

**REGULAR BOARD MEETING – TOWN OF BRIGHTON – FRANKLIN COUNTY, NY**

**March 15, 2012**

**Page 1 of 7**

**The Regular Monthly Meeting of the Town Board of the Town of Brighton was held Thursday, March 15, 2012 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 7:00p.m.

Pledge to the Flag recited

**ROLL CALL OF OFFICERS**

**PRESENT:** Supervisor Peter Shrope

Council Members: David Knapp, Brian McDonnell, Steve Tucker and Lydia Wright

**ABSENT:** None

**OTHERS PRESENT:** Paul Blaine - Code Enforcement Officer, Andy Crary - Superintendent of Highways, Nik Santagate – Town Justice, Elaine Sater - Town Clerk and Daniel Spencer – Park Attendant

**RESIDENTS:** There were six residents present

**GUESTS:** None

**NOTICE OF MEETING:** Notice of this meeting change was published in the Adirondack Daily Enterprise twice on Thursday, March 1 and 8, 2012. Notice was also posted on the Town Clerk's Sign Board, at the three post offices and at businesses in the Town on February 28, 2012.

**Supervisor Peter Shrope** thanked Steve Tucker, Deputy Supervisor, for signing the payroll checks on Thursday, March 8, 2012, while he was out of Town.

***DEPARTMENT REPORTS***

- 1) **HIGHWAY – Andy Crary:** Report submitted prior to meeting
  - a) Plowing and sanding of roads
  - b) Replaced steering block on Paystar
  - c) Replaced all engine belts on Paystar
  - d) Hosed down plow trucks
  - e) Part-time help is on an as needed basis due to lack of snow
  - f) Attended a Franklin County Highway meeting
  - g) Checked roads
  - h) Has a contract for the Board to approve from a logger, Smith Timber Harvesting, for \$100.00 per 1,000 pounds of chips to remove large trees from behind the Town Garage
  - i) On February 24, 2012 was involved in an accident with the pickup truck; another car slide into the truck on NY State Route 86, there is severe damage to the plow and front end of the truck, waiting to hear from the insurance adjuster. Using personal truck until repairs can be made.
  
- 2) **TOWN CLERK – Elaine Sater:** Report submitted prior to the meeting
  - a) Total Revenue to Supervisor as of February 29, 2012, was \$250.50 from 2 Certified Copies, 1 Building Permit #12-001, and funds from a check (.50) for a refund that was never cashed from 10/28/2008.
  - b) February 17 posted notice of Town Offices moving back into Town Hall at three local post offices and at local businesses. Published notice in the Adirondack Daily Enterprise.
  - c) February 18 to 22 attended Association of Towns annual training conference in New York City with Council Member Lydia Wright and Supervisor Peter Shrope. Attended a Retirement session and learned that anyone who has turned in retirement hours to the Clerk within the past 6 years does not have to record hours for three months, unless they have a change in work load. The recording of the hours is required only every 8 years for incumbents.
  - d) February 23 received notice from the Franklin County Public Health Nursing Service concerning a dog bite by a Brighton dog. No location of where bite took place. Dog was confined to home for 10 days; dog was licensed and had current rabies vaccination.
  - e) February 28 posted notice of this meeting change from March 8 to March 15 in the three local post offices

