

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

March 13, 2014

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A Regular Monthly Meeting of the Town Board of the Town of Brighton was held Thursday, March 13, 2014, 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 7:05 p.m.

The "Pledge of Allegiance" to the flag was recited.

ROLL CALL OF OFFICERS

PRESENT: Supervisor Peter Shrope

Council Members: Brian McDonnell, Steve Tucker and Lydia Wright

ABSENT: Council Member Amber McKernan

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

RESIDENTS: There were several residents present

GUEST: Tom Tucker, Fire Chief, Paul Smiths-Gabriels Volunteer Fire Department

NOTICE OF MEETING:

Notice of this meeting was posted on the Town Clerk's Sign Board.

FIRE DISTRICT FORMATION:

PAUL SMITHS GABRIELS VOLUNTEER FIRE DEPARTMENT (PSGVFD)-Tom Tucker, Fire Chief: The Town Board and PSGVFD were invited to a meeting held on March 5 by the Saranac Lake Volunteer Fire Department and the Town of Harriestown to get information "on the possibility of creating a fire district that could encompass the entirety of the Saranac Lake Central School District" which includes the Town of Brighton. The letter was dated February 19, 2014. The Town of Harriestown and the Saranac Lake Fire Department representatives have met "to share the feasibility of this initiative with them." They are "trying to ascertain the level of interest of the surrounding Towns and Volunteer Fire Departments." Supervisor Peter Shrope and Amber McKernan attended the meeting from the Town Board; Tom and Steve Tucker and several other fire department members attended from PSGVFD.

Discussion was held concerning the letter the Town Board received and what actually happened at the meeting. No facts or data was given to show the feasibility of having a fire district, such as cost, man hours, and equipment. The information presented by Matt Butler, an attorney who specializes in Fire Protection Law, was mostly on the mechanics of forming a fire district.

Discussion was held on the pros and cons of the Town of Brighton joining a fire district. Tom Tucker submitted a letter dated March 12, 2014, to the Town Board asking the Board to support the PSGVFD decision to not support joining a fire district. He listed the pros and cons as follows:

Pros: Removes the liability from the Town of Brighton, PSGVFD and its members; reduces the amount of fundraising the PSGVFD members do; no longer responsible to purchase trucks or equipment; no longer responsible for apparatus/equipment repairs or being involved in the repair process

Cons: Fire fighting apparatus/equipment would be redistributed to another station; lose financial control; 5 commissioners would be elected, Town of Brighton/PSGVFD may not have representation on the fire board, the Village alone would get more than 2800 votes; purchases and repairs would require three bids/lowest bidder versus who might be best for PSGVFD needs; once in the fire district there is no way to get out of it, not in Brighton's best interest; high probability that taxes would significantly increase, no guarantee over time the fire district would not realign or remove fire stations from their current locations, relocating PGSVFD station to a more central location would increase distances, increase response time, and some homeowners may not be able to purchase homeowner's insurance due to the distance and will now be classified as "unprotected"; seven towns and a village, three fire departments, may come to a mutually agreed upon Memorandum of Understanding in the beginning of negotiation, but this is null and void once the district is formed; no guarantee that the board of commissioners or future boards will continue to serve Brighton's best interest.

Two residents spoke against the Town joining a fire district; one also said there is a need to get more residents input before making a decision on joining the fire district.

Tom Tucker said he received an email dated 2/18/14, from Brendan Keough, Chief of Saranac Lake Volunteer

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Fire Department, which had a negative tone about how the fire departments are responding to the mutual aid plan. Tom Tucker said this email was directed at the PSGVFD for the way they responded to a fire in McColloms. The PSGVFD was formed in 1976 to get a closer, quicker, response time to the Town. He said the Bloomingdale Volunteer Fire Department was called to cover the PSGV firehouse since it is closer than the SLVFD and the Town of Duane fire department was also closer to the fire; he did not need to call the SLVFD for this fire. Discussion was held on whether this letter from the Town of Harrietstown needed a reply to whether the Town had a level of interest in a fire district.

RESOLUTION #37-2014

FIRE DISTRICT FORMATION LEVEL OF INTEREST

Motion made by Supervisor Peter Shrope, second by Lydia Wright

WHEREAS the Town of Harrietstown sent a letter to the Town Board requesting they attend a meeting to ascertain a level of interest in forming a fire district that encompasses the entire Saranac Lake School District, and

WHEREAS the Town Supervisor Peter Shrope and Council member Amber McKernan attended the meeting on March 5, 2014, and

WHEREAS discussion was held as to the pros and cons of forming a fire district,

NOW THEREFORE BE IT RESOLVED that at this time the Town Board does not have a level of interest in forming a fire district that encompasses the entire Saranac Lake School District.

