

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

**September 12, 2013**

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**The Regular Monthly Meeting of the Town Board of the Town of Brighton was held Thursday, September 12, 2013, at 7:00p.m. at the Brighton Town Hall, 12 County Road 31, Paul Smiths, NY, with the following:**

**CALL TO ORDER:**

**Meeting was Called to Order by Supervisor Peter Shrope at 7:04 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 was one resident present

**GUESTS:** None

**DEPARTMENT REPORTS**

**1) HIGHWAY – Andy Crary:** Report submitted prior to meeting

a) Report:

- i) Put new hose and clamp on steering hose on the 2002 Paystar
- ii) Picked up flagstone and installed it for the Town Hall walkway
- iii) Road raked the Hoffman Road
- iv) Hauled tar for the towns of Harrietstown and Santa Clara
- v) Paved a half mile of the Keese Mills Road, need to amend resolution
- vi) Working on the trucks, getting the rust off and painting
- vii) Hauled crusher run for shoulders of Keese Mill Road after paving
- viii) Mowed the cemeteries
- ix) Replaced four hydraulic lines on the LT9000
- x) Glenn Perrino is out on sick time with a back problem
- xi) Need to order carbide for plows
- xii) Need to set up a time for Trudeau to screen the sand before winter
- xiii) Need to order salt (Resolution #50-2013)

- b) Steve Tucker said the Paul Smiths’-Gabriels Volunteer Fire Department will be flushing dry hydrants on Wednesday September 18, 2013.

**RESOLUTION #69**

**PURCHASE OF CARBIDE FOR PLOWS NOT TO EXCEED \$2500**

**Motion made by Lydia Wright, second by Steve Tucker,**

**RESOLVED that the Superintendent of Highways Andy Crary be authorized to purchase 3 sets of carbide steel for the plows at an estimated cost of \$827 a set, not to exceed \$2500.00.**

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

**RESOLUTION #69 declared duly adopted.**

**RESOLUTION #70**

**SCREENING OF SAND BY TRUDEAU SAND & GRAVEL FOR \$3800**

**Motion made by Lydia Wright, second by Amber McKernan,**

**RESOLVED that the Superintendent of Highways Andy Crary be authorized to hire Trudeau Sand & Gravel, Inc., to screen sand for the Town roads for the amount of \$3800.00.**

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

**RESOLUTION #70 declared duly adopted.**

**RESOLUTION #27-2013 (Amended)**

**AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONIES IN THE AMOUNT OF \$40,000.00**

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

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**BE IT RESOLVED** by the Town Board of the Town of Brighton that Resolution #27-2013 be amended as follows: #2. Permanent Improvements: Increase amount of “\$30,000” to “\$40,000” and decrease “1 mile” to “one-half mile”

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 one-half mile, there shall be expended not over the sum of \$40,000. 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 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 #27-2013 declared duly amended.**

- 2) **TOWN CLERK – Elaine Sater:** Report submitted prior to meeting
  - a) Total Revenue to Supervisor as of August 31, 2013 is \$650.44 from 1 DEC Sport License, 4 Dog Licenses renewed, one tag #120 issued to replace lost tag #53, 6 building permits (#13-025 to 030), and 9 notary signatures.
  - b) August 15 posted notice for Special Meeting held on August 19 at 6 p.m.
  - c) TOWN HALL REQUESTS: Republican Party Caucus – Changed from Thursday, August 22 at 7 p.m. to Sept 5.
  - d) TOWN PARK REQUESTS: Saranac Lake Youth Soccer Association, 5 to 7 pm, Monday and Tuesday's Sept 2 thru Oct 1, Wednesdays and Thursday, Oct 2 thru 17. Paul Smith's College Rugby, 11 am to 5 p.m. Saturdays, September 7 and 14, October 12 and 26 and November 2; need insurance certification
  - e) RECORDS MANAGEMENT: Continuing to shred the 2006 Court records.
- 3) **TAX COLLECTOR – Holly Huber:** Report submitted prior to meeting:  
Responded to requests for tax bills and/or receipts from property owners, attorneys and mortgage lenders, updating information on file with Wells Fargo, and preparing annual Budget.
- 4) **TOWN JUSTICE – Nik Santagate:** Report submitted prior to meeting.  
Supervisor Peter Shrope received \$3,974.00 for fees and fines from the Justice with a list of 56 disposed cases. The Court will be requesting grant funding for a new computer, two file cabinets, and a rug.
- 5) **CODE ENFORCEMENT OFFICER – Paul Blaine:** Report submitted prior to meeting
  - a) Building Permits (BPs): 6 BPs issued (#13-025 thru 030)
  - b) Certificate of Occupancy/Compliance: Issued four (4) Certificates of Compliance for BP #10-009, 12-013, 015 and 025
  - c) Complaints: One still open
  - d) Received another request for a new residence this month.
- 6) **ASSESSOR – Douglas Tichenor:** No Report received,  
Supervisor Peter Shrope received notification from the NYS Office of Real Property Tax Services; the Final State Equalization Rate for 2013 changed to 86.00, it was 78.37 for 2012.

