



TOWN OF BRIGHTON
FRANKLIN COUNTY
PO BOX 260
PAUL SMITHS, NEW YORK 12970



July 7, 2008

Peter Martin
Town of Brighton Supervisor
PO Box 260
Paul Smiths, NY 12970

Dear Peter,

This is a difficult letter to write. You are a good person, but it seems that the role of Supervisor is not something that you can honestly commit to at this time in your life. As a Town Board, we're feeling frustrated with the lack of time, energy and attention to detail that you have been providing to the Town of Brighton. We discussed this issue with you in March, were hoping to see some progress, yet our concerns not only continue, but have grown in seriousness. We are asking that you consider stepping down on your own so that we can fill the position provisionally, with someone who has more time to commit. In your heart, you must know that you need to do this. The easiest route is one where you choose to do this on your own quietly and immediately. Otherwise this whole thing could evolve into something that none of us wants.

Here is why we think this is necessary.

After repeated requests for you to handle certain town issues, it's apparent that you're dropping the ball. After reviewing progress from Town Board meeting minutes, the Board is extremely frustrated, and it is painfully clear that you are not performing your duties as Supervisor of the Town of Brighton. Attached is a compilation of excerpts from town board meeting

minutes where you repeatedly agree to deal with town business, yet fail to do so.

We as a Board are frustrated and embarrassed by the lack of responsiveness and completion on your part, as it reflects on us all.

- The most recent concern is the fact that we now have a bridge in our town that is 'red flagged', potentially being closed for all traffic. You've been "checking into" various aspects of this issue for 25 months now.
- The salt shed was completed in May of 2007. You were supposed to send in the paperwork proving completion so we could receive our grant monies. For a year now, you have been stating that you are working on getting this paperwork finished. This issue has been unfinished for 14 months.
- You told the Board in Jan. of 2008 that you were sending a letter to the Paul Smiths-Gabriels Volunteer Fire Department requesting a copy of their budget and most recent audit. In February, the Board still had not seen the request letter; you stated that you had sent it and that it was on your computer at home, that you would get everyone a copy. In March the Board still did not have a copy of the letter that you stated you sent in January. Members of the Board were told that you hand delivered the letter to the Chief of the fire department at their annual dinner in March! Not only did you not send the letter when you said you did, you lied to the Board about it ever having been sent. This is still unresolved and in the 7th month.
- Your books were supposed to be audited in January. On two occasions, you showed up for the "audit" without your books.
- You have been saying you're going to pick up the signed copy of our Rescue Services contract with the Village of Saranac Lake for months now. We have not seen it yet. That's 5 months.
- It was brought to our attention over a year ago that there was a safety issue with the guardrails on the Split Rock Road. They are being

worked on now. This was a potential safety issue that took you 12 months to resolve.


- Since August of 2007, you have been ‘setting up a meeting’ with Nancy Reich, who was going to assist with the need for Time Warner Cable to provide service in McColloms. That’s 11 months.
- In November 2007, we had a special meeting regarding litigation. You were asked to bring three letters of correspondence regarding this issue to the meeting. You showed up without them, stating that they were at your house. We asked you to go home and get them, you returned with one of the three. You gave the town’s attorney permission to draw up settlement papers on a lawsuit, when the Town Board had met and discussed the need for more information. You suggested the Board speak with the Assessor one more time. Meanwhile, the paperwork had been drawn up already. The Board had no knowledge that you and the Assessor were making these decisions unilaterally and without our knowledge or input.
- In April 2008, one of the bidders on the Town Hall project requested a letter stating why the bids were rejected. In the regular Board meeting on May 8th, you stated that you’d send a letter. This has not happened yet, 2 months for such a brief letter is inexcusable.
- The CSEA representative, Brian Paige, asked you for a meeting in Nov. of 2007 to go over the contract. You “played phone tag” with him until March 2008. We’ve all played phone tag, but 4 months is a bit extreme.

In March we met with you to share our concerns over your lack of fulfilling your duties. We are not seeing changes. You have missed three of the past six regular Board meetings. You have missed an emergency meeting over the White Pine Bridge. Missed meetings happen, however, there was no follow up call to see how it went, or what you can be doing. We’ve shared our concerns over your not being present for your office hours and you continue to either not be present or to come in briefly, then leave. These hours are paid for by the taxpayers in the form of your Supervisor salary and should be set aside, not only for taxpayers to know when/where to reach you, but so you have the time carved out to attend to town business.

We as the Town Board, have been carrying your load, but will not continue to do so.

