

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

June 12, 2014

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The Regular Monthly Meeting of the Town Board of the Town of Brighton was held Thursday, June 12, 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 7:00 p.m.

The "Pledge of Allegiance" 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: Andy Crary-Superintendent of Highways, Paul Blaine – Code Enforcement Officer, and Elaine Sater-Town Clerk

RESIDENTS: There was one resident present

GUESTS: Becky Preve, Franklin County NY Connects/CARES and Gordy Crossman, Franklin County Legislature

NOTICE OF MEETING:

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

GUEST SPEAKER:

Becky Preve – NY CONNECT-CARES Director: Represents Franklin County in an organization that can help people who need extra help with various programs; available to low income, disabled or elderly people. She provided information on the program as an outreach to southern Franklin County. The program has been available since 1988 in the County. Several services are available to eligible people through her office, such as transportation and home repairs as well as housekeeping, in-home personal care and respite. She is interested in getting people involved before things become a crisis in a home.

DEPARTMENT REPORTS

- 1) HIGHWAY – Superintendent of Highways Andy Crary: Report submitted prior to meeting
 - a) Cleaned trucks and greased them
 - b) Mowed and weed wacked cemeteries, three times
 - c) Put out flags for Memorial Day
 - d) Ordered signs for Vosburgh/Tebbutt Roads and installed them, can use CHIPS funds to pay for them
 - e) Attended a Highway Superintendent's meeting in Malone
 - f) Working on 850 Tractor, fixed tires, got new tubes, changed oil and greased
 - g) Took tractor to Burke Supply to check the hydraulic pump
 - h) Cleaned out Park garage and made dump run
 - i) Took scrape metal to Morrisonville for recycling and gave funds to Peter Shrope
 - j) Road raked the dirt roads twice
 - k) Set up for the Rabies Clinic on June 9
 - l) Changed blades, oil and greased the lawn mowers
 - m) Distributed information to the Board on a new plow truck which is on State Contract for \$124,621; can trade in two old trucks for \$30,000. The 1997 Ford truck has 80,000 miles and the 2002 Paystar has 100,000 miles. Highway Committee will meet with Andy Crary to look at the old trucks and discuss a new truck purchase. Will also need a sand box, another municipality may be selling one.
 - n) Need to have a mowing contract with the County approved for 2014.

RESOLUTION #53

MOWING OF COUNTY ROADS FOR 2014

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

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RESOLVED that the Supervisor Peter Shrope and Superintendent Andy Crary be authorized to sign an contract with Franklin County Highway Department for the Town to mow the County Roads 31, 55, and 60 in the Town of Brighton, a total of 7.96 miles, at a rate of \$100.00 per mile, for a Total of \$1592.00 during 2014.

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

Resolution #53 declared duly adopted.