**REGULAR BOARD MEETING – TOWN OF BRIGHTON – FRANKLIN COUNTY, NY**

**March 15, 2012**

**Page 2 of 7**

- and at local businesses. Notice was published in the March 1 and 8<sup>th</sup> editions of the Adirondack Daily Enterprise.
- f) Sent information to NYS Department of Motor Vehicles: Issued 11 Permanent Blue Hangtags and 2 Temporary Red Hangtags for Parking Permits for the disabled in the Town during 2011.
  - g) TOWN HALL REQUEST: Franklin County Conservative Party, Saturday, March 17, 10 am to 2 p.m.
  - h) TOWN PARK REQUEST: None
  - i) RECORDS MANAGEMENT: Shredding records from 2005 as recommended by the MU-1 disposition schedule.
- 3) **TAX COLLECTOR – Holly Huber:** Report submitted prior to meeting
- a) Between 2/7/12 and 3/13/12 collected \$52,694.02 making the total so far for the 2012 tax season \$1,239,520.48.
  - b) On 3/2/12 mailed a second bill to all taxpayers with balances remaining as of 3/1/12.
  - c) 90% of all parcels have been paid. There are presently 88 parcels divided between 72 individuals for which the taxes remain unpaid.
  - d) On 3/1/12 the County Treasurer was paid \$40,000 toward its portion of the warrant.
  - e) On 3/15/12 issued a check to Supervisor Shrope for \$886.04 representing \$854.79 in interest penalties, \$20 in second notice fees and \$11.25 in year-to-date interest from NBT Bank.
  - f) Will be delivering the completed tax roll to the Treasurer's office on 4/9/12.
- 4) **TOWN JUSTICE – Nik Santagate:** Report submitted prior to meeting.  
Supervisor Peter Shrope received \$5,060.00 for fees and fines from the Justice with a list of cases disposed for the month of February 2012.
- 5) **CODE ENFORCEMENT OFFICER – Paul Blaine:** Report submitted prior to the meeting.
- a) **Building Permits (BPs):** One (1) BP (#12-001) was issued
  - b) **Certificate of Occupancy (CO)/Compliance (CC) Issued:** None
  - c) **Avoidable Alarms Update:** Six (6) avoidable alarm violations (#12-003 thru 008) were reported during February; five (#12-003 thru 007) were completed and one is open (#12-008)
- 6) **ASSESSOR – Douglas Tichenor:** Report received prior to meeting
- a) Exemption renewals continue to trickle in. To date, there are 19 out of 45 STAR recipients (seniors) in Brighton that have not renewed. They have until March 1 to renew or they will lose the exemption. A notice to this effect was put in the Adirondack Daily Enterprise.
  - b) Work continues on the 2012 tentative roll
- 7) **HISTORIAN - Mary Ellen Salls:** No report received
- 8) **TOWN PARK – Dan Spencer:** Report received prior to meeting
- a) Removal of snow as needed
  - b) Was putting water down for skating rink. Now that snow is melting there is a lot of blacktop showing, skating rink is melting so pushing back banks in case anyone plays basketball.
  - c) Working in garage, prepping for shelves.
  - d) Bare spots at park are allowing for raking as the snow melts and also picking up fallen tree limbs
  - e) **Park Usage:** No report
  - f) **Garage:** Food Pantry has removed non-food items out of garage. Still leaves tables and baskets in the park building.
- 9) **FOOD PANTRY – Barb Marshall:** Report received prior to meeting
- a) Served 152 families, for a total of 503 people
  - b) **Contract - Supervisor Peter Shrope:** Draft of the Food Pantry Contract was given to Barb Marshall and the Board on 3/5/12 for review. No response received yet from Barb Marshall.
- 10) **ANIMAL CONTROL OFFICER (Tri-Lakes Humane Society):** No Report received.

**REGULAR BOARD MEETING – TOWN OF BRIGHTON – FRANKLIN COUNTY, NY**

**March 15, 2012**

**Page 3 of 7**

**11) SUPERVISOR'S REPORT**

**a) Financial Report:**

- i)** Budget showing revenues and expenses as of February 29, 2012, was distributed to Board members.
- ii)** Revenues received to date: February 15: donation in the amount of \$79.50 from the Osgood Pond Association for General Fund, February 23: \$2,423.19 from FEMA and \$20,358.00 from the Franklin County Highway Department for the Highway Fund; and March 13: \$5,060 from the Justice and \$250.50 from the Town Clerk.
- iii)** Transfers: February 24: \$19,308.78 was transferred into the Trust and Agency (T&A) Account for payroll, \$11,061.15 from the General Fund and \$8,247.63 from the Highway Fund

**b) Insurance Claim:** Spoke with NYMIR concerning the pickup truck that was involved in an accident. Faxed information to two different offices. Meeting with Karen Buckley on Tuesday, March 20, 2012 to review the NYMIR policy.

**c) Town Hall Grant:** Meeting with Gail Underhill-Plumb on Thursday, March 22, 2012 concerning the reimbursement from the grant for the Town Hall Project.

***APPROVAL OF MINUTES***

- Regular Board Meeting – February 9, 2012

**Motion made** by Supervisor Peter Shrope, **second** by Brian McDonnell, **to approve the minutes of the Regular Town Board meeting held on February 9, 2012, as written. Aye 5 (Knapp, McDonnell, Shrope, Tucker, Wright), Nay 0**

***CITIZENS COMMENTS:***

**Amber McKernan:** Asked about Camp Gabriels, she heard someone was looking into turning it into a "Children's Camp". She said there was an article in the "Press Republican".

**Supervisor Peter Shrope** said someone had called him last month about the Camp Gabriels property and he gave them Richard Bennett's (OGS) contact information. He did not know if it was the same person.