We understand that as a Town Board, we can not force you to resign; however, we all feel that at this time, you are not fulfilling your duties. It would be in the Town's best interest, that you either follow through on your Supervisor commitments or that you step down. Your plate is full right now and perhaps it is time to step back and re-consider whether it's in your, and the town's, best interest for you to continue to serve. You put in a good two years and we are grateful that you brought the Town out of a hard time. Please step down so this doesn't have to be a bigger issue than it already is.

Sincerely,


Steve Tucker Sheila Delarm Jeff Leavitt Lydia Wright
Deputy Supervisor Council Member Council Member Council Member

Cc Elaine Sater, Town Clerk
Attachments

AUDIT OF SUPERVISORS BOOKS

1/10/08: Audit of Town Financial Records: Audit will be conducted after the Public Hearing for the Post Office on Thursday, January 17, 2008

2/14/08: Audit of Financial Records: The financial records of the Town Justice and Town Clerk were available for audit following the Public Hearing on February 14. The Supervisor's financial records will be audited in March.

3/13/08: Audit of Financial Records: The Supervisor's financial records were not available for audit; this is the third time financial records were not made available.

3/25/08: Audit of Financial Records: The Supervisor's financial records were available for audit; however due to the time limit of the meeting, the audit is postponed to Tuesday, April 1 at 5 p.m.

The Supervisor's financial records were reviewed on 3/25 and 4/1, in both instances were found to be mathematically incomplete. At which time Supervisor Martin indicated he would speak with the Bookkeeper to get sufficient clarification to make his books balance.

4/10/08: Audit of Financial Records: The Audit of Financial Records for 2007 was started but is not yet completed, can be completed next week.

5/8/08: AUDIT OF SUPERVISOR'S FINANCIAL RECORDS: Sheila Delarm said the audit has not been completed

6/12/08 Audit of Financial Records: Board will review Supervisor Martin's financial records at 5:45, July 10th, prior to the next Board meeting.

CODE ENFORCEMENT OFFICER

Correspondence: Received a letter, dated November 1, from the Supervisor of the Town of Santa Clara, Micky Webb, Re: Code Enforcement Services; as of December 31, 2007 they are terminating the shared services contract with the Town of Brighton for Code Enforcement Services. Their "just cause" is an increase in work in the Town of Santa Clara. The Town can continue using the CE Services on a per diem basis until a new Code Enforcement Officer is hired or until April 2008. The cost of the per diem basis would have to be determined. It is not know if the Town of Franklin received the same letter, they also share the service. This will be addressed at the next Board meeting.

12/13/07: Board passes following resolution:

RESOLUTION #88

AUTHORIZATION TO EXTEND CONTRACT WITH TOWN OF SANTA CLARA FOR CODE ENFORCEMENT OFFICER SERVICES

NOW THEREFORE BE IT RESOLVED that the Town Board accepts the offer by the Town of Santa Clara to retain the services of the Code Enforcement Officer until March 31, 2008 on a per diem basis as per the current contract.

1/10/08: CODE ENFORCEMENT OFFICER (CEO) (Ed Lagree): Sheila Delarm asked if Supervisor Peter Martin would talk to the towns boards of Franklin and Santa Clara about renegotiating the contract for Code Enforcement Officer

2/14/08: Supervisor Peter Martin will contact Santa Clara and Franklin Supervisors to discuss the Code Enforcement Officer position.

3/13/08: Supervisor Martin (not present at this meeting) has failed to follow through with the CEO issue; Town Board takes matters in their own hands and passes Resolution #33

RESOLUTION # 33

AUTHORIZATION TO ADVERTIZE FOR A CODE ENFORCEMENT OFFICER

3/25/08: CODE ENFORCEMENT OFFICER: A notice for applications was published in the Adirondack Daily Enterprise. Supervisor Peter Martin will call Supervisor Mickey Webb by March 27 to discuss Ed Lagree's final day.

4/10/08: Received three applications for Code Enforcement Officer position. Supervisor Peter Martin will set up interviews for Tuesday, April 22, 2008. A Special Meeting will be called to discuss the interviews. Supervisor Peter Martin will contact Supervisor Micky Webb to let him know what is going on with the CEO.

CSEA CONTRACT

3/8/07 CSEA Contract: Lydia Wright contacted the Attorney for the Town, Scott Goldie, concerning the contract. He did not have a copy of the contract so one was faxed to him for his review. He said the health insurance change did not need to be made this year since it was a one year contract. The change can be made to next year's contract if needed.