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- 7) **TOWN PARK – Dan Spencer:** No Report received
- 8) **FOOD PANTRY – Barb Marshall:** Report submitted prior to meeting.  
Reported a total of 427 people served.  
**Amber McKernan** asked if the Town knows who the staff is that is helping Barb Marshall run the Food Pantry; she sees people going into the Food Pantry on non-food pantry days and Barb Marshall is not there. Supervisor Peter Shrope will be meeting with her during the next month to discuss issues.
- 9) **HISTORIAN-Mary Ellen Salls:** No report received.
- 10) **ANIMAL CONTROL OFFICER (Tri-Lakes Humane Society):** No report received
- 11) **SUPERVISOR- Peter Shrope:**
- a) **Letter of Appreciation:** Sent letter of appreciation dated August 15, 2013, to Fran McAllister for the welding job on the trucks.
  - b) **85 County Road 60, Violations of Local Law #1 for the Year 1981:** Sent second letter to John Guest to notify him that the deadline for removing the unsafe structure is October 5.
  - c) **Worker’s Compensation:** Dealing with a request for Worker’s Compensation. Glenn Perrino has chosen to stay on the payroll and use sick time instead of using Worker’s Compensation/Disability for a back problem; he will be out about 5 weeks.
  - d) **Paul Smith’s College Fire Prevention Plan:** Called Paul Smith’s College (PSC) to discuss with Susan Sweeney the increase in fire calls after the start of the semester. She said the plan was not implemented on August 25; it was implemented about Sept 3, after the school semester started due to delay in training of new staff at the College. PSC is sending reports to the Fire Chief Roger Smith.
  - e) **Dispatch for Fire Calls:** Met with John Sweeny of the Village of Saranac Lake; the Village is requesting Franklin County take over dispatching the Town of Brighton fire calls. Steve Tucker said as of Friday September 6, the Paul Smith-Gabriels Volunteer Fire Department is being dispatched by Franklin County Emergency Center; they received a grant to upgrade the county dispatch system.
  - f) **STAR Exemptions for School Taxes:** All residents who want to keep a STAR exemption on their primary residence must re-register on-line or call in by December 31, 2013. Basic STAR exemption is for anyone who has their primary residence in the Town of Brighton. A mailing is being sent by the State to property owners who have the exemption.
  - g) **DIY Energy Efficiency for Municipalities:** The Wild Center is sponsoring an energy efficiency seminar in Long Lake for anyone who is interested on Thursday, September 19, 2013 from 10 am to 1 pm
  - h) **Financial Report:**
    - i) **Budget** as of August 31, 2013, was distributed to Town Board’s box for review
    - ii) **Deposits:** September 5, revenues of \$3,974 from the Court and \$650.44 from the Town Clerk
    - iii) **NYCLASS** Interest from August 2013: \$1.19 for General Fund, Total Fund is \$85,252.09; \$.57 for Highway, Total Fund is \$40,102.30.

**APPROVAL OF MINUTES**

**- Regular Board – August 8, 2013**

**Motion made** by Amber McKernan, **second** by Lydia Wright, **to accept the minutes of the Regular Board meeting of August 8, 2013, as written. Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0**

**- Special Board – August 19, 2013**

**Motion made** by Amber McKernan, **second** by Steve Tucker, **to accept the minutes of the Special Board meeting of August 19, 2013, as written. Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0**

**CITIZENS COMMENTS:**

**Tom McKernan-** It is a pleasure to come to board meetings.

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**BUSINESS**

- 1) **Appointment of Town Sole Assessor – Supervisor Peter Shrope:** The Assessor's term is up September 30, 2013; an appointment is needed for another six-year term.

