

**TOWN OF BRIGHTON – FRANKLIN COUNTY, NY
REGULAR BOARD MEETING**

March 10, 2011

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The Regular Monthly Meeting of the Town Board of the Town of Brighton was held Thursday, March 10, 2011 at 7:00 p.m. at the Brighton Town Garage, Paul Smiths, NY, with the following:

CALL TO ORDER:

Meeting was Called to Order by Supervisor John Quenell at 7:06 p.m.

ROLL CALL OF OFFICERS

PRESENT: Supervisor John Quenell

Council Members: Peter Shrope and Steve Tucker

ABSENT: Council Members: Jeffrey Leavitt and Lydia Wright

OTHERS PRESENT: Paul Blaine–Code Enforcement Officer, Andy Crary-Superintendent of Highways, Amber McKernan-Tax Collector, Nik Santagate-Town Justice, Elaine Sater-Town Clerk

RESIDENTS: There were five residents present

GUESTS: Chris Alcocer-North Country Construction Services

APPROVAL OF MINUTES

- Regular Board February 10, 2011

Motion made by Supervisor John Quenell, **second** by Steve Tucker, **to approve the minutes of the Regular Town Board meeting held on February 10, 2011, as written,**

ROLL CALL VOTE: Aye 3 (Quenell, Shrope, Tucker), Nay 0, Absent 2 (Leavitt, Wright)

TOWN CLERK'S REPORT

Total Revenue to Supervisor as of February 28, 2011 was \$57.50

2 Certified Copies

1 Dog License

1 Building Permit (#11-02)

1. February 8 sent letter to Franklin County Board of Elections, Re: Elected positions to be on November 2011 General Election. There are seven positions to be placed on the ballot for the Town in the November 2011 General Election as follows: Supervisor and Superintendent of Highways for 2 year terms, two Council members, Town Justice, Town Clerk, and Town Tax Collector for 4 year terms.
2. February 10 sent letter to Franklin County Clerk's Office, Re: Crime Policy for Town Justice. The County Clerk requested a copy of the Crime Policy for their files.
3. February 16 posted notice for Truck Bids in the Town post offices and businesses and on the Town Clerk's Sign Board. Published a notice in the Adirondack Daily Enterprise on February 22 and 24.
4. February 21 to 23 was unable to attend the NYS AOT annual meeting and training due to health related issues. Will return the reimbursement funds when they are received from the Hilton Hotel.
5. TOWN HALL REQUEST: None
6. TOWN PARK REQUEST: Soccer Association sent a request to use the park but did not complete the form or send an Insurance certificate.
7. RECORDS MANAGEMENT: Shredding files from 2004 and before per Records Retention and Disposition Schedule (MU-1).
8. Submitted vouchers for NYSTCA Annual Meeting and Conference in Buffalo, May 1 to 4, registration is \$100 and hotel and meals for 3 nights stay is \$526.00 for double occupancy.
9. Notice of meetings has not been posted or published by the Town, would like a resolution to allow the Town Clerk to publish such notice if no one else is going to do it. In the past this duty was given to the Town Clerk in the Organizational Meeting, however this year it was not.

RESOLUTION #25

POSTING/PUBLISHING NOTICE OF TOWN BOARD REGULAR MEETINGS

Motion made by Peter Shrope, **second** by Supervisor John Quenell,

RESOLVED that the Town Clerk be authorized to publish a Public Notice concerning the Regular Town Board meetings of the Town Board for the year 2011.

ROLL CALL VOTE: Aye 3 (Quenell, Tucker, Shrope), Nay 0, Absent 2 (Leavitt, Wright)

RESOLUTION #25 declared duly adopted.

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SUPERVISOR'S FINANCIAL REPORT/CORRESPONDENCE

1. **Town Hall Project: Chris Alcocer, North Country Construction Services** was asked to discuss the Town Hall Project with the Board.
 - a. Supervisor John Quenell distributed a letter dated March 10, 2011 summarizing the choices the Town Board has concerning the Town Hall Project. The Office of Parks has given more direction concerning the grant. The three choices are 1) Agree to the latest direction from Parks-accomplish Phase 2 tasks including the \$27,000 windows, followed by Phase 1. 2) Continue with planned Phase 1-Phase 2 task sequence and go out to bid as soon as possible. 3) Spend a little more time trying to convince Parks that it is important for the Town to get back into the town hall as soon as possible, that the windows and the other Phase 2 items will be done as soon as possible, and that a solution to the window problem, i.e. a choice that is not so costly as the Parks recommendation.
 - b. Chris Alcocer drew up a budget to cover the items needed to get back into the building. Phase 1 is estimated at \$100,854.78, Phase 2 at \$77,597.00, and the addition at \$110,961.31. Total Project cost is \$289,413.09. Supervisor John Quenell said total funds available are about \$85,000, consisting of \$10,000 from Assembly woman Janet Duprey, \$40,000 from Senator Betty Little, and the Willis donation funds of about \$35,000. The Duprey grant has been received. \$22,000 has been requested from the Little grant. There is a \$30,000 loan from the General Fund.
 - c. Supervisor John Quenell proposes meeting with the Park representative and Crawford & Stearns to try getting the Parks to change its mind on what should be done first on the project, specifically the roof, foundation stabilization and window replacements which he feels are extravagantly expensive. Discussion was held on how to proceed. Supervisor John Quenell, Chris Alcocer, Carl Stearns, and Chris Capell-Peters will meet in Syracuse to discuss this project further before the plans are changed further.

