

**TOWN OF BRIGHTON – FRANKLIN COUNTY- NEW YORK
REGULAR BOARD MEETING, DECEMBER 13, 2012**

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The Regular Monthly Meeting of the Town Board of the Town of Brighton was held Thursday, December 13, 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 7:01 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, Holly Huber – Tax Collector, and Elaine Sater - Town Clerk

RESIDENTS: There were two residents present

GUESTS: None

DEPARTMENTS

1. HIGHWAY – Andy Crary: Report submitted prior to meeting

a. Report:

- i. Plowing and sanding has started
- ii. Went to Harrisville to set up new plow truck, it may be ready by December 31
- iii. Had furnace at garage cleaned
- iv. Cut hanging tree on Garondah Road
- v. Got 2002 Paystar set up to plow
- vi. Took loader to McCollom's for a downed tree
- vii. Painted extra plow and wing for new truck
- viii. Had Bob's Auto fix Paystar (brake canisters, slack adjusters)
- ix. Went to Plattsburgh for parts
- x. Took loader to park to pick up needles and sticks
- xi. Fixed sanding chain on LT9000 truck
- xii. Fixed hydraulic leak in 2002 Paystar
- xiii. Cleaned the shop floors
- xiv. Did not go to winter hours yet

- b. Cemetery building needs a new overhead door. The door is rotting at the bottom and animals can get inside.

RESOLUTION #105

PURCHASE OF NEW OVERHEAD DOOR FOR CEMETERY BUILDING

Motion made by Supervisor Peter Shrope, Second by David Knapp,

WHEREAS, the bottom of the wooden garage door on the cemetery building has become rotten and is open enough for animals to get inside, and

WHEREAS, there are some funds left in the 2012 Budget, and

WHEREAS, a quote was received from the Overhead Door Company of Plattsburgh to furnish and install a new door in the amount of \$660.00,

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes Andy Crary Superintendent of Highways to contact Overhead Door Company of Plattsburgh to furnish and install a new overhead door for the cemetery building before any further damage can be done to the building for the amount of \$660.00 to be charged to the Cemetery Expense Account A8810.4 from the 2012 General Fund Budget.

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

RESOLUTION #105 declared duly adopted.

2. TOWN CLERK – Elaine Sater: Report submitted prior to meeting

- a. Total Revenue to Supervisor as of November 30, 2012, was \$875.00 from 1 Certified Copy, 7 Dog

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- Licenses (1 new and 6 renewed), and 2 Building Permits (#12-024 and 025)
- b. November 16 filed 2013 Town Budget with Franklin County Legislature, mailed by Certified Signature Receipt.
 - c. November 13 received from the NYS Department of Labor, a “Notice of Issuance of Magazine Certificate” for Explosives for Peter Henry in Rainbow Lake, expiration date 11/30/2013.
 - d. November 27 received notice from the NYS Department of Agriculture and Markets for a “Dog Control Officer Inspection” and a “Municipal Shelter Inspection Report” for the Tri-Lakes Humane Society and Dog Control Officer. They were rated “Satisfactory” on 11/13/2012.
 - e. December 4 received a 30–day Advance Notice for a renewal application from “The Shamrock” for an “On Premises Alcoholic Beverage License” that expires on December 31, 2012
 - f. Received notice from the Franklin County Board of Elections that Amber McKernan was duly elected Councilperson for a one year unexpired term of office to commence on January 1, 2013.
 - g. TOWN HALL REQUEST: None
 - h. TOWN PARK REQUEST: None
 - i. RECORDS MANAGEMENT: Copying historical information from 2009 newspapers into notebooks
3. **TAX COLLECTOR – Holly Huber:** Report provided at the meeting
- a. Notified Real Property office of tax collection location and hours
 - b. Discussed arrangements to forward property owner’s tax bill to a different address
 - c. Reviewed minutes of November meeting and attended December meeting
 - d. Arranged for rental of NBT Bank’s Remote Capture Device for the depositing of tax payments.
 - e. Arranged to use county’s postage meter for tax bill envelopes
 - f. Revised inset for 2013 tax bill
 - g. Discussed annual updates and tax bill downloads with tax collection software provider (BAS)
 - h. Arranged to contact taxpayer with an individual bill amount upon receipt of tax bills
- Supervisor Peter Shrope** asked about insurance covering other locations to collect taxes, there would be a fee if another location is used other than the tax collector’s home which is included in the insurance policy from NYMIR

RESOLUTION #106

INSERT FOR 2013 TAX BILL

Motion made by David Knapp, second by Lydia Wright,

RESOLVED that the Town Board approves the following notice to be included with the 2013 tax bill mailing:

‘TOWN OF BRIGHTON TAXPAYERS... PLEASE TAKE NOTICE:

POSTMARKS RULE!!