4/12/07 CSEA Contract: Resolution was sent to Andy Crary at the Highway Department, waiting a reply

5/10/07 CSEA Contract: Still waiting for reply from Highway Department

6/14/07 CSEA Contract: Still waiting for reply from Highway Department; David Knapp will contact Andy Crary

7/12/07 CSEA Contract: No word on contract

8/9/07 CSEA Contract: No word on contract, union representative on vacation

9/13/07 CSEA Contract: Received contract back from the CSEA representative; Board will review for next meeting

10/11/07 CSEA Contract: Received proposed contract for 2008; 2007 contract still not signed

11/08/07 CSEA Contract: Union representative would like to meet with Board to discuss contract

12/13/07 CSEA Contract: Waiting for Brian Paige to return calls to set up a meeting for the new 2008 contract

1/10/08 CSEA Contract: Brian Paige wants to meet with Board, has not set a date yet

2/14/08 CSEA Contract: Supervisor Peter Martin said he is playing phone tag with Brian Paige

3/13/08 CSEA Contract: No information

3/25/08 CSEA Contract: Supervisor Peter Martin finally spoke with Brian Paige, after months of phone calls back and forth. He will be here on April 10 to meet with the Board at 6 p.m. at a Special Meeting to negotiate the contract with the Highway employees.

4/10/08 CSEA Contract: Board met with Brian Paige, CSEA Representative, and Forrest Pennington, Highway Employee Shop Steward, to discuss the contract before this meeting. Sheila Delarm asked how standby was currently being handled. Andy Crary said there has been no formal standby schedule for weekends, any time he called in employees their time is compensated during the summer or at slow times

DISASTER PREPAREDNESS PACKET

Supervisor Peter Martin did not show up for Disaster Preparedness package prep meeting. He was called around 6pm to see if/when he was coming, said he was just grabbing a quick bite to eat and would be there. Never showed up, never called back. Other Town Board members, Town Clerk and "quickly contacted" community members were able to complete project, and were present off and on from 1pm until 11:30pm.

FRANKLIN COUNTY SELF INSURANCE

Supervisor Peter Martin was delinquent in paying Franklin County Self Insurance bill in a timely manner.

LITIGATION (Permission to Settle)

9/14/06: ASSESSOR (Doug Tichenor):

a. There were two lawsuits filed under Article 7 of the Real Property Tax Law. There was also one sent to Small Claims court and has been settled. The size of the property determines which court gets the case. There have been several lawsuits of this nature in the past. Spoke at length with the Attorney for the Town who is familiar with this type of lawsuit. The Attorney will probably meet with the State Supreme Court Judge in a pre-trial conference and the judge will ask if it can be settled out of court. It is out of the Assessor's hands at this point.

The Board has two options: they can settle or they can go to trial. If it is not settled at the pre-trial conference, the judge will probably ask the Town and the property owner to each get an appraisal. Another town paid \$12,000 to get an appraisal on a large property. The property owners have not shown the Assessor an appraisal to show their property is

not valued at what he assessed the property. The Town is the one to make the decision on the assessment even though the school and county collect a larger portion of taxes bases on the assessment.

b. Received notice of a letter being sent to the Towns by the lake associations. Submitted a rebuttal letter of the letter to the Town Board.

Supervisor Peter Martin said he received the letter (no date) from the lake associations today and distributed it to the board for review.

11/14/07: Special Meeting

ASSESSMENT SETTLEMENT ON EARLE PROPERTY

Letters from the Attorney for the Town were reviewed. A proposed settlement was made to George Earle by the Town's Assessor without the Board's approval.

Supervisor and Assessor notified attorney for Town and acted without knowledge, discussion, or approval of Town Board in regards to pending litigation.

OFFICE HOURS

Supervisor Peter Martin has neglected to hold scheduled office hours for many months.

PSGVFD (Budget and Audit Request)

1/10/08: Paul Smiths-Gabriels Volunteer Fire Department, Inc (PSGVFD): Discussion was held on obtaining an adopted itemized budget from the PSGVFD as well as a copy of the most current audit of the Fire Department's financial records.

RESOLUTION #24 (1/10/08)

AUTHORIZATION TO WRITE A LETTER FOR AN ADOPTED BUDGET AND AUDIT FROM PSGVFD

Motion made by Jeffrey Leavitt, **second** by Sheila Delarm, **To Wit:**

WHEREAS, the Town Board has requested a budget from the Village of Saranac Lake for the Rescue Contract, and **WHEREAS**, the Town Board would like to know how the payments made to the Paul Smiths Gabriels Volunteer Fire Department are used,

NOW THEREFORE BE IT RESOLVED that the Supervisor be authorized to write a letter to the Paul Smiths Gabriels Volunteer Fire Department (PSGVFD) to request a copy of an adopted itemized budget to be provided prior to the next payment due on April 1, 2008, and every year hence before the February 1st payment and to also request a copy of the most current audit of the PSGVFD financial records.