ROLL CALL VOTE: Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

Resolution #37 declared duly adopted.

DEPARTMENT REPORTS

1. HIGHWAY – Superintendent of Highways Andy Cray: Report submitted prior to meeting
 - a. Plowing/sanding roads
 - b. Pushed back and cut banks
 - c. Changed plow steel on F350 pickup truck
 - d. Worked on Wardner Road, a culvert was frozen and water was running across the road
 - e. Attended Advocacy Day in Albany to discuss CHIPS funding with elected officials
 - f. Checked roads
 - g. Employees have worked hard during the big storm
 - h. Has a new clothing rental agreement for approval
 - i. Shared Services Agreement with local highway departments is due for renewal

RESOLUTION #38-2014

CONTRACT WITH UNIFIRST, INC., FOR RENTAL OF UNIFORMS

Motion made by Supervisor Peter Shrope, Second by Lydia Wright,

RESOLVED that the Supervisor be authorized to sign a Customer Service Agreement with Unifirst of Keeseville, NY to provide for the rental and cleaning of uniforms and wipers for the Superintendent of Highways Andy Cray and two employees.

ROLL CALL VOTE: Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

Resolution #38 declared duly adopted.

RESOLUTION #39-2014

SHARED SERVICES AGREEMENT WITH LOCAL HIGHWAY DEPARTMENTS

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

WHEREAS the local municipalities share highway services that are similar in terms and effect to maintain the local roads, and

WHEREAS the Town Board has participated in the shared highway services for several years, the last contract being authorized at the Town Board meeting of January 8, 2009 (Resolution #14-2009),

NOW THEREFORE BE IT RESOLVED that the Supervisor be authorized to sign a Contract for Shared Highway Services with the following municipalities: the Towns of Tupper Lake, Harrietstown, St. Armand, Santa Clara, Franklin and Duane (added), the County of Franklin, and the Village of Saranac Lake for the next five years.

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ROLL CALL VOTE: Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

Resolution #39 declared duly adopted.

2. TOWN CLERK-Elaine Sater: Report submitted prior to meeting.
 - a. Total Revenue to Supervisor as of February 28, 2014 was \$52.28, from 1 Sport License, 1 Genealogical Search, and 1 Dog License renewed
 - b. February 25
 - i. Received copies of the 2014 Town and County Directory from Franklin County Legislature, distributed to Board.
 - ii. Received a contract for Shared Highway Services from the Town of Harrietstown. Board needs to renew the Town's agreement with the surrounding towns.
 - b. During the month collected and reviewed documents for a Freedom of Information request; waiting for payment before copying 363 pages.
 - c. TOWN HALL REQUEST: Franklin County Conservative Party, Saturday, March 8, 10am to 1pm.
 - d. TOWN PARK REQUEST: Saranac Lake Youth Soccer Association, Tuesdays and Wednesdays during July and August from 4 to 9 pm; and Saturday, August 2, 8 am to noon.
 - e. RECORDS MANAGEMENT: Finished shredding 2006 records, working on 2007
3. TAX COLLECTOR – Holly Huber: Report submitted prior to meeting
 - a. Report:
 - i. Processed payments totaling \$43,667.66.
 - ii. Issued check to County Treasurer in the amounts of \$400,000 and \$50,000
 - b. Supervisor said he has not received any penalty or interest monies from February
4. JUSTICE – Nik Santagate: Report submitted prior to meeting:
 - a. Disposed of 47 cases and gave the Supervisor a check in the amount of \$4593.00
 - b. Have not seen the funds from the Court grant yet to purchase the file cabinets and rug
5. CODE ENFORCEMENT OFFICER-Paul Blaine: Report submitted prior to meeting
 - a. Building Permits (BP): None
 - b. Certificates of Compliance/Occupancy (COC/COO): Issued one COC for BP#13-037
 - c. Met with Camp Gabriels new owners on February 25, there is a lot of work to be done to get the facilities up and running by July 1 to the NYS Department of Health's satisfaction. Owners will need permits to open up. Engineers need to address the septic system which is critical to opening; currently a tank that should have been empty is filled with a large block of ice.
6. ASSESSOR- Doug Tichenor: Sent a notice that he will be retiring on January 31, 2015.
7. TOWN PARK-Supervisor Peter Shrope:

Andy Crary has not had time to shut down the Park building so it will not be done this year since it is almost Spring
8. FOOD PANTY- Barbara Marshall: Received report prior to meeting
Served 332 people, number of families is coming back up
9. HISTORIAN- Mary Ellen Salls: No report received
10. ANIMAL CONTROL- Tri Lake Humane Society: No report received
11. SUPERVISOR – Peter Shrope:
 - a. Camp Gabriels: The new owners would like to have a public information session to let the public know what is going on with the property. A session will be set up (tentatively Apr 3rd at 6 pm) at the Visitor's Interpretive Center in the auditorium so anyone can attend, the Attorney for the owners said the APA sent out between 20 and 40 letters to local land owners. The APA will resend letters to the

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- property owners. The Town will host but not run the session; an ad will be put in the Adirondack Dailey Enterprise.
- b. Received a phone call from the Federal Emergency Management Agency (FEMA) to discuss closing out the grant received in 2011 for repairing damaged roads from a storm. It appears the final expenditure document was not completed; filled it out and submitted it.
 - c. Received letter dated February 18, 2014, that Northbrook Lodge on Osgood Pond in Paul Smiths has been recommended by the NYS Office of Parks, Recreation, and Historic Preservation to the Commissioner of Parks, Recreation and Historic Preservation, who is the NYS Historic Preservation Officer (SHPO), that Northbrook Lodge be listed on the NYS Register of Historic Places and nominated to the National Register of Historic Places.
 - d. Received letter from the NYS Department of Transportation stating that a study will be conducted to determine the speed limit on Vosburgh Road.
 - e. Budget: Distributed Monthly Budget report for February 2014
 - i. Revenues received: \$1,425 from Franklin County Traffic Diversion Program, \$4,593 from Justice, \$52.28 from Town Clerk, and \$20,763.66 from Franklin County Highway Department for snow and ice contract
 - ii. NYCLASS interest: General Fund \$2.27, Total Fund \$85,266.38 and Highway Fund \$1.12, Total Fund \$40,109.31

CITIZENS COMMENTS: None

APPROVAL/AMENDMENT OF MINUTES

-Regular Board – February 13, 2014

Motion made by Lydia Wright, second by Brian McDonnell, to accept the minutes of the Regular Board meeting of February 13, 2014, as written. Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

BUSINESS

1. **Contracts and Payments – Supervisor Peter Shrope:**
 - a. Town of Harrietstown Adirondack Regional Airport: Contract received for 2014

RESOLUTION #40-2014

CONTRACT 2014 FOR THE ADIRONDACK REGIONAL AIRPORT IN THE AMOUNT OF \$1,000.00

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

WHEREAS the Town has included the Adirondack Regional Airport in the 2014 Town Budget and

WHEREAS the Town of Harrietstown has provided a contract for services for 2014

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes Supervisor Peter Shrope to sign the contract for services for 2014 in support of the Adirondack Regional Airport with the Town of Harrietstown,

And

BE IT FURTHER RESOLVED that the Supervisor Peter Shrope be authorized to pay the Town of Harrietstown the amount of \$1,000.00 as approved in the 2014 General Budget.

ROLL CALL VOTE: Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

Resolution #40 declared duly adopted

- b. Paul Smiths-Gabriels Volunteer Fire Department (PSGVFD) Payment: The final payment for 2014 services is due to the PSGVFD.

RESOLUTION #41-2014

FIRE SERVICES PAYMENT FOR 2014 TO PSGVFD IN THE AMOUNT OF \$40,784.50

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

WHEREAS the Town Board has contracted with the Paul Smiths-Gabriels Volunteer Fire Department for Fire Services in 2014,

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NOW THEREFORE BE IT RESOLVED that the Town Board authorizes Supervisor Peter Shrope to make the final payment for 2014 of \$40,784.50 to Paul Smiths-Gabriels Volunteer Fire Department.

ROLL CALL VOTE: Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

Resolution #41 declared duly adopted

- c. Saranac Lake Volunteer Rescue Service: Payment is due for Rescue Services for 2014

RESOLUTION #42-2014

RESCUE SERVICE PAYMENT FOR 2014 TO SLVRS IN THE AMOUNT OF \$28,755

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

WHEREAS the Town Board has contracted with the Saranac Lake Volunteer Rescue Services, Inc. for Rescue Services in 2014,

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes Supervisor Peter Shrope to pay the Saranac Lake Volunteer Rescue Services, Inc. the amount of \$28,755 for rescue services during 2014.

ROLL CALL VOTE: Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

Resolution #42 declared duly adopted

2. **Disability Insurance Policy – Supervisor Peter Shrope:** When the disability insurance carrier changed from Zurich to Hartford the Town paid for everyone to be covered by disability in the amount of \$511.00. It was not clear on the invoice how to figure the amount and who should be covered. A letter came recently from Northern Insuring asking for information on the people covered. A resolution is needed for the Town to cover the elected officials. Discussion was held on who should be covered and it was determined that only full time employees and full time elected officials should be covered.

