

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

February 14, 2008

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The Regular Monthly Meeting of the Town Board of the Town of Brighton was held Thursday, February 14, 2008 after the Public Hearing for the Rescue Contract 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 Peter Martin at 8:20 p.m.
The Board said the "Pledge of Allegiance" to the flag.

ROLL CALL OF OFFICERS

PRESENT: Supervisor Peter Martin, Sr.

Council Members: Jeffrey Leavitt, Steve Tucker and Lydia Wright

ABSENT: Council Member Sheila Delarm

OTHERS PRESENT: Elaine Sater - Town Clerk, Nik Santagate - Town Justice, Andy Crary - Superintendent of Highways

RESIDENTS: There were no residents present

NOTICE OF MEETING: Notice of this meeting was published in the Adirondack Daily Enterprise on Thursday, January 31 and February 7, 2008 and posted on the Town Clerk's Sign Board. Notices were also posted in the three local post offices and businesses in the Town.

APPROVAL OF MINUTES

- Organizational Meeting January 10, 2008

Motion made by Steve Tucker, **second** by Supervisor Peter Martin, **to approve the minutes of the Organizational meeting held on January 10, 2008 as written.**

Aye 4 (Leavitt, Martin, Tucker, Wright), Nay 0, Absent 1 (Delarm)

- Regular Board January 10, 2008

Motion made by Steve Tucker, **second** by Lydia Wright, **to approve the minutes of the Regular Town Board meeting held on January 10, 2008 as written.**

Aye 4 (Leavitt, Martin, Tucker, Wright), Nay 0, Absent 1 (Delarm)

- Public Hearing for Post Office January 17, 2008

Motion made by Lydia Wright, **second** by Steve Tucker, **to approve the minutes of the Public Hearing for the Post Office held on January 17, 2008 as written.**

Aye 4 (Leavitt, Martin, Tucker, Wright), Nay 0, Absent 1 (Delarm)

- Special Board January 17, 2008

Motion made by Jeffrey Leavitt, **second** by Lydia Wright, **to approve the minutes of the Special Town Board meeting held on January 17, 2008 as written;**

Aye 4 (Leavitt, Martin, Tucker, Wright), Nay 0, Absent 1 (Delarm)

TOWN CLERK'S REPORT

1. Total Revenue to Supervisor as of January 31, 2008 was \$ 88.50
 - 1 Building Permits (#08-01)
 - 1 Certified Copy
 - 1 Genealogical Search
2. January 15 Glen Perrino took his Oath of Office for Deputy Superintendent of Highways
3. Received letter dated January 14, 2008 from the Office of the County Treasurer, Re: List of Payments Sent to Town. There is no record of the Town receiving a check in the amount of \$89.29, dated January 11, 2007, from the County for Dog Payments. After a phone call to the County on January 17, 2008, it was determined that the check never cleared their bank. A second check was written by the County, received and deposited in the General Fund on January 24, 2008.
4. January 24 faxed notice to the Adirondack Daily Enterprise, Re: Rescue Contact Hearing; notice was published on

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January 31 and February 7. Notice was also posted on the Town Clerk's Sign Board and at three post offices and business in Town on January 31, 2008.

5. Faxed notice to the Adirondack Daily Enterprise and Press Republican, Re: Invitation to Bid on Town Hall Restoration and Addition Project; notices published on January 28, 31 and Feb 5. Posted notice at three post offices and at businesses in the Town. Notice was also posted on the Town Clerk's Sign Board.
6. January 24 sent copy of Certificate of Insurance to NYS Department of Transportation per Permit for Use and Occupancy.
7. January 29 Shirley Oehler took Oath of Office as Deputy Town Clerk and Deputy Registrar of Vital Statistics.
8. Sent updates for names and addresses of Town Officials to the State Comptroller's Office. Also, sent a list of elected and appointed Town Officials to the County Clerk's Office with Oaths of Offices.
9. February 5 the Primary Election was held in the Town for both Democratic and Republican Parties.
10. February 7 received notice of Adirondack Park Local Government Day Conference March 25 and 26, 2008 at the Crowne Plaza Conference Center in Lake Placid. Information was distributed to the Board.
11. Received notice dated January 31, 2008 that the Microsoft class action suit does not pertain to local governments so the Town will not get settlement benefits. Request was sent in July 27, 2006.
12. Feb 12 sent letter to the Board of Elections, Re: Notice of Open Offices for General Election November 2008; there are no open offices to be placed on the ballot for the Town.
13. February 14 had a visit from Frank Carl from Town of Franklin, he was concerned that the County had a higher maximum level of Veteran's Exemption than the Town. A Local Law was approved in 2005 that increased this level. The information was never passed on to the County for them to change the records. A copy of the Local Law #1-2005 has been faxed to the Franklin County Office of Real Property Tax Services.
14. Received notice from Sodexo Management, Inc., dated February 8, 2008, Re: Renewal of Liquor License for the Student Union at Paul Smith's College.
15. TOWN HALL USE REQUESTS: Shanty family- Saturday, March 22 from 9 a.m. to 4 p.m.
16. TOWN PARK USE REQUESTS: None
17. RECORDS MANAGEMENT: Records from 2000 are being disposed of slowly.