- 2) TOWN CLERK-Elaine Sater: Report submitted prior to meeting.
 - a) Total Revenue to Supervisor as of May 31, 2014 was \$1,271.72, from 2 Sport Licenses, 8 Dog Licenses renewed, 7 Certified copies, 5 Building Permits (#14-003 and 007), and 1 copy on the copier
 - b) April 1, did not receive any notice of Presence of Wild Animals in accordance with General Municipal Law Section 209-cc.
 - c) June 1, received notice of resignation from Deputy Town Clerk and Deputy Registrar Michelle White. Will appoint another Deputy when I return from vacation. The Board can appoint a deputy if the need arises during my absence.
 - d) June 3, received notice that a Federal Primary Election will be held in the Town Hall on Tuesday, June 24 from 12 noon to 9 p.m.
 - e) June 3 received notice of SPDES Permit Renewal for the Town Garage's pollutant elimination system to discharge wastewater; permit expires December 31, 2024.
 - f) June 5, Board of Assessment Review met from 5 to 9 pm, one person submitted a request for a property assessment reduction.
 - g) Town Clerk's Office will be closed from Tuesday, June 17 until Thursday, July 3.
 - h) TOWN HALL REQUEST: None
 - i) TOWN PARK REQUEST: Brighton Food Coop, Saturdays, May 31 and June 28 from 9 am to 12 noon (originally asked for Town Hall); Page Family, Saturday, June 14, 10 a.m. to noon; Lester Family, Saturday, June 28, 1:30 to 3:30 p.m.; Saranac Lake Boys Soccer, Thursdays, June 26, July 10 and 17, 5:30 to 8:00 p.m., Camp Hamachane, Sunday thru Friday, July 2 to August 24, 12 noon to 6:45pm, unless another group wants to reserve; Cowan Family, Saturday, July 5, 1 to 7 p.m., Moody Family, Sunday, July 6, 12 noon to 4 p.m., and Assumption Catholic Church, Sunday, August 10, 10 a.m. to 4 p.m.
 - j) RECORDS MANAGEMENT: Shredding 2007 Town records per the MU-1.
- 3) TAX COLLECTOR – Holly Huber: Report submitted prior to meeting
 - a) Report:
 - i) Issued check #914 to Supervisor Peter Shrope in the amount of .43 from interest on the checking account to zero it out
 - ii) Responded to any requests for tax bills/receipts from property owners, attorneys and/or mortgage lenders
 - b) Supervisor Peter Shrope will find out when the Tax Collector will be ready for the annual audit. She turned in the folding machine as she doesn't use it. Amber McKernan will see if it is in working order or if it needs to go to the dump.
- 4) JUSTICE – Nik Santagate: Report submitted prior to meeting
 - a) Supervisor Peter Shrope received a May report showing 36 cases disposed and a check in the amount of \$4,331
 - b) Rug has been installed and new cabinets are in place. Files have been transferred to new cabinets. The leftover rug will be bound and put in the kitchen
- 5) CODE ENFORCEMENT OFFICER-Paul Blaine: Report submitted prior to meeting
 - a) Issued four Building Permit (BP #14-004 to 007), there are two new homes going up in to Chris Alcocer's subdivision, and a new home is going into Deer Meadows
 - b) Sent a letter dated April 30 to Doug Martin, owner of property at 652 Keese Mills Road, to clean up debris from burned house. Deadline was May 30, doing weekly inspections and nothing is being done to clean up the debris. Discussion was held on next step. A town official will speak to the property owner and see what he is planning to do with the property.

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- c) Former Camp Gabriels (Camp Hamachane):
 - i) Met with the engineers for the Camp “Hamachane” and did a walk through on the Camp Gabriels property, there is a lot of work to be done. APA has a pending application and was going to discuss the project at their meeting today, June 12. The property sale did not go through yet so the project was pulled from the APA agenda. The owners also pulled their building application from the Town.
 - ii) Supervisor Peter Shrope said he heard from Senator Betty Little concerning this property. The sale has not gone through because the purchaser, Let’s Camp, LLC, is having difficulty getting title insurance due to the property being in the Adirondack Park and under Article 14 of the Constitution. Some groups think the property should be reverted to state land since the state owned it. The property has been used for private business since 1897 and is currently designated as “State Administrative”; it was not designated as forest lands. Camp Hamachane will not be able to hold its summer camp in the Town this summer and will have to make other arrangements. Information has been sent to Governor Como’s office concerning this property.
 - d) Looked into the Town’s clutter and debris/abandoned car law. It is Local Law #3-2001 “Prohibition of Clutter, Litter and Debris in the Town” and needs to be reviewed. There are conflicting paragraphs in the law between penalty fees and fines; there is no clear way of charging the offenders.
- 6) ASSESSOR- Doug Tichenor: Report received prior to meeting
- a) Tentative Assessment Roll was filed with the Town Clerk on May 1
 - b) Board of Assessment Review met on June 5 to hear complaints, one was filed by mail.
 - c) Final Roll will be filed on July 1 with Town Clerk
 - d) Data collection project is proceeding, Data Collectors have been well received by property owners thus far
- 7) TOWN PARK-Supervisor Peter Shrope: See Business, Para 1.
- 8) FOOD PANTY- Barbara Marshall: Report received prior to meeting
During May served 464 people, donated \$300 to the Town for utility use
- 9) HISTORIAN- Mary Ellen Salls: No report received
- 10) ANIMAL CONTROL- Tri Lake Humane Society: No report received
- 11) SUPERVISOR – Peter Shrope:
- a) May 28 met with the Franklin County Supervisors; Gordy Crossman and Barbara Rice (County Legislatures) also attended the meeting. Shared services were discussed, towns have to have shared services to receive a rebate on taxes, a shared service can only be used once and needs to be 1% of budget and then each year a new one is needed to qualify. The County is the lead agent on this project.
 - b) Received a thank you card from the Schneck family after they used the park
 - c) June 3 cleaned out the Park Garage with Andy Crary and Forrest Pennington (Highway) took two pick up loads to the dump, and one load to the recycler. The pine needles at the park are being picked up by North Woods Engineering for a project they are working on in the Town.
 - d) June 23, Chad Quinn will be painting the park pavilion roof.
 - e) May 10 attended the Paul Smiths Gabriels Volunteer Fire Department Awards Banquet with wife, he had a good time
 - f) Budget: Distributed Monthly Budget report as of May 31, 2014
 - i) Revenues received: \$110.00 2nd mailing fees from Franklin County, \$.43 from Tax Collector, \$4,331 from Justice, \$1271.72 from Town Clerk, \$8,546.76 from county mortgage tax, , \$277.20 scrap metal, and \$300 from Food Pantry donation
 - ii) NYCLASS interest: \$2.25 from General, Total \$85273.86 and \$1.23 from Highway, total \$40,112.98