**RESOLUTION #71**

**APPOINTMENT OF TOWN SOLE ASSESSOR FOR A 6-YEAR TERM**

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

**RESOLVED that the Town Board reappoints Douglas Tichenor as Town Sole Assessor for a 6-year term, October 1, 2013 to September 30, 2019, pursuant to Real Property Tax Law Section 310.**

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

**RESOLUTION #71 declared duly adopted.**

- 2) **CSEA Meeting- Supervisor Peter Shrope:** Met with CSEA Representative Kyle Weaver on September 10 to discuss terms of the 2014 contract for highway employees; tentative agreement is for 2 year contract and 2% per year salary increase. The increase for Cost of Living is 1.75%.

**EXECUTIVE SESSION**

Motion made by Lydia Wright, second by Supervisor Peter Shrope, to **GO INTO EXECUTIVE SESSION** at 8:15 p.m.; pursuant to Public Officer's Law, Article 7, Section 105, Paragraph e, to discuss matters relating to collective negotiations under the Taylor Law. **Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0**

Motion made by Lydia Wright, second by Amber McKernan, to **GO OUT OF EXECUTIVE SESSION** at 8:30 p.m. **Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0**

**RESOLUTION #72**

**WAGES FOR HIGHWAY FUND 2014 TENTATIVE BUDGET**

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

**WHEREAS** a meeting between Supervisor Peter Shrope and Kyle Weaver, CSEA Representative, was held on September 10, 2013, to discuss the terms of the 2014 CSEA collective bargaining agreement with the Highway employees,

**NOW THEREFORE BE IT RESOLVED that the Town Board authorizes Supervisor Peter Shrope to add a tentative 2% increase for CSEA Highway employee wages (DAXXXX.1) in the Highway Fund for the 2014 Tentative Budget.**

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

**RESOLUTION #72 declared duly adopted.**

- 3) **Vacation/Sick Time – Supervisor Peter Shrope:** The tracking of the sick and vacation time for the highway employees is done manually, but not timely. Looking into getting this information added to the payroll system.
- 4) **FX Browne – Supervisor Peter Shrope:** Estimate for lab services for the landfill monitoring contract was too low; the lab was decertified so FX Browne had to find another lab. Resolution #37-2013 needs to be amended to pay the \$180.00 increase in the lab fees.

**RESOLUTION #37-2013 (AMENDED)**

**POST CLOSURE MONITORING OF LANDFILL FOR 2013 FOR \$3,600.00**

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

**WHEREAS**, the laboratory used by FX Browne, Inc. for testing for the landfill monitoring was decertified and another laboratory had to be used at an increased cost of \$180.00,

**BE IT 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 \$3,600 as follows: \$2,000 for services, \$400 for reimbursable expenses, and \$1,200 for laboratory fees from a subcontractor.**

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

**RESOLUTION #37-2013 declared duly amended.**

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- 5) **Violation of LL#1 for 1981 at 652 Keese Mills Road – Supervisor Peter Shrope:** The unsafe structure was demolished but not removed according to the Code Enforcement Officer in a letter to the Board dated September 5, 2013. Supervisor Peter Shrope will ask the Code Enforcement Officer to send another letter to direct the property owner to remove the unsafe debris from his demolished building as it is still a hazard and invite the property owner to the next board meeting to discuss the issue.
- 6) **Chateaugay Correctional Facility Closure - Supervisor Peter Shrope:** The Town of Chateaugay sent a request dated September 11, 2013, asking for support to keep the correctional facility in their town open

**RESOLUTION #73**

**SUPPORT FOR KEEPING CHATEAUGAY CORRECTIONAL FACILITY OPEN**

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

**WHEREAS** the Town of Chateaugay has asked the Town of Brighton to support keeping the Chateaugay Correctional Facility open,

**BE IT RESOLVED that the Town Board authorizes Supervisor Peter Shrope to write a letter of support for the Town of Chateaugay to keep the Correctional Facility open and keep our North Country neighbors employed.**

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

**RESOLUTION #73 declared duly adopted.**

- 7) **AATV Request for Indian Lake, Long Lake, Newcomb, Minerva and North Hudson (Five Towns) TNC Classification Support – Supervisor Peter Shrope:** The Adirondack Association of Towns and Villages (AATV) is asking for support of a Resolution for the Adirondack Park Agency to not classify land purchased by New York State from The Nature Conservancy (TNC) in the Five Towns area as “Wilderness” to increase economic success to the area.