ROLL CALL VOTE: Aye 5 (Delarm, Leavitt, Martin, Tucker, Wright), Nay 0

Resolution #24 declared duly adopted.

2/14/08: REQUEST FOR BUDGET FROM PSGVFD: Supervisor Peter Martin sent a letter to Chief Roger Smith asking for a copy of the PSGVFD budget. A copy of the letter needs to be filed with the Town Clerk.

3/13/08: Letter to Request Budget and Audit Report: The letter requested to be sent to the PSGVFD by Resolution #24 at the January 10, 2008 Regular Board Meeting *was not sent contrary to what the Board had been told at the February 14, 2008 meeting.* The letter was hand delivered by Supervisor Peter Martin to Fire Chief Roger Smith at a dinner on March 8, 2008. The letter was read aloud at a PSGVFD meeting on March 12. According to Sheila Delarm and Steve Tucker, who were at the meeting, the letter did not include all the information requested by Resolution #24. A copy of this letter has not been provided to the Board or the Town Clerk as requested in the February 14 meeting. This matter will be addressed at another meeting when the Supervisor is in attendance.

3/25/08: LETTER TO REQUEST PSGVFD BUDGET AND AUDIT REPORT: Sheila Delarm asked Supervisor Peter Martin to send another letter to the Paul Smiths Gabriels Volunteer Fire Department to request a detailed budget and an audit and the reason for the request, following Resolution #24 approved at the Regular Board meeting on January 10, 2008. She suggested he apologize for the first letter he sent. The letter should be sent to the Fire Department before their next meeting on April 4. The Board would like a copy of the letter.

4/10/08: Letter to Request Budget and Audit: Supervisor Peter Martin wrote another letter to the Paul Smiths Gabriels Volunteer Fire Department (PSGVFD) and sent it out on April 11. They were given a May 8 deadline to

provide a budget and copy of their last audit. A copy of the Town's budget was supposed to be attached and was not. Supervisor Peter Martin will get a copy of the budget to them. A copy of the sent letter was distributed to the Board and the Town Clerk.

5/8/08: PAUL SMITHS GABRIELS VOLUNTEER FIRE DEPARTMENT FINANCIAL RECORDS – Supervisor Peter Martin: Has not received the budget or audit information from the PSGVFD. Copy of Town's budget was given to Roger Smith.

6/12/08: PAUL SMITHS GABRIELS VOLUNTEER FIRE DEPARTMENT FINANCIAL RECORDS: Budget and Audit has not been received yet.

RABIDEAU LETTER

5/8/08: Letter from Rabideau Corp., dated April 16, 2007, Re: Town Hall Restoration and Addition Project, asked for clarification why bids were rejected. They were unable to find the minutes from the meeting where the bids were rejected. The Town Clerk said the letter was just received on May 8, the minutes from March 25 Special Meeting are on the website. Supervisor Peter Martin will send a letter to Rabideau Corp. let them know the Town appreciates the bid and to clarify that the bids that came in were substantially higher than anticipated (\$200,000 for total project) and funds are not available to complete the project at this time.

6/8/08: Supervisor Peter Martin was not present at this meeting nor did he send report to the Deputy Supervisor regarding this issue prior to the meeting.

SALT SHED GRANT

7/13/06

RESOLUTION # 66

CAPITAL PROJECT HIGHWAY GARAGE EXTENSION OF GRANT

Motion made by Supervisor Peter Martin, **Second** by Lydia Wright, **To Wit:**

WHEREAS, a letter of intent to extend the completion of the Highway Garage Project for the grant for construction of a Salt Shed was sent to the Department of Environment Conservation (DEC), and

WHEREAS, the DEC has approved the extension of the grant until June 30, 2007,

NOW THEREFORE, BE IT RESOLVED, that the **Town Supervisor be authorized to sign a "First Amendment to Contract C302512" with the Department of Environmental Conservation for the construction of a Salt Shed to extend the date of the completion of the project until June 30, 2007.**

ROLL CALL VOTE: Aye 5 (Delarm, Knapp, Martin, Tucker, Wright), Nay 0

Resolution # 66 declared duly adopted.

3/8/07: Salt Shed Update: A letter will be sent to John Hutchins of JT Erectors and Conboy & Conboy to see if they are interested in submitting quotes for the construction of the salt shed. The bids went out in December with no response. **Supervisor Peter Martin** talked to Fred Dunlap from DEC and told him the salt shed may not be finished by June 2007. Mr. Dunlap will send the paper work for a grant extension.