APPROVAL/AMENDMENT OF MINUTES

- Regular Board – May 8, 2014

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Motion made by Supervisor Peter Shrope, second by Amber McKernan, to accept the minutes of the Regular Board meeting of May 8, 2014, as written. Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0

CITIZENS COMMENTS:

Gordy Crossman – Franklin County Legislature: Asked if the Town would like a resolution from the County in support of Camp Hamachane and the sale of the property. Also provided information on PROACT, Inc., a Franklin County discount card for prescription drugs that are not covered by insurance. Kinney, Inc. and Rite Aid accept the card. He asked Supervisor Peter Shrope to let Andy Crary know that Jon Hutchins from the Franklin County Highway Department was very complimentary of him. Jon Hutchins is doing new road signs for County Road 60. Gordy Crossman also complimented Jon Hutchins; he is willing to help the local highway departments and communities.

Brain McDonnell – Paul Smiths: Asked Gordy Crossman to remember the Paul Smith's College Visitor's Interpretive Center for tourism as they draw a large amount of tourists to the area. He asked him to look into ROOST for a destination tourism group. The whole of Franklin County should be included, it should not be divided.

Amber McKernan – Gabriels: Would like people to know that the Post Office in Gabriels is sending out a survey concerning the Post Office's operations. A Public Meeting is to be held on Tuesday, July 8 at 1 p.m.

BUSINESS

1) **Town Park Summer Position – Park Committee:** Supervisor Peter Shrope and Steve Tucker met and discussed the job description for the position. An advertisement was put in the Adirondack Daily Enterprise and three applications were received. He and Steve Tucker reviewed them and recommend one to the Board for a part time, temporary, appointed position up to 20 hours per week from May to October. Discussion was held on what further information is needed to proceed with hiring an individual; such as liability insurance coverage. Mowing needs to be done before next week so Supervisor Peter Shrope will ask the Highway Department to do it on Monday. Discussion was held on adding a second port-a-potty to the field and adding hand sanitizer to the one already there. People with large groups can rent a port-a-potty if extra are needed.

RESOLUTION #54

APPOINTMENT OF PARK GROUNDS MAINTENANCE PERSON

Motion made by Lydia Wright, second by Amber McKernan,

WHEREAS the Park grounds need to be maintained during the summer months due to the usage at the Park, and WHEREAS the Park Committee restructured the job description for the Park Attendant position that is vacant, and WHEREAS an advertisement was published in the Adirondack Daily Enterprise on May 24, 25 and 26, 2014 and WHEREAS three applications were received and reviewed by the Park Committee,

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes Supervisor Peter Shrope to appoint the person recommended by the Park Committee as Grounds Maintenance. This appointment is pending the determination of insurance coverage by Supervisor Peter Shrope. The person will work from June to October 2014 as a part time, temporary, appointed employee at \$10.00 per hour for up to 20 hours per week to maintain the grounds and fields at the Park and be supervised by the Park Committee.

ROLL CALL VOTE: Aye 3 (McDonnell, McKernan, Shrope, Wright), Nay 0, Abstain 1 (Tucker)

Resolution #54 declared duly adopted

2) **Games of Chance – Supervisor Peter Shrope:** Attorney for the Town Scott Goldie sent a draft law for Games of Chance for the Board to review. Discussion was held and several questions were raised, the Board will review the draft and send questions to Supervisor Peter Shrope to forward to the Attorney.