SUPERVISOR'S FINANCIAL REPORT/CORRESPONDENCE

1. Financial Report:

- a. **CLASS Investments:** Total interest for January 2008 was \$967.13, Total in CLASS is \$316,296.72.
- b. **Fund Balances:** Balance of all funds for Town is \$798,208.27

2. Correspondence: None

3. **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.

RESOLUTION #28

AUDIT OF FINANCIAL RECORDS

Motion made by Lydia Wright, **second** by Jeffrey Leavitt, **To Wit:**

WHEREAS, two Council Members Jeffrey Leavitt and Lydia Wright reviewed the financial records of the Town Clerk and Town Justice on February 14, 2008,

NOW THEREFORE BE IT RESOLVED that the Town Board approves the audit by the Council Members of the Town Clerk's and Town Justice's financial records as acceptable.

ROLL CALL VOTE: Aye 4 (Leavitt, Martin, Tucker, Wright), Nay 0, Absent 1 (Delarm)

Resolution #28 declared duly adopted.

DEPARTMENT REPORTS

1. **ANIMAL CONTROL OFFICER (Tri-Lakes Humane Society):** Received report prior to meeting
 - a. During December 2007 the Humane Society handled a total of 18 calls and emails on behalf of Brighton residents: 6 concerning stray dogs, 3 about adoptions, and 9 in relation to a dog abandoned in a vehicle on State Route 30 for nearly 24 hours after its owner was hospitalized. The dog was retrieved at 11 p.m. during a snow storm and housed until the family came for it.
 - b. Loaned out a live trap for the capture of a stray dog and took it in after capture
 - c. Adopted out 2 cats

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2. **ASSESSOR (Doug Tichenor):** Received report prior to meeting
 - a. Mailed senior star, aged, and agricultural renewals to property owners
 - b. Received building permit summary for 2007 from Code Enforcement Officer
 - c. Commenced collection of inventory for new construction or demolition
 - d. Ongoing file maintenance at Franklin County Real Property Office
 - e. Municipal Cooperative Agreement concerning Shared Services of Assessor needs to be approved as the Assessor's towns have changed

RESOLUTION #29

AUTHORIZATION TO ACCEPT MUNICIPAL CO-OPERATIVE AGREEMENT CONCERNING SHARED SERVICE OF ASSESSOR

Motion made by Steve Tucker, **second** by Supervisor Peter Martin, **To Wit:**

WHEREAS, Article 5G of the General Municipal Law of the State of New York and Section 576 of the Real Property Law authorize local governments to enter into municipal cooperative agreements to share the services for a single appointed Assessor; and

WHEREAS, the Town Boards of Harrietstown, Brighton, Franklin, and Santa Clara have heretofore adopted resolutions authorizing their Supervisors to enter into such an agreement to share those services of Assessor Douglas M. Tichenor, the current Assessor for the Towns of Brighton, Franklin, Santa Clara and Harrietstown, and Assessor Tichenor has agreed to serve the said Towns as Assessor; and

WHEREAS, the municipalities will benefit from such an agreement since they will be sharing certain duties attributable to the Assessor's office as hereinafter provided.

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes the Supervisor to sign the Municipal Cooperative Agreement Concerning Shared Services of Assessor and be it understood and agreed as follows:

1. That each of the parties agree that said Douglas M. Tichenor shall serve as its Assessor during the term of this agreement.
2. The term of this agreement shall be for the six (6) year period of October 1, 2007 through September 30, 2013, being the term for which Douglas M. Tichenor has been appointed assessor for the Towns of Harrietstown, Brighton, Santa Clara, and Franklin.
3. That the Towns of Brighton, Franklin, and Santa Clara have previously adopted a local law changing their grievance days from the fourth Tuesday of May, so that there will not be a conflict with the Town of Harrietstown's Grievance Day.
4. That said Douglas M. Tichenor shall work in each Town a sufficient number of hours annually to complete the necessary tasks of Assessor.
5. That each municipality shall have the right to terminate their portion of this agreement by giving written notice to the others provided that such notice is delivered prior to November 30 of each year of the agreement in order for it to become effective during the next calendar year.