4/12/07: Salt Shed Update: Quotes were requested from JT Erectors and Conboy & Conboy for finishing the salt shed construction. Discussion was held on what needed to be done to complete the salt shed before the end of June.

RESOLUTION #42

AUTHORIZATION TO ACCEPT QUOTE TO COMPLETE SALT SHED CONSTRUCTION

5/10/07: Salt Shed Update: Roof construction is completed

RESOLUTION #49

AUTHORIZATION TO LOAN GENERAL FUNDS OF \$17,500 TO CAPITAL PROJECT FOR SALT SHED
vi. Salt shed is completed

9/13/07 d. Garage Project: The landscaping needs to be completed in the spring. **The salt shed** is completed and the grant needs to be completed and submitted to DEC for payment. **Supervisor Peter Martin** will contact DEC for more information.

1/10/08 DEC SALT SHED GRANT: Supervisor Peter Martin said he is waiting for Fred Dunlap from DEC to help him complete the final report for the salt shed grant.

2/14/08: SALT SHED GRANT FUNDS FROM DEC: Steve Tucker asked if the grant funds had been requested yet to complete the project. Supervisor Peter Martin said he received the numbers from the state (Fred Dunlap) and it will be filed soon.

3/25/08: SALT SHED GRANT: Supervisor Peter Martin said he has the information from Fred Dunlap of DEC and will complete the paper work to get the Salt Shed Grant funds by March 31.

4/22/08: SALT SHED GRANT: Supervisor Peter Martin said he submitted the voucher for the Salt Shed Grant funds to DEC. The Town Clerk requested a copy of the voucher for the files.

SARANAC LAKE VILLAGE RESCUE CONTRACT

3/13/08 RESCUE CONTRACT WITH VILLAGE OF SARANAC LAKE: The Attorney for the Town has reviewed the contract and recommended that the contract be reviewed by the Town's insurance company. A check for the first payment will be sent to the Village, as the funding is not the issue. A signed contract still has not been received from the Village. This will be requested with the payment.

4/10/08 RESCUE CONTRACT WITH VILLAGE OF SARANAC LAKE: There is no new contract from the Village. The Town Clerk typed up the changes to the contract and mailed the package to the Village. Supervisor Peter Martin made a phone call but did not hear back from the Village Manager.

5/8/08 RESCUE CONTRACT WITH VILLAGE OF SARANAC LAKE - Supervisor Peter Martin: Has not heard from the Village Manager ; spoke with Village Trustee Jeff Branch who thought the Village Board had approved the changes to the contract.

6/12/08 CONTRACT WITH VILLAGE OF SARANAC LAKE: Village claims someone picked up a copy of the contract. It was determined that only Supervisor Peter Martin picked up a copy a few months ago and it was not signed by anyone.

SLUSH POND ROAD

8/9/07: D. Oliver Reports: Camp Gabriels work crews working on Slush Pond Road cutting brush

9/13/07: Slush Pond Road: Work on the Slush Pond Road was halted because DEC has an issue with the size of trees being cut back

11/8/07: Slush Pond Road: Supervisor Peter Martin said the meeting with DEC and the Highway Department on Thursday, October 18 was cancelled by DEC and they will reschedule at some time.

12/13/07: Slush Pond Road: No new information

1/10/08: Slush Pond Road: Sheila Delarm asked that the overhead brush on road be removed so emergency vehicles can get down the road. Supervisor Peter Martin said DEC cancelled a meeting to discuss a permit and has not rescheduled. Sean Reynolds is the point of contact for the DEC permits.

2/14/08: Slush Pond Road: DEC attorney has called about trees cut out of the permit. He will be sending paperwork to the Town.

3/13/08: Slush Pond Road: Need more information from DEC

3/25/08: Slush Pond Road - Supervisor Peter Martin spoke with an attorney from DEC who said he was sending information on the Slush Pond Road tree cutting, nothing has been received as of today.

4/10/08: Slush Pond Road: Supervisor Peter Martin has not heard back from Tony Landon at DEC about the road, will call by April 17 to find out what happened to the paperwork.

5/8/08: Slush Pond Road: Supervisor Peter Martin said the paperwork is on the way concerning the removal of trees

6/12/08: NYS DEC, dated May 21, 2008, Re: Order on Consent, read for the record:
"Re: Town of Brighton, DEC Case no: CO5-20070829-1

6/12/08: Slush Pond Road: Supervisor Peter Martin distributed an Order on Consent to the Board. See Para 2e under Supervisor's Financial Report/Correspondence for discussion.