**RESOLUTION #74**

**SUPPORT OF AATV RESOLUTION FOR FIVE TOWNS TNC LAND CLASSIFICATION**

**Motion made** by Brian McDonnell, **second** by Steve Tucker,

**WHEREAS**, the Town of Brighton is a member of the Adirondack Association of Towns and Villages (AATV), and

**WHEREAS**, the AATV has asked the Town to approve or disapprove a Resolution supporting the Five Towns of Indian Lake, Long Lake, Newcomb, Minerva and North Hudson concerning the Adirondack Park Agency classification of State lands that will effect the economic success of the area,

**BE IT RESOLVED that the Town Board approves a Resolution from the Adirondack Association of Towns and Villages entitled “Resolution In Support of the Towns of Indian Lake, Long Lake, Newcomb, Minerva and North Hudson Concerning Their Plan for Economic Success”.**

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

**RESOLUTION #74 declared duly adopted.**

- 8) **2014 Budget – Supervisor Peter Shrope:** Budget inputs are due to the Budget Officer by Friday, September 20. The Tentative Budget for 2014 will be filed with the Town Clerk on October 1. There will be two Special Meetings on Thursday October 3 and 10 at 6 p.m. to discuss the 2014 Tentative Budget. The Public Hearing for the Budget will be on Thursday, November 7<sup>th</sup> at 7:00 pm. The Regular Board meeting will be held on Thursday, November 14. Salaries for the Town Board need to be looked at in light of the reduction of the Health Benefit for two board members and the supervisor.

- 9) **Election – Supervisor Peter Shrope:** The General Election will be held on Tuesday, November 5

**COMMITTEES:**

- 1) **Parks & Recreations-Peter Shrope and Steve Tucker:** Amber McKernan will replace Steve Tucker on the committee. Steve Tucker will still monitor the Park Attendant’s time sheet. The Board discussed setting fees at the park and reviewing hours of operation. The Park Attendant has a full time job and cannot cover the Park

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hours as he has in the past. Steve Tucker will discuss the hours at the Park with Dan Spencer.

- 2) **Adirondack Regional Airport – Amber and Tom McKernan:** Attended a Town of Harrietstown Airport Committee meeting on Monday September 9, 2013 in the Airport conference room. Also present were: Airport Manger Corey Hurwitch, Councilman Barry Defuria, Councilwoman Nichole Meyetta, and Gerald Gillmet, Among topics of discussion were the status of the current budget and adjustments which may be needed for next years budget, up coming union contract negotiations, repairs to the deice truck, grants received and proposed, and upcoming meetings and events. His impression was the budget is on track for this year. Fuel sales overall were down slightly because of fewer military purchases, but up some for the GA (General Aviation) segment. Also there was discussion of the need to upgrade the fuel farm to increase capacity. Currently it is quite possible for the fuel sales demand to be greater that the tank capacity, and there is only one pump for each type of fuel. Should a pump fail no fuel could be sold until parts were ordered and repairs made. Upgrading the fuel farm would allow for redundancy in the pumping systems. There is a meeting scheduled for the 18<sup>th</sup> of September to hear proposals for marketing the airport; he plans on attending the meeting. On Saturday, October 5 there will be an Airport Open House and LifeFlight Pumpkin Fest from 10:00 am to 3 pm. Among the activities are scenic flights to be raffled off, compliments of Cape Air, and he will be doing Young Eagles Flights. The Airport Diner is open for dinner on Thursdays, Fridays and Saturdays; two of the owners sold out to the other two owners.

***CITIZENS COMMENTS: None***

***AUDIT OF VOUCHERS***

**RESOLUTION #75**

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

**Motion made by Amber McKernan, 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 #9 for Voucher #9A through and including #9C for 2013 General Funds in the amount of \$639.02 and STREET LIGHTING FUNDS in the amount of \$53.72**

**GENERAL FUND: Abstract #9 for Voucher 165 through and including #184 for 2013 funds in the amount of \$8,588.75 and**

**HIGHWAY FUND: Abstract #9 for Voucher #76 through and including #88 for 2013 funds in the amount of \$45,214.51**

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

**Resolution#75 declared duly adopted.**

***ADJOURNMENT***

**Motion to Adjourn at 9:50 p.m.** made by Amber McKernan, **second** by Lydia Wright Aye 5 (McDonnell, McKernan, Shrope, Tucker, and Wright), Nay 0

Respectfully Submitted,

Elaine Sater, RMC,  
Brighton Town Clerk