2. **Financial Report:**
 - a. Budget as of February 28, 2011 was distributed to Board members
 - b. Received a check in the amount of \$19,764.50 for the Franklin County Snow and Ice Removal contract, first half of the total contract
 - c. Saranac Lake Adult Center Contract: Received request for 2010 and 2011 payment.

RESOLUTION #26

SARANAC LAKE ADULT CENTER CONTRACT 2010 AND 2011

Motion made by Supervisor John Quenell, **second** by Steve Tucker,

WHEREAS, the Saranac Lake Adult Center requested the Town to include funds in its budget in support of services provided to Town of Brighton residents during 2010 and 2011, and

WHEREAS, the Saranac Lake Adult Center did not receive such budgeted funds in 2010, and

WHEREAS, the Town Board included \$750 in its budget for 2010 and \$1,000 in its budget for 2011 for such services,

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes the Supervisor to sign a contract with the Saranac Lake Adult Center for services provided to Town of Brighton residents for the years 2010 and 2011, and

BE IT FURTHER RESOLVED that the Supervisor be authorized to pay the Saranac Lake Adult Center the amount of \$750.00 for each year 2010 and 2011 from General Fund A6772.4.

ROLL CALL VOTE: Aye 3 (Quenell, Tucker, Shrope), Nay 0, Absent 2 (Leavitt, Wright)

RESOLUTION #26 declared duly adopted.

3. **Correspondence/Business:**

- a. **Franklin County Mutual Aid Plan:** Need a resolution to allow Paul Smiths-Gabriels Volunteer Fire Department to participate in the county wide mutual aid plan.

RESOLUTION #27

MUTUAL AID PLAN FOR FRANKLIN COUNTY

Motion made by Supervisor John Quenell, **second** by Steve Tucker,

RESOLVED that the Town Board agrees that the Paul Smiths-Gabriels Volunteer Fire Department will participate in the Franklin County Fire Mutual Aid Plan that is currently in effect. The Franklin County Fire Mutual Aid Plan may be amended and certified by the Franklin County Board of Legislators through its County Fire Coordinator and no restrictions exist against "outside" service by such fire company within the

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meaning of Section 209 of the General Municipal Law which would affect the power of such fire company to participate in such plan.

AND BE IT FURTHER RESOLVED that a copy of this resolution is filed with the County Fire Coordinator.

ROLL CALL VOTE: Aye 3 (Quenell, Shrope, Tucker), Nay 0, Absent 2 (Leavitt, Wright)

RESOLUTION #27 declared duly adopted.

- b. **Franklin County Planning Grant Request:** Need a resolution to support Franklin County's request to obtain a grant in the amount of \$40,000 for a study on community planning countywide. Discussed this with Gordy Crossman, County Legislature.

RESOLUTION #28

CO-APPLICANT FOR FRANKLIN COUNTY'S HIGH PRIORITY PLANNING GRANT APPLICATION

Motion made by Supervisor John Quenell, **second** by Peter Shrope,

WHEREAS, the County of Franklin is interested in facilitating improved community planning throughout the county; and

WHEREAS, the County of Franklin has identified the establishment of county wide planning services as one possible way to do this; and

WHEREAS, the County desires to study the feasibility, cost-effectiveness, long-term management benefits and logistics of establishing countywide planning capacity; and

WHEREAS, the County has authorized the submission of a grant application to the New York State Department of State's Local Government Efficiency Program to fund a study and implementation strategy for countywide planning services; and

WHEREAS, the Town of Brighton supports the County's grant application and efforts to undertake said study; and

WHEREAS, the Town of Brighton feels that it would benefit from the coordination of local planning efforts, technical assistance and other activities that may be undertaken by a county planning entity; and

WHEREAS, the County is seeking co-applicants for its Local Government Efficiency grant application;

NOW, THEREFORE BE IT RESOLVED by the Town of Brighton, being the governing body thereof that the Town of Brighton wishes to be listed as an official co-applicant in the County of Franklin's Local Government Efficiency grant application for funding to undertake a study and implementation strategy for countywide planning services.