**There were no further citizens' comments**

***NEW BUSINESS:***

- 1. Ladies of the Evening – Supervisor Peter Shrope:** Received correspondence from the "Ladies of the Evening" asking when they can use the Town Hall again. Amber McKernan gave a brief history of the "Ladies of the Evening". The group started in 2002 with four people and they have grown to 24 people so they need a large space with large tables to work on sewing projects. They want to get back into the Town Hall as soon as possible. Discussion was held on what still needs to be completed in the Town Hall before it is ready for public use. Currently not all the Town's records are secured. The Justice bench is not completed yet; Nik Santagate thought it might be by April 30. There is an "Open House" planned for July or August.
- 2. Rainbow Lake Association Grant Support Request– Supervisor Peter Shrope:** Received a request dated March 12, 2012, from the Rainbow Lake Association for support from the Town for a grant from the Lake Champlain Basin Program for the Rainbow Lake Water Quality Protection Program.

**Motion made** by Brian McDonnell, **Second** by Steve Tucker, **to authorize the Supervisor to sign a letter supporting a grant from the Lake Champlain Basin Program for the Rainbow Lake Water Quality Protection Program managed by the Rainbow Lake Association (RLA). Aye 5 (Knapp, McDonnell, Shrope, Tucker, Wright), Nay 0**

**REGULAR BOARD MEETING – TOWN OF BRIGHTON – FRANKLIN COUNTY, NY**

**March 15, 2012**

**Page 4 of 7**

3. **Franklin County Manager Grant Support Request– Supervisor Peter Shrope:** Received a request dated February 23, 2012, from the Franklin County Manager Thomas Leitz, for support from the Town for a grant of \$50,000 through the NYS Department of State's 2011-2012 Local Government Efficiency Program to study the current structure of EMS delivery county wide.

**Motion made** by Brian McDonnell, **Second** by Steve Tucker, **to authorize the Supervisor to sign a letter supporting a grant from the NYS Department of State's 2011-2012 Local Government Efficiency Program for Franklin County to study the current structure of Emergency Medical Services delivery countywide. Aye 5 (Knapp, McDonnell, Shrope, Tucker, Wright), Nay 0**

4. **CSEA Dental and Vision Benefits Contract Renewal – Supervisor Peter Shrope:** Received a contract for renewal from CSEA Employee Benefit Fund for Dental and Vision benefits. The increase in prices after July 1, 2011, is not covered in the Town's CSEA contract, so employees will have to contribute to the cost.

**RESOLUTION #40**

**DENTAL AND VISIONS EMPLOYEE BENEFIT PLANS 2012**

**Motion made** by David Knapp, **second** by Brian McDonnell,

**RESOLVED that the Town Board authorizes Supervisor Peter Shrope to sign the renewal agreement with the CSEA Employee Benefit Fund which provides Dental and Vision benefits to the covered employees at the following rates:**

**Dental: January 1, 2010 to June 30, 2010, \$92.73 per month per employee (pmpe)**

**July 1, 2010 to June 30, 2011, \$104.94 pmpe**

**July 1, 2011 to June 30, 2012, \$110.19 pmpe**

**July 1, 2012 to December 31, 2012, \$114.60 pmpe**

**Vision: January 1, 2010 to June 30, 2010, \$17.90 pmpe**

**July 1, 2010 to June 30, 2011, \$18.26 pmpe**

**July 1, 2011 to June 30, 2012, \$18.63 pmpe**

**July 1, 2012 to December 31, 2012, \$18.82 pmpe**

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

**RESOLUTION #40 declared duly adopted,**

5. **Time Warner NY Cable (TWC) Television Franchise Agreement - Supervisor Peter Shrope:** This agreement is for Cable Television only with TWC; internet is not part of the agreement. Supervisor Peter Shrope provided information on users in the Town to the Board prior to the meeting. There are about 920 subscribers in the Town; expected revenues could be anywhere from \$2,464 to \$12,323 using 2011 figures and a franchise fee of 1% to 5% of \$246,474 in revenue. Using 2010 Census information, there are 801 Housing units in the Town, 332 are occupied and 261 of those are owner-occupied. The population in owner-occupied units is 608. Renter-occupied units are 71 and the population in renter-occupied units is 162. Vacant units for seasonal/recreational/occasional use are 435. The owner-occupied units are in the minority, with seasonal and renters combined (506) yielding the largest percentage of population in housing units. Total population is 1435 indicating Paul Smith College students were included in the population count, but not in the housing unit count. Each individual house with cable access would potentially be a TWC subscriber, with rental units having multiple hook-ups and the College would be a large account holder. According to TWC the line coming down State Route 30 is trunk transport line and is not set up for local distribution lines. Discussion was held on keeping or removing the franchise fee. Board members felt the franchise fees would be a "tax" passed on to the users. The Town has never received franchise fees.

