

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

**June 14, 2012**

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**The Regular Monthly Meeting of the Town Board of the Town of Brighton was held Thursday, June 14, 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 7:00 p.m.

Pledge to the Flag was 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, Elaine Sater - Town Clerk, and Dan Spencer – Park Attendant

**RESIDENTS:** There were six residents present

**GUESTS:** None

**DEPARTMENT REPORTS**

- 1) **HIGHWAY – Andy Crary:** Report submitted prior to meeting
  - a) Drove to Malone and purchased new lawn tractor for cemeteries
  - b) Mowed cemeteries, town hall and garage lawns
  - c) Made dump run
  - d) Picked up water in Tupper Lake
  - e) Put up fence at Park
  - f) Raked the dirt roads
  - g) Put cold patch on entrance to Hoffman Road
  - h) Cleaned up tree on Hull Road
  - i) Put flags out at cemeteries for Memorial Day
  - j) Hauled crusher run to North Brook Road
  - k) Drove to Plattsburgh for parts for 2002 Paystar, replaced air dryer
  - l) Went to dump two times with Park debris
  - m) Moved Franklin County's fire truck, used for White Pine Road Bridge, to Santa Clara garage
  - n) Set up and took down tables for Franklin County Rabies Clinic
  - o) One employee on vacation
  
- 2) **TOWN CLERK – Elaine Sater:** Report submitted prior to meeting
  - a) Total Revenue to Supervisor as of May 31, 2012, was \$686.60 from 1 Sport Licenses, 10 Dog Licenses renewed, and 2 Building Permits (#12-005 and 006).
  - b) May 17, 2012, received two Certificates of Attendance for Board of Assessment Review training for Peter McConville and Tom Seymour, attended in Malone on May 9, 2012.
  - c) There is a Primary Election for Republicans only scheduled for Tuesday, June 26, 2012 at the Town Hall, from 12 noon to 9 p.m. The Town Clerk's Office will be closed.
  - d) **TOWN HALL REQUEST:** None
  - e) **TOWN PARK REQUEST:** Saturday, June 30, Wood Family, 1 to 6 p.m.; Sunday, July 8, Moody Family, 12 to 5 p.m., and a change from Sunday, August 12 to July 22 for the Church of the Assumption.
  
- 3) **TAX COLLECTOR – Holly Huber:** Report submitted prior to meeting
  - a) **May 2012:** Received calls from mortgage companies regarding the tax status of particular properties and from property owners unsure of whether or not they had paid. If taxes were unpaid as of 3/31/12, referred callers to the County Treasurer's Office. If taxes were paid, sent a second receipt via email. Directed several callers to the Town Assessor.
  - b) **June 2012:**

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- i) Received calls from mortgage re-financiers, abstract companies, real estate agents and private citizens regarding the tax status of particular properties. If 2012 taxes were unpaid as of 3/31, referred callers to the County Treasurer's Office. If requested, emailed a copy of the bill or receipt. Also directed several callers to the Town Assessor.
- ii) Spoke with Jennifer O'Neill of the NYS Office of the Comptroller regarding cancelled check retention guidelines when a remote capture deposit device is used. Attached a sample document her office suggested and her email. If the board approves she will prepare the document specifically for the Town of Brighton.
- iii) Spoke with Gary Gifford of the NYS Office of the Comptroller regarding an annual audit of the books. Was advised that such an audit may be done any time before next January (20th). Notified Supervisor Shrope that she will be unavailable on 6/14/12 but anticipate being available to meet with board members before any future board meeting. She awaits notice of the chosen date.

**Supervisor Peter Shrope** said the audit of the Tax Collector's financial records will take place at 6 p.m. on Thursday, July 12, before the next board meeting.

**RESOLUTION #61**

**RETENTION PERIOD FOR CHECKS DEPOSITED BY REMOTE CAPTURE DEPOSIT DEVICE**

**Motion made** by David Knapp, **second** by Supervisor Peter Shrope,

**WHEREAS**, the Town Board authorized the Tax Collector to use a remote capture deposit device for checks, money orders, or similar instruments of payment received during the 2012 tax collection period, and

**WHEREAS**, the instruments of payment are maintained by the Tax Collector,

**NOW THEREFORE BE IT RESOLVED** that the Town Board authorizes the Tax Collector to retain the original check, money order, or similar instruments of payment for a period of 60 days after deposit and verification of account information or until no longer needed for any purpose per approval by the NYS Office of the Comptroller until the MU-1 Records Retention Schedule can be updated.