ROLL CALL VOTE: Aye 3 (Quenell, Shrope, Tucker), Nay 0, Absent 2 (Leavitt, Wright)

RESOLUTION #28 declared duly adopted.

- c. **Saranac Lake Volunteer Rescue Services (SLVRS) Contract for 2011:** The SLVRS is asking for funds in the amount of \$3,000.00 to help with start up costs for its new organization that the Village of Saranac Lake has refused to pay them. Currently the Town has a contact with the Village of Saranac Lake to supply rescue services to the Town and they have already received a payment of \$36,550 to cover the cost of rescue services for 2011. Proposes two choices: 1) Pay the amount of \$3,000 to SLVRS or they will stop rescue services to the Town after April 1. 2) Refuse to pay and ask the Village if they are going to honor the Town's contract with them. Discussion was held and no decision was made. Town is not required by law to provide rescue services to the Town.
- d. **Village of Saranac Lake Dispatch Fee Status:** Sent a letter on Feb 11 to John Sweeny, Manager for Village of Saranac Lake, asking for the law that authorizes the Town to make a payment for dispatch services instead of the fire department. His reply was that a law says "Towns control the Fire Departments"; this was passed on to the NYS Association of Towns attorney for analysis.
- e. **Adirondack Tobacco Free Network:** Received an invitation to the Community Champions in Tobacco Control 2011 on March 29 in Plattsburgh to recognize the Town for formalizing its commitment to the tobacco control movement by signing a resolution.

DEPARTMENT REPORTS

- 1. **HIGHWAY – Andy Crary: Report submitted prior to meeting**
 - a. Report
 - 1) Took Paystar to Plattsburgh for computer problems and fuel tank replacement and filters
 - 2) Plowing and sanding, trucks get 3 miles to the gallons using diesel fuel

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- 3) Pushed back banks around Town
- 4) Cut banks on roads
- 5) Put up salt and sand
- 6) Blew a front tire during the last snow storm on the Paystar, borrowed one to replace it.
- 7) Greased loader and sanding chains on trucks
- 8) Cleared the Ski-Doo crossings
- 9) Cleaned White Pine Bridge
- b. Supervisor John Quenell received notice from NYS DEC SPEDES, need to submit annual reports for water quality of water disposal system. Reports for 2008 and 2009 were sent to NYSDEC. Water drain not used in 2010 due to Town functions being in the wash bay. Permit is for 30 gallons per day; should be increased due to amount of water used to wash trucks.
- c. Supervisor John Quenell received letter from Janet Duprey, CHIPS funding will remain the same as 2010.
- d. Pickup Truck Bid Opening: Two bids were received for the purchase of a new Pickup Truck F350

RESOLUTION #29

PURCHASE OF NEW PICKUP TRUCK F350

Motion made by Supervisor John Quenell, **second** by Steve Tucker,

WHEREAS, a notice was posted in the Adirondack Daily Enterprise on February 22 and 24, 2011, requesting sealed bids for the purchase of the new Pickup Truck F350, four wheel drive, with a 8' "V" plow, to be opened on the 10th day of March, 2011, at the Regular Board meeting, and

WHEREAS, the following two sealed bids were received:

Egglefield High Peaks Ford, Ray Brook	\$26,345.00
Dannemora Ford, Dannemora	\$27,295.00

NOW THEREFORE BE IT RESOLVED that the Town Board accepts the bid from Egglefield High Peaks Ford in the amount of \$26,345.00, and

BE IT FURTHER RESOLVED that Superintendent of Highways Andy Crary be authorized to purchase a new F350 Pick up truck with four wheel drive and 8'"V" Plow from Egglefield High Peaks Ford in Ray Brook.

ROLL CALL VOTE: Aye 3 (Quenell, Shrope, Tucker), Nay 0, Absent 2 (Leavitt, Wright)

RESOLUTION #29 declared duly adopted.

- e. Roof for Garage Door Entrance: Received two quotes for construction of a roof over the door where people enter the Highway Garage.

RESOLUTION #30

CONSTRUCTION OF ROOF OVER ENTRANCE DOOR ON HIGHWAY GARAGE

Motion made by Supervisor John Quenell, **second** by Peter Shrope,

WHEREAS, water, snow and ice falls from the roof over the door where people enter the Highway Garage potentially causing a hazardous situation for people leaving and entering the building, and

WHEREAS, two quotes were solicited by Superintendent of Highways Andy Crary for the construction of a roof over the doorway as follows:

Keese Mills Contracting, James Eller, Paul Smiths	\$3,349.42
Roger Smith Contracting, Gabriels	\$2,100.00

NOW THEREFORE BE IT RESOLVED that the Town Board accepts the quote from Roger Smith Contracting in the amount of \$2,100 to construct a roof over the door where people enter the Highway Garage.