**RESOLUTION #41**

**CABLE TELEVISION FRANCHISE AGREEMENT WITH TIME WARNER NY CABLE LLC**

**Motion made** by David Knapp, **second** by Brian McDonnell,

**WHEREAS** the Cable Franchise Agreement for Cable Television from May 1993 has been extended from time to time due to the changing of cable providers through lengthy legal proceedings, and

**WHEREAS** Time Warner NY Cable LLC has made an application to the Board of the Town of Brighton for the approval of an initial agreement for Time Warner's cable television franchise for fifteen (15) years commencing with

**REGULAR BOARD MEETING – TOWN OF BRIGHTON – FRANKLIN COUNTY, NY**

**March 15, 2012**

**Page 5 of 7**

the date of approval by the Public Service Commission, and

**WHEREAS** the Initial Franchise Agreement conforms with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court ruling, and

**WHEREAS** the Town Board has reviewed the agreement and does not want a franchise fee in the Cable Television Franchise Agreement with Time Warner NY Cable LLC,

**NOW THEREFORE BE IT RESOLVED that the Town Board authorizes the Supervisor Peter Shrope to have Time Warner NY Cable LLC remove all references to a franchise fee from the Agreement (Section 9) and**

**BE IT FURTHER RESOLVED that Supervisor Peter Shrope be authorized to set a Public Hearing for public input on the Cable Franchise Agreement when the revised agreement is received.**

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

**RESOLUTION #41 declared duly adopted**

6. **Harrietstown Regional Airport – Supervisor Peter Shrope:** Received a letter concerning the Harrietstown Regional Airport and will attend a meeting on March 21 to hear what the Town of Harrietstown has to say as the Town of Brighton contributes to the Airport Fund. David Knapp said he would also attend the meeting.
7. **Emergency Operations Plan – Supervisor Peter Shrope:** Received a letter dated March 1, 2012, from the Town Clerk asking the Board to review and update the Town's Emergency Operations Plan. Names were updated on Pages 9, 1-3, and 5-2. Updated copies will be sent to all named organizations.
8. **NYS CLASS Amendment – Supervisor Peter Shrope:** Received an Amendment to the Cooperative Liquid Asset Securities System (CLASS) Municipal Cooperation Agreement dated April 23, 2012. Village of Potsdam is taking over as the "Lead Participant".

**RESOLUTION #42**

**AMENDMENT TO THE CLASS MUNICIPAL COOPERATION AGREEMENT-LEAD PARTICIPANT**

**Motion made by David Knapp, second by Lydia Wright,**

**WHEREAS** the Town of Brighton, Franklin County, is currently a participant of the NYCLASS program;

**WHEREAS** the Town of Brighton has been notified of an amendment dated April 23, 2012, to the Cooperation Agreement governing NYCLASS which reflects that the Village of Potsdam will become the new Lead Participant and provides for changes to the Investment Advisor from time to time as determined by the Governing Board of NYCLASS,

**WHEREAS,** the Supervisor Peter Shrope recommends that the Town Board approve an Amendment to the Cooperative Liquid Assets Securities System Municipal Cooperation Agreement, in which certain terms are modified to reflect the change in the Lead Participant and Investment Advisor for the program.

**NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Brighton, Franklin County, does hereby authorize the Supervisor Peter Shrope to execute the amendment to accept the definitions of "Investment Advisor", "Lead Participant" as the Village of Potsdam, and "Services Agreement".**

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

**RESOLUTION #42 declared duly adopted.**

**COMMITTEE REPORTS**

1. **HIGHWAY – David Knapp and Steve Tucker:**  
**State Route 86 Speed Zone Extension – David Knapp:** Has a template to pass on to Paul Smith for requesting an extension of the 40 mile per hour to the top of the hill on State Route 86 in Paul Smiths.
2. **PARKS & RECREATION – Supervisor Peter Shrope and Steve Tucker:**  
**Snow Mobile Signs – Supervisor Peter Shrope:** Looked at the park area to place signs for next season. He thought a snow fence would work better. David Knapp said he would be attending a snowmobile meeting in April and will find out more about signs. He said there are specific signs snowmobilers know to follow.