ROLL CALL VOTE: Aye 3 (Leavitt, Martin, Tucker), Nay 0, Abstain 1 (Wright), Absent 1 (Delarm)

Resolution #29 declared duly adopted.

6. **CODE ENFORCEMENT OFFICER (CEO) (Ed Lagree):** Report submitted prior to the meeting, will be out of the office March 3 to 6 for training.
 - a. 1 building permit issued for 2008
 - b. 25 permits open for 2007
 - c. 14 permits open from 2006
 - d. 6 permits open from 2005
 - e. 3 permits open from 2004

Supervisor Peter Martin will contact Santa Clara and Franklin Supervisors to discuss the Code Enforcement Officer position.

7. **TAX COLLECTOR (Amber McKernan):** Report submitted prior to meeting
 - a. January was a very busy month; sent 10 faxes and received numerous phone calls regarding tax matters
 - b. To date collected \$989,281.93; during January collected \$918,760.58 which was 79% collected.
 - c. On January 17 issued check #776 in the amount of \$150,000 to Supervisor Peter Martin as the second disbursement to the Town of Brighton . On January 29 issued check #777 to Supervisor Martin in the amount

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- of \$268,986 as the final disbursement to the Town to satisfy the Town's portion of the Warrant.
- d. On January 30 issues check #778 in the amount of \$3.73 as a refund of an overpayment. On February 1 issued check #779 in the amount of \$2.00 as a refund of an overpayment. Both check are outstanding to date.
 - e. On February 4 issued check #780 in the amount of \$351,000 as a first disbursement to the Franklin County Treasurer.
 - f. On February 14 issued check #781 in the amount of \$41.84 to Supervisor Martin for penalties collected to date.
 - g. On February 14 issued check #782 in the amount of \$75,000 as the second disbursement to the Franklin County Treasurer. Total disbursed to the Treasurer is \$426,000 to date.
 - h. Received from Gloria Valone, Clerk of the Franklin County Legislature, notification of authorization to strike new tax bills for 10 properties held by Lyme Adirondack Timberlands, Inc. There was an error in the tax bills issued by the Franklin County Office of Real Property. The bills were corrected and sent out.
 - i. On March 3 a second notice of all unpaid tax bills will be mailed to taxpayers. This second notice will carry a \$2.00 second mailing fee in addition to appropriate penalties for payments postmarked after 31 January.
 - j. To date there are 157 parcels outstanding, 17 of those parcels are held by utilities and payment is made directly to the Treasurer's office. Notification has not come from that office that payment has been received by them.
 - k. Have contacted the support staff at BAS, the tax collection software provider, on several occasions this particularly challenging season. Their response time is very quick and their service is outstanding.

8. **TOWN JUSTICE (Nik Santagate):** Report submitted prior to meeting
- Issued a check in the amount of \$3,200 to the Supervisor for January revenues and disposed of 42 cases

9. **HISTORIAN - Mary Ellen Salls:** No Report

COMMITTEE REPORTS

1. **HIGHWAY DEPARTMENT - Jeffrey Leavitt and Steve Tucker:**

- a. **Report from Andy Crary, Superintendent of Highways,** submitted prior to the meeting
 - i. Lots of plowing and sanding
 - ii. Cutting back snow banks
 - iii. Mixing up salt and sand, received shipment of salt
 - iv. Adirondack Energy is ordering a new pipe for the furnace
 - v. Performing general maintenance on the vehicles
 - vi. Started up the 3 generators to make sure they work
 - vii. Set up for food pantry
 - viii. Got trucks inspected
 - ix. Used bucket loader to clear snowmobile crossings
 - x. Pressure washed the plow truck
 - xi. Went to Canton to get repaired truck; had to get gas using personal credit card
 - xii. Used Franklin County's grader to smooth Jones Pond and Rainbow Lake Roads
 - xiii. Performed general maintenance around garage, took Town garbage to transfer station
 - xiv. Need to purchase a cutting edge for loader
- b. White Pine Road Bridge: Supervisor Peter Martin said the DOT will do a rating inspection on the bridge in the spring
- c. CSEA Contract: Supervisor Peter Martin said he is playing phone tag with Brian Paige
- d. Town Roads:
 - i. McColloms Road was cut back by the highway department during the summer
 - ii. Slush Pond Road: DEC attorney has called about trees cut out of the permit. He will be sending paperwork to the Town.

Lydia Wright said she has gotten a lot of calls and comments on how good the roads are being maintained

Jeffrey Leavitt said he was happy to be a resident of this town, the other towns roads are a disaster, especially County Route 55 and County Route 60 after the Town line.