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

**RESOLUTION #61 declared duly adopted.**

**4) TOWN JUSTICE – Nik Santagate:** Report submitted prior to meeting.

Supervisor Peter Shrope received a check in the amount of \$8,400.00 for fees and fines from the Justice with a list of 85 cases disposed for the month of May 2012. The NYS Court Fund will receive \$6,100.

**Brian McDonnell** said he would like to acknowledge the large amount of work the Justice has put in.

**Supervisor Peter Shrope** said he would write a letter to acknowledge the large amount of work put in by the Justice regarding the cases he has processed over the past few months.

**5) CODE ENFORCEMENT OFFICER – Paul Blaine:** Report submitted prior to meeting.

a) **Building Permits (BPs):** 2 BPs (#12-005 and 006) were issued

b) **Certificate of Occupancy (CO)/Compliance (CC) Issued:** One CC issued BP #11-012

c) **Avoidable Alarms Update:** Six (6) avoidable alarm violations (#12-016 through 021) were reported and completed during May

d) Issued a permit for a new house on Loon Landing, footers were poured today

e) The unfinished house in Deer Meadows that caught fire inside still needs to be cleaned up and repaired

**6) ASSESSOR – Douglas Tichenor:** Report submitted prior to meeting

Filed a complaint with the NYS Department of Taxation and Finance, Office of Real Property Tax Services, equalization rate for 2012 assessment roll is too low compared to sales over the past few years.

**Lydia Wright and Brain McDonnell** will discuss this complaint with the NYS Office of Real Property and Doug Tichenor

**7) HISTORIAN - Mary Ellen Salls:** No report received

**8) TOWN PARK – Dan Spencer:** Report submitted at meeting

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- a) Mowed grass
  - b) Picked up pine needles
  - c) Stained posts on pavilion and sealed wood
  - d) Got out picnic tables
  - e) Put out garbage for food pantry
  - f) Food Pantry people reported that the park garage was broken into. Dan Spencer reported it to the police. Leaf blower was taken and lubricant was sprayed on walls and tractor. A window screen was removed from the food pantry part of the park building; window was locked so no one got in.
  - g) **Dead Trees:** Supervisor Peter Shrope sent a request to Paul Smith's College (PSC) asking for help removing dead tree. Response was the trees near the highway are the responsibility of the Department of Transportation and the ones near the wires are National Grid's responsibility, PSC will look at the other trees, possibly in the fall.
  - h) **Park Usage:** Calendar of usage submitted to Supervisor
- 9) **FOOD PANTRY – Barb Marshall:** Report submitted prior to meeting
- a) **Report:** Served 211 families, 606 people.
  - b) Hopes the break-in will be resolved quickly. Dan Spencer told her that tables have been overturned after the food pantry people leave. She hopes the inference was NOT that her clients were responsible for any damage. She will assure that the park grounds are gone over once they are done for the day.
  - c) Asked if they could move back into the garage, then there would be no more hassles at the park. They would have more room than at the park and they could use the park space for doing bottles and storing other pantry items. (The Board understood this request to be in jest)
  - d) A dead-bolt will be installed on the main door, grids on the windows and a motion sensor light on the Route 86 side. She is grateful that more damage was not done. She tried the garage key and it worked on the first try. Not sure what Dan Spencer did, maybe more lubrication, it was appreciated.
  - e) Dan Spencer reported that the items (tables and carts) are being removed from the park building after food pantry is completed.
- 10) **ANIMAL CONTROL OFFICER (Tri-Lakes Humane Society):** No Report received
- 11) **SUPERVISOR'S REPORT**
- a) **Financial Report:**
    - i) Budget showing revenues and expenses as of May 31, 2012, was distributed to Board members.
    - ii) Revenue received: General: \$ .29 interest from Tax Collector, \$500.00 NYS Town Clerks Association Scholarship, \$114.00 Second mailing fees, \$11,896 Mortgage Tax, \$250 Scrap Metal, and \$25 Town Park Donation
    - iii) NYCLASS: Interest: \$1.39 for General Fund and \$.62 for Highway Fund; Total \$2.01
  - b) **Retirement System:** Received notice from the NYS Local and State Retirement Office, retirement contribution for a Town official will be \$10,956 for past years. Could possibly have a second person also. This amount will be added to the 2012 bill. Not sure if this amount is total or just Town's portion.