SPLIT ROCK ROAD GUARD RAILS

7/14/07: Split Rock Road: The dry hydrant at the bridge was not functioning so the Paul Smiths Gabriels Volunteer Fire Department went to repair it. They noticed the guard rails were loose and there were rails lying in the grass. This is a Town Road but a County bridge so the County DOT will look at it.

8/9/07: Split Rock Road: The county will help the Highway Department set the rails for the guide rails on the bridge

9/13/07: Split Rock Road: Guide rails were delivered to be installed. The County is supposed to help the Highway Department set the rails.

10/11/07: Split Rock Road: Still waiting to here from State to set the guide rail posts

11/8/07: Split Rock Road: Guide rail posts are at the garage waiting to be installed, Andy Crary said there is rock all around the culvert. **Supervisor Peter Martin** will contact Bob Haynes at DOT to discuss the hold up on installing the rails.

1/10/08: Split Rock Road: No new information on guide rails

3/13/08: Split Rock Road: Guardrails will be looked at in the Spring

3/25/08: Split Rock Road - Supervisor Peter Martin will talk with Andy Crary, Superintendent of Highways, to discuss the guardrails for the April 10 meeting

5/8/08: Split Rock Road: Andy Crary was going to try to figure out a way to bore into the ground to set the guardrails

TIME WARNER CABLE / MC COLLUMS

5/11/06: Supervisor Peter Martin spoke with Tom Doheny of Time Warner. Time Warner has not taken over the franchise in the Town yet. Adelphia Cable still has the cable business in the Town. Tom Doheny is interested in hearing from anyone who is interested in getting access to cable if Time Warner takes over the Town's franchise. Discussion was held concerning the cable service currently available. Discussion was also held on the Resolution (#15-2006) made by the Board to give Time Warner a right-of-way to construct transmission line according to a map on file in the Town Clerk's office. **Sheila Delarm** will contact Tom Doheny of Time Warner for clarification on the line being installed. **Supervisor Peter Martin** will contact Adelphia concerning access to service.

10/12/06: TIME WARNER CABLE: Supervisor Peter Martin contacted Al Sutphen in Saranac Lake, Time Warner Cable is conducting a survey of users and potential users in the Town. If the people in McColloms are interested in cable they should let Time Warner know. They plan to offer more services in the future.

11/9/06: TIME WARNER CABLE: Supervisor Peter Martin has had no further information from Time Warner. He will touch base with Al Sutphen in Saranac Lake at Time Warner Cable. People in McColloms that are interested in cable should let Time Warner know. Sheila Delarm will contact Howard Myatt with this information.

12/14/06: TIME WARNER CABLE: Supervisor Peter Martin has had no further information from Time Warner. He has seen the trucks in the area working on the lines. **Sheila Delarm** has not been able to contact the Saranac Lake Office by phone, she will try to visit in person. People are receiving bills with the Time Warner name on them.

2/8/07: TIME WARNER CABLE IN MCCOLLOMS: Sheila Delarm contacted Time Warner. Al Sutphen said he sent out a team to see how many residents were in McColloms; they could only find 10 houses. They prefer 15 houses per mile before providing service. Sheila Delarm asked if he counted the driveways, she will conduct a survey of the residents and businesses in McColloms and give him a more accurate count.

3/8/08: TIME WARNER CABLE: Sheila Delarm contracted Al Sutphen with 20 families that are interested in cable in the McColloms area. She has not contacted him directly, just left messages. Nancy Reich is interested in working with Time Warner to get this project underway.

4/12/07: Time Warner Franchise: Received a new franchise proposal, copies were distributed to the Board for their review. Sheila Delarm contacted the local office to discuss cable service to McColloms. The person she was dealing with, Al Sutphen, has retired so she has to find another person to talk with about getting service to the twenty families in McColloms. Time Warner has not been very responsive.

5/10/07: Time Warner Cable: a. Supervisor Peter Martin received a copy of a franchise agreement. Need to have a Public Hearing: waiting to hear from TWC to set it up. A copy of the franchise will be distributed to the Board.
b. Sheila Delarm heard from TWC and they are trying to obtain a cost for installing a line in McColloms. She would like them to provide this as part of the franchise agreement.

6/14/07: Time Warner Cable: a. Supervisor Peter Martin spoke with Scott Goldie, Attorney for the Town who is reviewing the old and proposed cable franchise agreement. He said when there is no competition is not that important to sign a franchise agreement. A Public Hearings still needs to be arranged by TWC.
b. Sheila Delarm heard from TWC and they propose \$2,620 per home passed for the installation of cable drops in McColloms, more subscribers over 20 will reduce this installation fee.