2. **PARK & RECREATION - Steve Tucker and Lydia Wright**

- a. Need to have more water for ice rink due to the rain and thaw
- b. Heater was purchased for the park garage

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- c. Snow blower has been realigned
- d. Saranac Lake Area Youth Program had a meeting on Monday, February 11. The cost of the program is \$30,000. They have applied for grants totaling \$6,500. Last summer the program had to move to the Civic Center and they lost money; it cost \$5000 a week to run the program. They owe about \$2,000 to the Village, so they are asking the Towns to increase their portions to \$2,000. This year the program will be back at the Patrova School in Saranac Lake. Randy Cross has been fund raising for the program

The Town Board did not increase its portion for the 2008 Budget because no children from the Town attended last summer.

3. INSURANCE/INVESTMENTS - Sheila Delarm and Lydia Wright:

- a. The Mang Insurance Policy for Crime has been received, will be reviewed for next meeting
- b. Nothing to report for Investments

4. CEMETERY - Steve Tucker and Jeffrey Leavitt: Nothing to report

5. TOWN BUILDINGS - Steve Tucker and Jeffrey Leavitt

- a. **Town Hall Project:** (Lydia Wright)
 - i. Cate Blakemore of Crawford and Stearns has asked for an amendment to the contract for additional services for coordinating the communications addition to the project.

RESOLUTION #30

AUTHORIZATION FOR ADDITIONAL SERVICES FOR CRAWFORD & STEARNS, INC.

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

WHEREAS, Crawford and Stearns, Inc. is providing the service to assemble a bid package for the Town Hall Restoration and Addition Project, and

WHEREAS, the communications portion of the project had to be coordinated with John Bray, Computer Administrator, **NOW THEREFORE BE IT RESOLVED that the Town Board authorizes an additional \$570.00 to be paid to Crawford and Stearns, Inc. for work performed to coordinated the communications portion to the Town Hall Restoration and Addition Project with John Bray, Computer Administrator.**

ROLL CALL VOTE: Aye 4 (Leavitt, Martin, Tucker, Wright), Nay 0, Absent 1 (Delarm)

Resolution #30 declared duly adopted.

- ii. A construction schedule has been created for the bidders, discussion on where to move the offices during the reconstruction of the Town Hall was held. The Court may have to shut down for a few weeks.
- iii. Fire alarms have to be hard wired into the building to meet the new building code
- iv. Insurance coverage requested is 5 million, the contractors only carry 2 million for projects this size
- v. MEP questions need to be answered, the boiler may need to be replaced, this will be added as a bid alternate
- vi. Due to these changes the date of the bid opening is changed to March 11; a bid amendment will be sent to the people on the bidder's list
- vii. More discussion is needed to make decisions on other issues
- viii. Finance Update for the Brighton Town Hall Restoration Fund (Pat and Tom Willis): There is \$25,135 to date in the Fund from 125 contributions. Donors have been: 3 foundations, 21 businesses, 4 from Brighton Seniors Club, and the rest from individuals. Other sources of funding are from "Member items" from NY State Legislatures \$50,000, a Grant from NYSCA \$12,000, funds from the Town \$32,000 total \$119,000. Additional funds needed is \$81,000. Notice was received that the Town did not receive any funds from the Charles R. Wood Foundation.

A special meeting was set for Tuesday, February 26, 2008 at 6 p.m. to further discuss the project

OLD BUSINESS

1. FIRE ADVISORY BOARD (FAB) UPDATE- Sheila Delarm: No Report

2. RESCUE CONTRACT WITH VILLAGE OF SARANAC LAKE: Discussion was held on removing the wording

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in paragraph "Fourth" concerning "fire apparatus and other" and leave the word "equipment". Jeffrey Leavitt questioned the last sentence in the same paragraph, "However, the Town agrees to indemnify the Village and its Fires Department for any such loss or damage not covered by insurance." The Attorney for the Town will have to review the contract before it can be signed.

RESOLUTION #31

AUTHORIZATION TO APPROVE THE 2008 RESCUE CONTRACT FOR \$34,269.62

Motion made by Steve Tucker, second by Jeffrey Leavitt, To Wit:

WHEREAS, a public hearing was held on February 14, 2008 for public input on the Rescue Contract for 2008 with the Village of Saranac Lake, and

WHEREAS, the Attorney for the Town needs to review the contract before it is signed,

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes the Supervisor to sign a one year Rescue Contract for 2008 with the Village of Saranac Lake in the amount of \$34,269.62 after it has been reviewed by the Attorney for the Town, and,

BE IF FURTHER RESOLVED that the first payment in the amount of \$17,134.81 be authorized to be made to the Village of Saranac Lake.