**APPROVAL OF MINUTES**

- Regular Board Meeting – May 10, 2012

**Motion made** by David Knapp, **second** by Brian McDonnell, **to adopt the minutes of the Regular Town Board meeting held on May 10, 2012, as written.**

**Roll Call Vote: Aye 5 (Knapp, McDonnell, Shrope, Tucker, Wright), Nay 0**

**CITIZENS COMMENTS:**

**George Earle:** Congratulated the Board on completing the Town Hall building and moving back in, they did a great job with it. He said he appreciated the new Board and what they were doing.

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**There were no further citizens' comments**

***BUSINESS:***

- 1. Petition for Speed Reduction on County Road 60 (aka Rainbow Lake Road) – Supervisor Peter Shrope:** Received a letter dated June 6, 2012, sent to Franklin County Highway Department, from the NYS Department of Transportation in Watertown, they will evaluate the need for a reduced speed zone with input from the Traffic Sergeant of the NYS Police and inform the County of the findings.
- 2. Property at 85 County Road 60 – Supervisor Peter Shrope:** Received information from Amber McKernan concerning the taxes paid on the property. There are two properties and taxes are paid on one for 2010, the second has not had taxes paid since 2009. The address has been changed since 2010, but the new address is the same address used to deliver the notice from the Town that was returned. The County will be looking into foreclosing on properties that have not had their taxes paid in 2009. The Board will wait until next month to see if any further action is taken by the County.
- 3. Post Office Reduced Hours/Closures – Supervisor Peter Shrope:** Received a letter, dated May 16, 2012, from US Congress Representative Bill Owens regarding the reduction of hours for local post offices instead of closing them. The suggested time is 4 hours each day for the post offices in the Town of Brighton. There is no time set for the hours to change. Comments can be sent to his office at 431 Cannon House Office Building, Washington, DC 20515.

***COMMITTEE REPORTS***

- 1. HIGHWAY - David Knapp and Steve Tucker:**
  - a. White Pine Road Bridge:** Bridge was completed in 5 weeks, waiting for bill from the County. Will use CHIPS funds to pay for it.
  - b. Plow Truck:** MA Jerry of Plattsburgh offered to come speak to the Board about leasing a truck, they will be asked to come in July or August.
- 2. ADIRONDACK REGIONAL AIRPORT - Thomas McKernan and David Knapp:**
  - a.** Tom and Amber McKernan attended a meeting on May 31. It was hosted by the Town of Harrietstown, Ron Keough was the Chair. The people attending divided into two groups, one with government representative and the other with citizens and local businesses. There were representatives from the Town of Harrietstown, Village of Saranac Lake, Franklin County and some of the surrounding towns, as well as concerned citizens. The consensus of the government representatives group was that the airport is an asset to the region; the airport needs a marketing plan, and it is incumbent upon the Harrietstown Board to develop a solid plan for the future of the airport to present to the other governments in the region before it can expect any increase in financial support for the operation of the airport. No definite date was set for the next meeting but interest in continuing the dialog was expressed by the entire group. Received a thank you note from the Harrietstown Board for interest shown in the airport.
  - b.** Discussion was held by the Board on airport usage and fees. Rental of hanger space, fuel, and landing fees for large aircraft are some of the revenue received. Due to grants received by the Town of Harrietstown for the airport, they have to keep the airport open for 20 years after they decide not to take the funds. Cape Air is planning to add two more flights during the summer months. They would like to get 10,000 people leaving the airport to qualify for more federal funding.
- 3. PARK & RECREATION - Steve Tucker and Peter Shrope:**