Please bear in mind that I use the *postmark* to determine if your tax payment is either interest free, deserves a 1% penalty, a 2% penalty, or if you are delinquent (and must, therefore, contact the County Treasurer about payment.)

1/31/13, 2/28/13, and 4/1/13 are the operative dates this year. March 31st falls on a Sunday so I can still accept payments *postmarked* 4/1/13.

The postmark must be *legible* so if you are close to a deadline, consider having your payment *hand cancelled* at the post office.

YOU WILL BE CHARGED A \$2 FEE/BILL OF YOU ARE SENT A 2ND NOTICE

A second notice of any taxes owing will be mailed on Friday, 3/15/13. If your *full* payment - *including* penalties - has not been *received* by me before that date, you *will* be charged a \$2 “2nd notice” fee. The sending of a 2nd notice is a state *law*. Collecting a \$2 fee per bill sent is a local *law*.

PENALTIES AND FEES GET PAID *FIRST*

If you do not include the appropriate penalty or fee you will have *taxes* left owing.

ANY AMOUNT OF TAXES UNPAID AS OF 4/1/13 LEAVES YOU WITH A “DELINQUENT” STATUS.

HOW TO PAY “IN PERSON”:

During January *only* you may pay in person, without an appointment,

Monday-Friday, 7 am – 8:30 am or 5:30 pm -9 pm, at:

592 County Route 60, Rainbow Lake, NY

You may pay, in person, at other times and places, *through* 4/1/13 by calling 518-327-3275 to make

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mutually agreeable arrangements.

RECEIPTS WILL NOT BE SENT UNLESS SPECIFICALLY REQUESTED

Your cancelled check (or scan thereof) is a receipt of payment. Therefore, in order to save stamps and paper, I will not send another receipt unless you place a check in the appropriate box on your tax bill requesting one.

I look forward to serving you this 2013 property tax season,

Holly G. Huber, Tax Collector, Town of Brighton, Franklin County, NY'

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

RESOLUTION #106 declared duly adopted.

4. **TOWN JUSTICE – Nik Santagate:** Report submitted prior to meeting.
Supervisor Peter Shrope received a check in the amount of \$4,175.00 for fees and fines from the Justice with a list of 49 cases disposed for the month of November 2012. He said the Justice earns his keep.
5. **CODE ENFORCEMENT OFFICER (CEO) – Paul Blaine:** Report submitted prior to meeting.
 - a. **Report:**
 - i. **Building Permits (BPs):** 2 BPs (#12-024 and 025) were issued
 - ii. **Certificate of Occupancy (CO)/Compliance (CC) Issued:** None issued
 - b. **Avoidable Alarm Complaints:** None received
 - c. A modular home is going up on the Rainbow Lake Road (County Road 60), Deer Meadows has sold 7 out of 12 lots, and the tofu manufacturer may change uses to have catering facilities also.
6. **ASSESSOR – Douglas Tichenor:** No Report received
7. **TOWN PARK – Dan Spencer:** Report submitted prior to meeting
 - a. Trying to move things around in garage to organize things better, thanks to Andy (Crary) for taking the big tractor out, he has more room.
 - b. Put the snow fence up to keep snowmobilers off the skating rink
 - c. Took mower off small tractor and put the snow blower on to get ready for snow
 - d. Have already snow blown a couple of time to start skating rink, put water down but it warmed up so he has to start over
8. **FOOD PANTRY – Barb Marshall:** Report submitted prior to meeting
 - a. Served 271 families, 636 individuals
 - b. Com-Links was bought out by JECO: Community Action Partnership, so she is receiving food items from them once again.
Supervisor Peter Shrope said the electrical service has been installed; he needs to get into the Food Pantry to look at it. He does not have a key. An electrical inspection should have been requested by the person who installed the system. He will address this issue with the Food Pantry.
9. **HISTORIAN - Mary Ellen Salls:** No Report received
10. **ANIMAL CONTROL OFFICER (Tri-Lakes Humane Society):** No report received
11. **SUPERVISOR:**
 - a. **Financial Report:** Budget showing revenues and expenses as of November 30, 2012, was distributed to Board members. Received revenues of \$7,797.24 from Franklin County for mortgage tax.
 - b. **Town Hall Grant Funds:**
 - i. **BAN for Town Hall Project:** Renewal of BAN for one year completed on Friday, November 16.
 - ii. **Grant Funds for Town Hall Project:** Two electronic deposits were made to the Town Hall Project Fund. One on November 14 from the SHPO grant first installment in the amount of \$77,401.37 and one on November 21 from the Senator Betty Little's grant (second payment) for \$13,081.80; for total amount of \$90,483.17. Balance in fund is now \$118,623.11; will look into paying off the BAN in January 2013.
 - c. **Copier:** Purchased an all-in-one copier/printer for \$266.99 to have scanning ability for the Town, will