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- 3) **Property Assessment Litigation – Humes Vs Brighton (Town):** Information was received from the Attorney for the Town that needs to be discussed in Executive Session

EXECUTIVE SESSION

Motion made by Supervisor Peter Shrope **TO GO INTO EXECUTIVE SESSION** at 9:30 p.m. in accordance with Public Officer's Law, Article 7, Section 105c, to discuss "Humes vs Brighton", second by Amber McKernan, Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0

Motion made by Supervisor Peter Shrope **TO GO OUT OF EXECUTIVE SESSION** at 9:45 p.m. second by Amber McKernan, Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0

RESOLUTION #55

ACTION BY ATTORNEY FOR HUMES vs BRIGHTON

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

RESOLVED that the Attorney for the Town Scott Goldie be hereby authorized to take action on the "Humes vs Brighton" litigation to engage the services of an appraiser, as outlined in his letter to the Town Board dated June 2, 2014.

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

Resolution #55 declared duly adopted.

- 4) **Post Closure Landfill Monitoring – FX BROWNE:** Received a contract for 2014 services; prices the same as 2013 contract.

RESOLUTION #56

POST CLOSURE LANDFILL MONITORING CONTRACT WITH FX BROWNE, INC. 2014

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

RESOLVED that the Supervisor be authorized to sign a contract with FX Browne, Inc. to provide services for Post Closure Landfill Monitoring for 2014 in the following amounts: \$2,000 for services to monitor the landfill wells, \$1,150 for laboratory subcontract fees and \$400 for estimated reimbursable expenses for a total of \$3,550

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

Resolution #56 declared duly adopted.

- 5) **Fire District Proposal:** Received a letter dated June 4, 2014, from the Town of Harrietstown Deputy Supervisor Ron Keough, inviting the Town to another meeting to consider the proposal of a Fire District. Supervisor Peter Shrope spoke with the Fire Chief Tom Tucker and there is no interest in a Fire District at this time. The Fire Department and Town have already spoken their opinion on this issue.

COMMITTEES:

- 1) **Highway – Steve Tucker, Brian McDonnell:** Will meet with Andy Crary about the trucks
- 2) **Adirondack Regional Airport – Amber and Tom McKernan:** There is a meeting on Monday June 16 to discuss further use of the Airport. The daily flight to Westchester has been cancelled due to lack of ticket sales, tickets sold will be honored
- 3) **Park & Recreation – Steve Tucker, Supervisor Peter Shrope:** A swing has a broken chain; it needs to be repaired or removed. Steve Tucker attended a Saranac Lake Area Youth Program meeting; they are selling

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raffle tickets to raise money to cover last year's deficit. The children will be taking several trips to area businesses during the summer.

- 4) **Cemeteries/Town Buildings – Amber McKernan, Steve Tucker:** Steve Tucker met with a family looking at a plot in McCollums. There are lots along the back fence that are unusable due to the trees roots.
- 5) **Town Hall Project/Open House – Supervisor Peter Shrope, Lydia Wright:** The Committee continues to meet and get ready for the July 27th open house. There might be some old oak furniture available to replace the metal desks. Old style desk lamps have been ordered. Town Hall sign has been ordered and received, Highway Department will put it up near the County Road instead of in front of the Town Hall. Posters will be put up around the Village of Saranac Lake also to notify former residents. More invitations are being accepted.
- 6) **Assessment - Brian McDonnell, Lydia Wright:** Nothing to Report
- 7) **Salaries/Benefits Admin- Brian McDonnell, Peter Shrope:** Nothing to Report

CITIZENS COMMENTS: None

AUDIT OF VOUCHERS

RESOLUTION #57-2014

PAYMENT OF AUDITED VOUCHERS AS LISTED ON THE ABSTRACTS

Motion made by Amber McKernan, second by Lydia Wright,

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

PREPAID FUNDS: Abstract #6 for Voucher #6A through and including #6C for 2014 General Funds in the amount of \$ 705.21 and STREET LIGHTING FUNDS in the amount of \$54.49.

GENERAL FUND: Abstract #6 for Voucher #109 through and including #135 for 2014 funds in the amount of \$9,888.25 and

HIGHWAY FUND: Abstract #6 for Voucher #54 through and including #62 for 2014 funds in the amount of \$7,154.26

**ROLL CALL VOTE: Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0
Resolution #57 declared duly adopted.**

ADJOURNMENT

Motion to Adjourn at 10:10 p.m. made by Lydia Wright, Second by Amber McKernan, Aye 5 (McDonnell, McKernan, Shrope, Tucker, Wright), Nay 0

Respectfully Submitted,

Elaine W. Sater, RMC,
Brighton Town Clerk