ROLL CALL VOTE: Aye 4 (Leavitt, Martin, Tucker, Wright), Nay 0, Absent 1 (Delarm)

Resolution #31 declared duly adopted.

3. **TIME WARNER CABLE IN MCCOLLOMS:** No further information.
4. **POST OFFICE IN GABRIELS:** Supervisor Peter Martin received a call from Mr. Russo to verify the desired location of the Post Office to be between Hobart Road and County Road 60. The 30-day public comment period is open. A comment in favor of the Post Office not read at the public hearing was sent to the Post Office Real Estate Manger.
5. **PAUL SMITHS GABRIELS VOLUNTEER FIRE DEPARTMENT BASIC LIFE SUPPORT-FIRST RESPONDER STATUS (PSGVFD BLS-FR):** Steve Tucker said the Saranac Lake Fire Department has agreed to be the transporting agency for the PSGVFD BLS-FR. The PSGVFD has to complete the paperwork to apply for BLS-FR status.
6. **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.
7. **SMART GROWTH ASSESSMENT GRANT APPLICATION:** Supervisor Peter Martins spoke with Rebecca Buerkett and she has not heard a response yet on the grant application.
8. **CLOSING OF CAMP GABRIELS IN JANUARY 2009:**
 - a. **Tour of Camp Gabriels:** The Town Board took a tour of the facility on Tuesday, February 5. There were some questions from Board Members that were not answered. These questions need to be written down for the Superintendent of Camp Gabriels; the questions can be emailed.
 - b. **Community Advisory Meeting:** People who were not connected to the corrections department passed a resolution to not close Camp Gabriels.
 - c. Supervisor Peter Martin met with Sylvie Nelson of the Saranac Lake Chamber of Commerce. She talked about people getting together on March 6 to take a trip to Albany to talk to the Legislatures and Senators about the closing of Camp Gabriels.
 - d. Steve Tucker spoke with Representative Janet Duprey and she is helping all she can.
 - e. Supervisor Peter Martin spoke with Joyce Morency, Supervisor Town of St Armand. She received a letter from Senator Joseph Bruno in support of keeping Camp Gabriels open, she will send a copy of the letter to the Town.
 - f. Individual letters are needed to show support in numbers; there is an organization that has a website (savegabriels.org) for information on keeping Camp Gabriels open. The addresses are available on the website. There are also signs and bumper stickers available.
 - g. Administration people are already leaving the Camp, the Correctional Officers won't start leaving until May.
 - h. The unions have been meeting and will send representatives to Albany to speak with the Senators and

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Legislatures.

i. Franklin County Legislature passed a resolution is support of keeping Camp Gabriels open.

9. **DISASTER PREPAREDNESS LETTER:** Sheila Delarm sent an email to the Town Clerk requesting supplies and postage to mail 750 letters to residents. This amount of supplies are not available and will need to be purchased. Discussion was held on how many households there are in the Town, 750 seems a bit high. The Town Clerk asked who will use and store the information collected from this letter; if its for the PSGVFD they should pay some of the cost for the supplies and postage.

NEW BUSINESS

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.

CITIZENS COMMENTS - None

AUDIT OF VOUCHERS

Motion made to Audit the Vouchers by Lydia Wright, **second** by Jeffrey Leavitt; **Aye 4, Nay 0, Absent 1 (Delarm)**

RESOLUTION #32

AUTHORIZATION TO PAY AUDITED VOUCHERS AS LISTED ON THE ABSTRACTS

Motion made by Lydia Wright, **second** by Jeffrey Leavitt, **To Wit:**

RESOLVED that the Supervisor be authorized to pay the audited vouchers as listed on the abstracts as follows:
PREPAID FUNDS: Abstract #2 for Voucher #2A through and including 2C for 2008 General Funds in the amount of \$ 797.75 and 2008 Street Light Funds in the amount of \$51.93

GENERAL FUND: Abstract #2 for Voucher #36 through and including #65 for 2008 funds in the amount of \$56,047.62

HIGHWAY FUND: Abstract #2 for Voucher #17 through and including #29 for 2008 funds in the amount of \$15,696.01

ROLL CALL VOTE: Aye 4 (Leavitt, Martin, Tucker, Wright), Nay 0, Absent 1 (Delarm)

Resolution #32 declared duly adopted.

Motion to Adjourn at 11:10 p.m. made by Lydia Wright, **Second** by Jeffrey Leavitt, **Aye 4, Nay 0, Absent 1 (Delarm)**

Respectfully Submitted,

Elaine Sater
Brighton Town Clerk