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- receive a rebate through a NYS energy grant for 75% of cost; should get \$175.00 back.
- d. Had a visit from Al Graf, former Supervisor for the Town (1992-1995). He is now a member of the State Legislature and offered to help the Town with any needs it may have. He said he was instrumental in getting the Adirondack Association of Towns and Villages started.
 - e. **Audit of 2013 Town Budget:** Had a visit from the NYS Comptroller's Office to conduct an audit of the 2013 Budget, the Town was under the 2% tax cap limit by \$803.00.
 - f. **Boundary and Annex Survey (BAS):** The US Census Bureau sent a request to update records concerning boundary changes to the Town, there were none for 2012.

APPROVAL OF MINUTES

- Regular Board Meeting – November 8, 2012

Motion made by Lydia Wright, **second** by David Knapp, **to adopt the minutes of the Regular Town Board meeting held on November 8, 2012, with the following change: Page 7, Other Business, Resolution #103, "Proclamation for Commendation" first sentence of resolution, change "New York City" to "Long Island".**
Roll Call Vote: Aye 5 (Knapp, McDonnell, Shrope, Tucker, Wright), Nay 0

CITIZENS COMMENTS: None

BUSINESS:

1. **Adirondack Association of Town and Villages - Supervisor Peter Shrope:** Received a request for Town to join; dues for 2013 are \$250.00; not in the budget; will revisit in January 2013.
2. **Bronze Plaque for Town Hall Project - Supervisor Peter Shrope:** Received information to order a bronze plaque to replace the large green sign that must be displayed permanently at the Town Hall since the Town has received grant funds from the NYS Environmental Protection Fund (through SHPO), the cost is \$335.00.

RESOLUTION #107

PURCHASE OF BRONZE PLAQUE FOR TOWN HALL PROJECT

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

RESOLVED that Supervisor Peter Shrope be authorized to purchase a bronze plaque for the amount of \$335.00 to be placed permanently on the Town Hall in accordance with the covenants of the agreement with New York State Environmental Protection Fund for grant funds received to renovate the Town Hall.

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

RESOLUTION #107 declared duly adopted.

3. **Humes Vs Town of Brighton, Article 7 Tax Certiorari Case – Supervisor Peter Shrope:** Received a notice dated November 8, 2012, from the Attorney for the Town Scott Goldie, RE: Three tax certiorari cases under Article 7 have been dismissed for the years 2006, 2007, and 2008 for Humes property. There are still four cases pending for 2009, 2010, 2011, and 2012.
4. **Board of Assessment Review Appointments:** No action taken at this time.
5. **Avoidable Alarm Mediation:** There will be another mediation meeting on Thursday, January 3, 2013, at the Administration Building at Paul Smith's College at 9 a.m. Since David Knapp is leaving the Town Board on December 31, 2012 another person needs to be appointed to represent the Town for mediation. David Knapp agreed to continue as a representative for mediation to insure continuation of knowledge of the case.

RESOLUITON #108

APPOINTMENT AS MEDIATION REPRESENTATIVE

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

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WHEREAS, David Knapp will no longer be a Town Council member after December 31, 2012,
NOW THEREFORE BE IT RESOLVED that the Town Board appoints David Knapp to represent the Town of Brighton for mediation as second representative with Supervisor Peter Shrope for the avoidable alarm case with Paul Smith's College as of January 1, 2013, since he is knowledgeable about the case.
Roll Call Vote: Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Abstain 1 (Knapp)
RESOLUTION #108 declared duly adopted.

6. **Organization Meeting - Supervisor Peter Shrope:** The Organizational meeting will be held on Thursday January 10, 2013 at 7 pm to be followed by the Regular Town Board meeting.