RESOLUTION #43-2014

PAYMENT FOR DISABILITY INSURANCE FOR FULL TIME EMPLOYEES/ELECTED OFFICIALS

Motion made by Lydia Wright, second by Brian McDonnell,

RESOLVED that the Town Board authorizes the Town to pay for disability insurance for full time employees and full time elected officials.

ROLL CALL VOTE: Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

Resolution #43 declared duly adopted

3. **CSEA Contract for 2014– Supervisor Peter Shrope:** Discussion and meetings have been held with the CSEA representative and the Highway Employees, an agreement was made and the Contract for 2014 has been finalized.

RESOLUTION #44-2014

CSEA CONTRACT FOR 2014

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

RESOLVED that the Town Board authorizes the following changes to the Civil Service Employee’s Association, Inc., Local 1000, AFSCME, AFL-CIO (CSEA) Agreement with the Town of Brighton, Franklin County and the Highway Department:

1. The contract will cover two (2) years, January 1, 2014 through December 31, 2015
2. Compensation, Section 6.1.1 Pay Schedule: Changed to read: The schedule set forth below will be the applicable schedule for the period January 1, 2014 through December 31, 2015. There shall be a 2% wage increase each year of the Collective Bargaining Agreement:
Motor Equipment Operator: 2014- \$15.58/hour 2015- \$15.89/hour
3. Medical Insurance:
 - a. Section 8.1.3 Premium Payment: Changed to read: The Town will pay the full premium for individual, two-person, family medical coverage, as the case may be. Effective January 1, 2014, any new hire after this date shall be required to contribute 15% of the cost of the health care premium.
 - b. Section 8.2.1 Vision Plan: Changed to read: The Town will fully provide the annual premium for the CSEA Employee Benefit Fund “Silver” vision plan
 - c. Section 8.2.2 Dental Plan: Changed to read: The Town will fully provide the annual premium for

d. family coverage for the CSEA Employee Benefit Fund “Dutchess” dental plan.
ROLL CALL VOTE: Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)
Resolution #44 declared duly adopted

4. **Sewer Smell in Gabriels-Amber McKernan:** No further information

COMMITTEES:

1. **Town Hall Project/Open House – Supervisor Peter Shrope, Lydia Wright:**
 - a. Met with committee, Open House will be from 1 to 3 p.m. on Sunday, July 27.
 - b. Sent out invitations to “top-tier”, Governor, State Senators, Assembly people, architect Carl Stearns, Gayle Underhill-Plumb from State Office of Parks, Recreation, and Historic Preservation, and Franklin County Legislature Gordy Crossman. Have to send more to local people involved in project.
 - c. Fire Department will do a BBQ
2. **Parks and Recreation – Steve Tucker, Supervisor Peter Shrope:** Steve Tucker attended a Saranac Lake Area Youth Association (SLAYA) meeting, will be using the Romano’s Bowling Lanes for a fund raiser on Saturday May 3, challenge for Town Officials.

CITIZENS COMMENTS: None

EXECUTIVE SESSION:

Motion made to GO INTO Executive Session at 8:55 pm. made by Supervisor Peter Shrope, second by Lydia Wright, for the purpose of discussing current litigation “Humes vs Town of Brighton”, in accordance with Public Officers Law, Article 7, Section 105d. Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

Motion made to GO OUT OF Executive Session at 9:10 pm. made by Supervisor Peter Shrope, second by Lydia Wright. Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

AUDIT OF VOUCHERS

RESOLUTION #45-2014

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 listed on the abstracts as follows:

PREPAID FUNDS: Abstract #3 for Voucher #3A through and including #3C for 2014 General Funds in the amount of \$764.61 and STREET LIGHTING FUNDS in the amount of \$97.26

GENERAL FUND: Abstract #3 for Voucher #56 through and including #70 for 2014 funds in the amount of \$34,383.36 and

HIGHWAY FUND: Abstract #3 for Voucher #29 through and including #36 for 2014 funds in the amount of \$3,878.19

SPECIAL FUND-FIRE DISTRICT: Abstract #2 for Voucher #2 for 2014 funds in the amount of \$40,784.50

ROLL CALL VOTE: Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

RESOLUTION #45 declared duly adopted.

ADJOURNMENT

Motion to Adjourn at 9:12 p.m. made by Lydia Wright, Second by Supervisor Peter Shrope, Aye 4 (McDonnell, Shrope, Tucker, Wright), Nay 0, Absent 1 (McKernan)

Respectfully Submitted,

Elaine W. Sater, RMC, Brighton Town Clerk