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- a. **Saranac Lake Area Youth Program (SLAYP):** Steve Tucker attended a meeting with SLAYP. The program will serve breakfast and lunch courtesy of Essex County. The children will visit three ORDA sites in Lake Placid and participate in a mini Olympics program.
  - b. **Park Usage:** The park is being used a lot now. There is an issue with baseball players moving the soccer nets so they can use the field. Supervisor Peter Shrope said he will write a letter to the users and ask them to remove their equipment when they are finished for the day so that others can use the fields. Superintendent of Highways Andy Crary said there is a baseball pitching machine stored in the cemetery building, he asked what should be done with it.
  - c. **Park Lease:** Sent a letter dated May 24, 2012, to Paul Smith's College concerning the lease that has expired. Received a message that the Board of Trustees has to approve the lease at their next meeting. There has been no further information.
4. **INSURANCE/INVESTMENTS - David Knapp and Lydia Wright:** Interest has increased slightly on the NYS CLASS investments.
5. **CEMETERY& TOWN BUILDINGS - David Knapp and Steve Tucker:**
- a. **Cemeteries:** There were two burials in Mt. View
  - b. **Buildings:** Judges bench needs to be completed. David Knapp asked an individual to help complete it. Supervisor Peter Shrope will ask Chris Alcocer if he knows someone. He asked a plumber to install a filter on the water system to remove the iron. The plumber has not returned to install anything. David Knapp said he will ask another plumber to look at the water.
6. **WEBSITE - Supervisor Peter Shrope:** Emails are working well
7. **FIRE ADVISORY BOARD (FAB)-Steve Tucker:** No meetings have been held
8. **TELECOMMUNICATIONS - Supervisor Peter Shrope:**
- a. **Broadband:** The Development Authority of the North Country (DANC) is running fiber optics on State Route 30 from Tupper Lake; St Lawrence County (SLIC) is involved. Asked them to look at providing service to McColloms. A resident on Clark-Wardner Road said they were quoted \$18,000 for cable to be installed to the end of the road. A resident on St. Regis Lake said they use "hot spots" to get reception. Bria McDonnell suggested inviting the person from DANC to come to a meeting and explain to the Board what is happening.
  - b. **Time Warner Cable Franchise:** No further information was received
9. **TOWN HALL PROJECT/OPEN HOUSE: Supervisor Peter Shrope and Lydia Wright:**
- a. **Town Hall Project:** Need to hire someone to complete the reimbursement request for the grant funds, there are several items that need to be collected and completed, including an audit by a Certified Public Accountant
  - b. **Open House:** Lydia Wright and Kevan Moss are working on the guest list for the open house on July 29

**RESOLUTION #62**

**COMPLETION OF REIMBURSEMENT OF FUNDS FOR GRANT FOR TOWN HALL PROJECT**

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

**WHEREAS** the process to compile the information to request reimbursement of funds for the Town Hall Project grant is extensive and complicated, and

**WHEREAS** the Supervisor does not have the time nor expertise to compile this information,

**NOW THEREFORE BE IT RESOLVED** that the Town Board authorizes Supervisor Peter Shrope to investigate hiring an individual to compile the information necessary to request reimbursement of funds for the Town Hall Project grant.

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

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**RESOLUTION #62 declared duly adopted**

- 10. ASSESSMENT- Brian McDonnell and Lydia Wright:** Will meet with Doug Tichenor concerning the equalization rate.
- 11. Salaries/Benefits Admin - David Knapp and Supervisor Peter Shrope:** Sent surveys to 25 towns concerning the salary/benefits. Received 13 responses so far; the Town of Brighton is about average compared to the other Towns of the same size population. Will go over the numbers with David Knapp to summarize them for the budget.

***CITIZENS COMMENTS:***

**Amber McKernan:** We have some of the prettiest cemeteries in the area.

***EXECUTIVE SESSION***

**Motion made to GO INTO EXECUTIVE SESSION at 8:30 p.m.** by Supervisor Peter Shrope, **second** by Lydia Wright, in accordance with Public Officers Law, Article 7, Section 105(d) to discuss current litigation "Town of Brighton vs Paul Smith's College" Avoidable Alarm Violations. **Aye 5 (Knapp, McDonnell, Shrope, Tucker, Wright), Nay 0**

**Motion made 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 #63**

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

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

**RESOLVED that the Supervisor be authorized to pay the audited vouchers as listed on the abstracts as follows:**

**PREPAID FUNDS: Abstract #6 for Voucher #6A through and including #6C for 2012 General Funds in the amount of \$649.87 and 2012 Street Light Funds in the amount of \$54.98**

**GENERAL FUND: Abstract #6 for Voucher #129 through and including #152 for 2012 funds in the amount of \$13,038.07**

**HIGHWAY FUND: Abstract #6 for Voucher #64 through and including #73 for 2012 funds in the amount of \$7,369.71**

**CAPITAL PROJECT FUND-Town Hall Project: Abstract #35 for Voucher #89 for funds in the amount of \$1,610.00.**

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

**Resolution #63 declared duly adopted.**

***ADJOURNMENT***

**Motion to Adjourn at 9:02 p.m.** made by David Knapp, **Second** by Lydia Wright; **Aye 5 (Knapp, McDonnell, Shrope, Tucker, Wright), Nay 0**

Respectfully Submitted,

Elaine Sater, Brighton Town Clerk