnell will call the County Legislatures to discuss this issue.
8. **SALARIES/BENEFITS ADMINISTRATION – Supervisor Peter Shrope and Brian McDonnell:** Spoke with people at the Annual Conference concerning how salary and benefits can be distributed more evenly among elected officials. An amount for health benefits could be put in a flex account for each official or it could be added to salary to be more visible to the public. Discussion was held on ways to provide equal benefits to all elected officials.

CITIZENS COMMENTS:

Brian McDonnell: The Visitors Interpretive Center is having an exhibit opening on March 18th at 2:30 p.m. called “Remembering Willow Brook” sponsored by the Department of Disabled Services (DDS). Also an Irish band will be playing on March 15 in honor of St. Patrick’s Day.

AUDIT OF VOUCHERS

RESOLUTION #38

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 #3 for Voucher #3A through and including #3C for 2013 General Funds in the amount of \$687.20 and 2013 Street Light Funds in the amount of \$74.87

GENERAL FUND: Abstract #3 for Voucher #44 through and including #63 for 2013 funds in the amount of \$12,160.36

HIGHWAY FUND: Abstract #3 for Voucher #24 through and including #31 for 2013 funds in the amount of \$10,402.53

SPECIAL DISTRICT- FIRE PROTECTION DISTRICT: Abstract #2 for Voucher #2 for 2013 Special District (Fire Protection) Funds in the amount of \$39,596.50

CAPITAL PROJECT FUND – TOWN HALL PROJECT: Abstract #44 for Voucher #103 through and including #104 for Capital Project Funds in the amount of \$251.45.

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

Resolution#38 declared duly adopted

ADJOURNMENT

Motion to Adjourn at 9:05 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