

# **SPECIAL BOARD MEETING - TOWN OF BRIGHTON - FRANKLIN COUNTY, NY**

May 5, 2009

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**A Special Meeting of the Town Board of the Town of Brighton was held Tuesday, May 5, 2009 following the Public Hearing of Proposed Local Law #2 for the year 2009 (BAR Membership) at 6:00 p.m. at the Brighton Town Hall, Paul Smiths, NY, with the following:**

## **CALL TO ORDER:**

**Meeting was Called to Order** by Supervisor David Knapp at 6:25 p.m.

## **ROLL CALL OF OFFICERS**

**PRESENT:** Supervisor David Knapp, Council Members: Sheila Delarm, Jeffrey Leavitt, Steve Tucker and Lydia Wright

**ABSENT:** None

**OTHERS PRESENT:** Elaine Sater - Town Clerk,

**RESIDENTS:** There were no residents present

**GUESTS:** None

**NOTICE OF MEETING:** Notice of this meeting was posted with the Public Hearing Notice on April 14, 2009 on the Town Clerk's Sign Board and at three local post offices and Town businesses. Notice was faxed to the Adirondack Daily Enterprise on April 9 and it was published on April 14 and 30, 2009.

## **1. BAR MEMBERSHIP LOCAL LAW#2-2009:**

### **LOCAL LAW#2-2009**

### **INCREASING BOARD OF ASSESSMENT REVIEW MEMBERSHIP IN THE TOWN OF BRIGHTON, FRANKLIN COUNTY, NEW YORK**

**Motion made** by Supervisor David Knapp **to enact a local law entitled "Increasing Board of Assessment Review Membership in the Town of Brighton, Franklin County, New York", second** by Lydia Wright, **To Wit:**

**WHEREAS,** a public hearing was held on May 5, 2009, to hear public input on proposed Local Law #2-2009, entitled "Increasing Board of Assessment Review Membership in the Town of Brighton, Franklin County, New York", and **NOW THEREFORE BE IT ENACTED** by the Town Board of the Town of Brighton, Franklin County, NY, as follows:

#### **SECTION I. TITLE**

A local law titled "Increasing Board of Assessment Review Membership in the Town of Brighton, Franklin County, New York."

#### **SECTION II. PURPOSE**

The Town of Brighton's Board of Assessment Review is currently comprised of three members. In the past the Board of Assessment Review has had a difficult time getting a quorum for its meetings. This has made it difficult for the Town to meet its responsibility under the law to real property owners in the Town who wish to appeal their individual assessments. The Town Board believes that by increasing the board size to five members it can prevent this problem in the future.

#### **SECTION III. AUTHORITY**

New York Real Property Tax Law Section 523 provides that the Town of Brighton, as a taxing authority, may appoint up to five members to a Board of Assessment Review.

#### **SECTION IV. FIVE MEMBER BOARD OF ASSESSMENT REVIEW**

The Board of Assessment Review for the Town of Brighton shall be increased from three members to five members, and whose terms shall be five years. Two new members shall be appointed upon enactment of this Local Law. In the case of the two new members appointed under the provisions of this title, their initial terms shall be staggered so that no more than one member's term will expire in each of the first five years after enactment of this Local Law. Thereafter each reappointment to be for a full five year term.

#### **SECTION V. SEVERABILITY**

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If any section, subsection, sentence, clause, phrase or word of this Local Law is for any reason held to be invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this law.

**SECTION VI. EFFECTIVE DATE**

This Local Law shall be effective upon its filing with the New York State Secretary of State.

**ROLL CALL VOTE: Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0  
LOCAL LAW #2-2009 is duly enacted**

**ADJOURNMENT**

**Motion to Adjourn at 6:37 p.m.** made by Lydia Wright, **Second** by Jeffrey Leavitt, **Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0**

Respectfully Submitted,

Elaine Sater  
Brighton Town Clerk