7/12/07: Sheila Delarm found out that Mark Ryan is the General Manager at Time Warner. The cost for running a line to McColloms will be divided by the number people who actually sign up for cable. A public hearing is needed before the franchise agreement is approved. A copy of the franchise has gone to the Attorney for the Town.

8/9/07: Sheila Delarm has no other information on people interested in getting cable installed. She is looking for help contacting the families who are interested in the McColloms area. **Supervisor Peter Martin** will contact Nancy Reich to see if she will conduct a survey.

10/11/07: TIME WARNER CABLE (TWC): Supervisor Peter Martin said he needed more information for Nancy Reich to contact McColloms residents to see who wants service. The letter from Time Warner was copied for him. TWC has not contacted him for a public hearing for the franchise agreement.

11/8/07: TIME WARNER CABLE (TWC): Supervisor Peter Martin has to contact Nancy Reich to give her more information

12/13/07: TIME WARNER CABLE (TWC): No further information

1/10/08: TIME WARNER CABLE: Supervisor Peter Martin mailed information to Nancy Riche for the survey of McColloms. A public hearing is needed before the franchise is approved.

2/14/08: TIME WARNER CABLE IN MCCOLLOMS: No further information.

3/13/08: TIME WARNER CABLE IN MCCOLLOMS: No further information.

3/25/08: TIME WARNER CABLE:

a. **McColloms Survey:** Supervisor Peter Martin will contact Nancy Riche to discuss her progress with the project for the April 10 meeting. b. **Franchise Agreement:** There has been no further information on the franchise agreement. Lydia Wright will provide Supervisor Peter Martin with Public Service Commission contact information obtained at the Association of Towns Conference in February.

4/10/08: TIME WARNER CABLE IN MCCOLLOMS: Supervisor Peter Martin made a phone call to Nancy Riche but did not hear back from her.

5/8/08: TIME WARNER CABLE IN MCCOLLOMS - Supervisor Peter Martin: Has scheduled a meeting with Nancy Reiche to discuss this issue.

6/12/08: TIME WARNER CABLE IN MCCOLLOMS: No information on meeting with Nancy Reiche set up for last month.

WHITE PINE ROAD BRIDGE

June 2006

BRIDGE ON WHITE PINE ROAD: Received a notice dated June 1, 2006, from the New York State Department of Transportation, RE: The bridge on White Pine Road over Osgood Pond Outlet has been "Yellow Flagged". This is a Town owned bridge and needs to be repaired. The flag involves severe spalling to deck in the fascia bays.

July 2006

b. Other - Supervisor Peter Martin

BRIDGE ON WHITE PINE ROAD: This bridge belongs to the Town according to a resolution from Franklin County Legislature dated March 16, 1995. He is looking into grant funding to repair it. **David Knapp** asked if he could get a list from the County of recommended contractors to do this type of work.

August 2006

d. Bridge on White Pine Road: Supervisor Peter Martin spoke with the bridge inspector, a survey of the hydraulics needs to be completed to determine if a culvert can replace the bridge. The Town took over ownership of the Bridge to apply for a HUD grant in 1996. There is no record this grant was ever approved. Christie Engineering provided a quote in 1996 for removing the bridge and replacing it with a 2 lane bridge.

September 2006

d. Bridge on White Pine Road: There may be grants available. **Supervisor Peter Martin** is waiting from replies from different sources concerning the hydraulics.

October 2006

ii. Bridge on White Pine Road: Supervisor Peter Martin said the testing of the hydraulics needs to be done. He will contact whoever is working on the County Road 31 bridge to see who did that work.

November 2006

d. White Pine Road Bridge: Supervisor Peter Martin is still trying to determine who to contact for a hydraulics survey. He will contact Jeff Smith from the County Department of Transportation to see who did the work for the Jones Pond Road culvert since no one has been at the work site over the past few weeks.

December 2006

e. White Pine Road Bridge: Supervisor Peter Martin talked with the County engineer, he will look at the White Pine Road Bridge when he inspects the new bridge on County Road 31. **Supervisor Peter Martin** also spoke with Rich Preall from DEC, he looked at the bridge and gave the Town a Permit application to complete. He recommends the Town replace what is there. If a culvert is used, it has to be one and half times the size of the opening which is about 100 feet; culverts that large are not readily available. There are wetlands involved so anything other than a replacement will involve the APA. **Supervisor Peter Martin** will speak to the County engineer to determine what the next step is, the bridge is "yellow flagged" not "red flagged". **David Knapp** will get a copy of the permit application to Don Oliver.