**REGULAR BOARD MEETING – TOWN OF BRIGHTON – FRANKLIN COUNTY, NY**

**March 15, 2012**

**Page 6 of 7**

3. **INSURANCE/INVESTMENTS – David Knapp and Lydia Wright:**  
**NYS CLASS Investments:** There was no interest received for February
4. **CEMETERY & TOWN BUILDINGS – David Knapp and Steve Tucker:**
  - a. **Cemetery:** Steve Tucker gave out four certificates for burial plots to a family that already had a plot
  - b. **Town Buildings:** Nothing further to discuss
5. **WEBSITE – Supervisor Peter Shrope:**
  - a. Emails for Board members are up and running, copies of email are being sent to the town address to keep them separate from personal emails.
  - b. David Knapp asked if a count of the visitors to the website could be obtained. Supervisor Peter Shrope said he will ask for a count of "unique visitors" to the website.
6. **FIRE ADVISORY BOARD (FAB) - Steve Tucker:** There will be more meetings in the future
7. **TELECOMMUNICATIONS – Supervisor Peter Shrope:** Nothing to report
8. **TOWN HALL PROJECT/Open House - Supervisor Peter Shrope and Lydia Wright:**
  - a. **Open House:** Committee met to discuss plans for an open house in July or August, would like a date that does not conflict with the races on St. Regis Lake. Will plan to have the Ice Cream Social at the same time. Kevan Moss and Lydia Wright are looking into the history of the town hall. Would like to have copies of the Brighton 2000 book on display. Lists of names and addresses are being compiled for invitations.
  - b. **Town Hall:** Discussed furniture and window treatments; will need more filing cabinets and pull down shades for the windows. Would like to get an old fashioned "regulator" clock for the wall.
9. **ASSESSMENT - Brian McDonnell and Lydia Wright:** Nothing to report
10. **SALARIES/BENEFITS ADMIN – David Knapp and Supervisor Peter Shrope:** Looking at the numbers; will need a better population count for comparing numbers from other Towns. Need to remove the college student count.
  1. **OTHER COMMENTS:** NYC Training was worthwhile. Several sessions were attended such as Budgets, Tax Levy Cap, Retirement, and Open Meetings Law.
  2. The "fracking" process and how it affects the water supply was discussed at several sessions. This process is not allowed in the Adirondack Park but towns on the Park border could be affected.
  3. Towns are being audited by the Comptroller's Office for the Levy Cap
  4. Open Meetings Law has been revised to require towns to have documents available before Town Board meetings so the public can request copies or review them. The agenda will be available on the website before the meetings, paper copies of the documents will be made available at the Town Hall. People will have to use the FOIL system already set up to request the documents and pay for copies.
  5. Senator Charles Schumer and State Comptroller DiNapoli were speakers at the training.

***CITIZENS COMMENTS:***

**Mike Quenell:** Said the Board should not ever change the Regular Board meetings date. She said people depend on the meeting always being the same time. She did not think the meeting was changed by the law, she did not see a posted notice.

**Nik Santagate:** Said he was very happy to see people went to training, people do not realize how important it is to attend training. It is important to see how other people do things in other towns.

**There were no further Citizens Comments.** Supervisor Peter Shrope thanked the citizens for their comments.

**REGULAR BOARD MEETING – TOWN OF BRIGHTON – FRANKLIN COUNTY, NY**

**March 15, 2012**

**Page 7 of 7**

***EXECUTIVE SESSION***

**Motion made to GO INTO EXECUTIVE SESSION at 8:50 p.m.** by Supervisor Peter Shrope, **second** by Lydia Wright, **in accordance with Public Officers Law, Article 7, Section 105(f) to discuss the medical, financial, credit and/or employment history of a particular person.** **Aye 5 (Knapp, McDonnell, Shrope, Tucker, Wright), Nay 0**

**Motion to GO OUT OF EXECUTIVE SESSION at 9:00 p.m.** by David Knapp, **second** by Lydia Wright. **Aye 5 (Knapp, McDonnell, Shrope, Tucker, Wright), Nay 0**

***AUDIT OF VOUCHERS***

**RESOLUTION #43**

**PAYMENT OF AUDITED VOUCHERS AS LISTED ON THE ABSTRACTS**

**Motion made by Brian McDonnell, 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 3D for 2012 General Funds in the amount of \$854.80 and 2012 Street Light Funds in the amount of \$66.18**

**GENERAL FUND: Abstract #3 for Voucher #58 through and including #90 for 2012 funds in the amount of \$37,874.46**

**HIGHWAY FUND: Abstract #3 for Voucher #27 through and including #40 for 2012 funds in the amount of \$12,029.76**

**SPECIAL FUND – FIRE DISTRICT: Abstract #2 for Voucher #2 for Special Funds – Fire District in the amount of \$38,820.00.**

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

**Resolution #43 declared duly adopted.**

***ADJOURNMENT***

**Motion to Adjourn at 9:15 p.m.** made by David Knapp, **Second** by Lydia Wright; **Aye 5, Nay 0**

Respectfully Submitted,

Elaine Sater  
Brighton Town Clerk