COMMITTEE REPORTS

1. **HIGHWAY - David Knapp and Steve Tucker:** Nothing further to Report
2. **ADIRONDACK REGIONAL AIRPORT - Thomas McKernan and David Knapp:** The weather for the open house was rain so he was not able to take the children up in the airplane. There were several other area events on the same day therefore attendance with low. There was also bad weather for the Fly-in Fund Raiser.
3. **PARK & RECREATION - Steve Tucker and Peter Shrope:**
Snow Fence: The snow fence to keep snowmobilers off the playground was installed by David Knapp and Brian McDonnell with the help of students from the Adirondack Leadership Expedition (ALE) and the Highway Department. They also helped pick up the piles of needles and sticks. Supervisor Peter Shrope will write a letter of appreciation to ALE. More poles are needed to secure the snow fence for the winter.
4. **INSURANCE/INVESTMENTS - David Knapp and Lydia Wright: NYSCLASS:** Interest was \$2.43 for General and \$1.14 for Highway, Total \$3.57 for the month. Total interest for year-to-date is \$23.10. General has a balance of \$85,246.71 and Highway balance is \$40,099.71.
5. **CEMETERY& TOWN BUILDINGS - David Knapp and Steve Tucker:**
 - a. Town Hall furnace was cleaned on November 20
 - b. Cemetery building to get a new overhead door; see Department Reports, Para 1, Highway.
6. **WEBSITE - Supervisor Peter Shrope:** Domain name needed to be renewed; it costs \$100.00 for a five-year renewal. Graphic Connections took care of renewing it and submitted an invoice.
7. **TOWN HALL PROJECT/OPEN HOUSE: Supervisor Peter Shrope and Lydia Wright:**
 - a. **Grant Funds:** Supervisor Peter Shrope is preparing reimbursement #2 for the SHPO grant; he will submit is as soon as the checks are written for the vouchers audited at this meeting, total request will be \$24,634.84 of which the Town will get 50%. Revenues were received for the Betty Little grant and the 1st reimbursement from the SHPO grant. See Department Reports, Para 11, Supervisor.
 - b. **Final Report:** Tawnya Kentile has been helping get the information ready for the final report. The Audit has been completed by Furgison Co, CPA, the bill was \$400 less than quoted (\$3,500) as the files were in good in order and they only made one trip. The backs of the checks were not available for review; but they are available on-line through the bank. The report is on file and will be submitted with the final grant report.
 - c. **Roof:** The roof was not included in the original plan except for the addition. A whole new spec plan would have to be written and sent out to bid. A new roof would be \$35,000 and the Town would have to pay for it. Since the audit and final inspection have been completed the project is essentially completed. Any more claims may have to be audited.

David Knapp said he can see how the State "hamstrings" towns by controlling projects, if the roof needs to be fixed the Town should be able to fix it. **Supervisor Peter Shrope** noted that architect fees are usually 10% of a project, in this case they were close to 40% of the project due to all the changes made by various people.

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8. **ASSESSMENT- Brian McDonnell and Lydia Wright:** Nothing to Report
9. **SALARIES/BENEFITS ADMIN - David Knapp and Supervisor Peter Shrope:** Nothing to report

CITIZENS' COMMENTS:

Amber McKernan said she would like to thank David Knapp for filling in for the year for the Town Council person. He has always been gracious when dealing with Town officials and business.

There were no further citizens' comments.

OTHER BUSINESS:

Supervisor Peter Shrope presented Councilperson David Knapp with a plaque of appreciation for his years of dedication to the Town.

RESOLUTION #109

RECOGNITION OF APPRECIATION:

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

WHEREAS Councilperson David Knapp is concluding his term of office on December 31, 2012,

BE IT RESOLVED that the Town Board extends its appreciation to Councilperson David Knapp for his dedicated service to the Town of Brighton, Franklin County, NY, by presenting him with a plaque in recognition of his years of service.

Roll Call Vote: Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Abstain 1 (Knapp)

RESOLUTION #109 declared duly adopted.

Supervisor Peter Shrope thanked the Town Board for their participation and support during the past year.

AUDIT OF VOUCHERS

RESOLUTION #110

PAYMENT OF AUDITED VOUCHERS AS LISTED ON THE ABSTRACTS

Motion made by David Knapp, second by Lydia Wright,

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

PRE PAID: Abstract #12 for Voucher #12A and 12C for General Funds in the amount of \$581.09 and Street Light Funds in the amount of \$68.95

GENERAL FUND: Abstract #13 for Voucher #247 through and including #279 for 2012 funds in the amount of \$21,152.89

HIGHWAY FUND: Abstract #13 for Voucher #119 through and including #133 for 2012 funds in the amount of \$19,077.40

CAPITAL PROJECT TOWN HALL FUND: Abstract #41 for Vouchers #96 through and including #98 for Capital Project Funds in the amount of \$3,539.70.

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

Resolution # 110 declared duly adopted.

ADJOURNMENT

Motion to Adjourn at 8:55 p.m. made by David Knapp, Second by Lydia Wright; Aye 5 (Knapp, McDonnell, Shrope, Tucker, Wright), Nay 0

Respectfully Submitted,

Elaine Sater, RMC, Brighton Town Clerk