January 2007

i. White Pine Camp Road Bridge:

- (1) Superintendent of Highways Don Oliver spoke with the Franklin County Highway Department at a meeting he attended on December 20 concerning cost of the box culvert on County Road 31. They paid \$148,000 for the work and \$24,200 for the engineering fee for a total of \$172,200.
- (2) Supervisor Peter Martin received a phone call from the Franklin County engineer who said the Town may be able to just repair the bridge this year. There is no place to set up a temporary bridge due to the wetlands around the area if the bridge is to be replaced. There would be no access to the other side of the water.
- (3) Sheila Delarm said the repair would be about \$5000 and last five to 10 years.

February 2007

vi. **White Pine Road Bridge:** There is no further information at this time

March 2007

v. **White Pine Road Bridge:** There is no further information at this time

April 2007

vi. **White Pine Road Bridge:** No further action at this time, waiting for the snow to melt

May 2007

iv. **White Pine Road Bridge:** Supervisor Peter Martin will contact the Franklin County engineer to see what is happening, CHIPS funds may be available for the repair.

June 2007

iv. **White Pine Road Bridge:** Donald Oliver will discuss this at the County Highway meeting. Supervisor Peter Martin has been waiting for the Franklin County engineer to contact him. David Knapp will contact JT Erectors to see if they will look at it.

July 2007

d. **White Pine Road Bridge:** Robert Curtis addressed the damage to the bridge. He recommended the Town contact the County Engineer to look at it and decide whether to repair it or replace it. The damage is on the outer edges of the girders; the concrete has separated from the metal girder so it is not supporting the bridge on the outside edges. The railing is attached to the outside girders so the repair has to be done. Removing some of the blacktop will reduce the weight on the bridge. If the Town decides to replace the bridge, an engineer will have to be hired to do the work. If only repairs are done anyone can be hired to complete the repair. The Town should send a letter to the Department of Transportation, Regional Director, to request a load rating for the bridge. There are a few companies in the area that could do the repairs; **David Knapp** will contact them for more information on repairs and cost.

August 2007

d. **White Pine Road Bridge:** Supervisor Peter Martin talked to the DOT about conducting the level I survey.

September 2007

d. **White Pine Road Bridge:** Supervisor Peter Martin waiting for more information, working with DOT

October 2007

e. **White Pine Road Bridge:** Needs more information

November 2007

h. **White Pine Road Bridge:** No further information

December 2007

c. **White Pine Road Bridge:** Nothing to report

January 2008 Regular Meeting: (PM)

d. **White Pine Road Bridge:** Needs to be repaired, DOT will come to do an inspection and see what can be done.

February 2008 Regular Meeting: (PM)

b. **White Pine Road Bridge:** Supervisor Peter Martin said the DOT will do a rating inspection on the bridge in the spring.

March 2008 Regular Board Meeting: (ST / Executive Session)

b. **White Pine Road Bridge:** JT Erectors will look at the bridge and make a recommendation.

March 25, 2008 Special Meeting: (PM / Executive Session)

c. **White Pine Road Bridge -** Supervisor Peter Martin will call Robert Curtis before the April 10 meeting to determine when the assessment will be done.

April 2008 Regular Meeting: (PM)

b. **White Pine Road Bridge:** Supervisor Peter Martin spoke with Engineer John Dislow from NYS Department of Transportation in Watertown. The next inspection on the bridge is June 2008. This date can be moved back a month if the snow clears enough to get to the bridge. The two outside channels need to be replaced, it should take a month to complete the repairs. The bridge can remain open for one lane traffic. There will be meeting of the Highway

Committee, the Highway Department, an engineer, and Department of Transportation. People living beyond the bridge need to be notified about when the work will begin.

May 2008 Regular Meeting: (PM)

*c. **White Pine Road Bridge:** Now that the snow is gone, Supervisor Peter Martin will call Bobby Haynes from DOT in Malone to discuss a date to look at the bridge.*

June 2008 Regular Meeting: (ST)

*xviii. **White Pine Road Bridge:** Received a call on the White Pine Road Bridge from the company the County uses to inspect bridges . It will cost about \$250,000 to repair the bridge. There are options available to replace the bridge; a hydraulics test needs to be done on the water flow. Discussion was held on what the Town needs to do to get the bridge repaired. Andy Crary will contact the County Engineer Robert Haynes for more information.*

White Pine Road Bridge was red flagged June 2008, potentially closed to all traffic in 5 days to 5 weeks.