ROLL CALL VOTE: Aye 3 (Quenell, Shrope, Tucker), Nay 0, Absent 2 (Leavitt, Wright)

RESOLUTION #30 declared duly adopted.

2. **ANIMAL CONTROL OFFICER (Tri-Lakes Humane Society):** No Report received
Supervisor John Quenell received a "Rabies Program - Human Exposure Report" dated 2/8/11 from the Franklin County Public Health Nursing Services. Dog was confined at home of dog owner.
3. **ASSESSOR – Doug Tichenor:** Report received prior to meeting
 - a. Received Senior Star and other exemption renewals which were due March 1.

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- b. Currently working on Tentative Assessment Roll for 2011
 - c. NYS Office of Real Property Tax Services has done a market value survey of the Town for purposes of establishing the current equalization rate. This involves a new statistical analysis of the sales within the town and immediate vicinity. This also involves the appraisal of random subject properties that have not sold. Awaiting the results.
4. **CODE ENFORCEMENT OFFICER (CEO) (Paul Blaine):** Report submitted prior to meeting
- a. **Building Permits:**
 - 1) No Building Permits (BPs) were issued during February
 - 2) One Certificate of Occupancy was issued for BP #09-001
 - 3) Four Certificates of Compliance were issued for BPs (#08-024, 033 and 035 and #11-002)
 - 4) There is a new dorm being built at Paul Smiths College, the construction is moving right along on the first phase. A second building permit will be needed before additional work on the building can continue. A second new dorm is being proposed for 30 to 50 beds, waiting for a site plan.
 - b. **Avoidable Alarms Update:** Four avoidable alarm violations (#11-002 thru 005) were reported open during February
5. **TAX COLLECTOR - Amber McKernan:**
- a. February was a very busy month. During the month collected \$265,391.65 from 159 postings. To date collected and posted \$1,200,411.32 by 824 postings.
 - b. On 2 March prepared and mailed 107 second notices of unpaid taxes. The \$2.00 second notice fee was effective 3 March.
 - c. On 24 February issued check #847 in the amount of \$62,000 to Bryan Varin, Franklin County Treasurer, bringing the amount sent to the Treasurer to \$552,000. Issued the following checks as refunds for overpayment: 26 February check #848 in the amount of \$.98 and 2 March check #849 in the amount of \$16.09. Issued check #850 to Brighton Supervisor on March 10 in the amount of \$521.56, the penalties and second mailing fees to date.
 - d. All state land and utilities payments made to the Franklin County Treasurer were entered into the roll book which is turned over to the county at the end of the collection period.
 - e. Office will be closed March 18, 24 and 25.
 - f. Health benefits are costing more than the previous policy. Would like a comparison to the previous policy because costs seem to be higher. Co-pays and prescriptions are higher. Lab work covered under the previous policy is not covered under this policy. Dependent usage has to be confirmed each time a claim is made, did not have to do this before. Has a deductible that was not with the previous policy. When notified of change asked Supervisor for details and received a brochure. Asked for more information. The difference between policies and paying a deductible were not discussed with people using the policy. Was not given a choice to keep the previous policy.
Supervisor John Quenell will look into the policy and get back to her.
6. **TOWN JUSTICE (Nik Santagate):** Report submitted prior to meeting.
- a. Disposed 55 cases and remitted \$3,585.00 to the Supervisor
 - b. Would like the Town Board to freshen up the signage to direct people to the Courtroom. People are getting lost trying to find the Courtroom, cannot read the signs in the dark. Will ask Paul Smith's College to freshen up their signs also.
7. **HISTORIAN - Mary Ellen Salls:** No report received

COMMITTEE REPORTS

- 1. **HIGHWAY – Steve Tucker, Jeffrey Leavitt, and Lydia Wright:** Nothing to Report

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2. **PARK & RECREATION - Steve Tucker and Peter Shrope**
 - a. **SLYSA:** Received a letter dated February 10, 2011, from the Saranac Lake Youth Soccer Association (SLYSA) thanking the town for the use of the park fields during 2010. They asked for signs to be posted prohibiting dogs on the playing fields for safety and hygiene purposes. Discussion was held on what type of sign to put up; it should cover all the park rules, such as clean up after dogs and no smoking on grounds. It was suggested that the Animal Control Officer spend more time at the park.
 - b. **Report from Dan Spencer, Park Attendant:** Has been shoveling snow. The snow blower is not working again. Cleans the field house and bathroom on a regular basis.
 - c. **Food Pantry:**
 - 1) Peter Shrope received a report and an agreement from the St. Paul's/Assumption Food Pantry along with a Certificate of Liability Insurance.

RESOLUTION #31

ST. PAUL'S/ASSUMPTION FOOD PANTRY AGREEMENT

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

RESOLVED that the Town Board accepts the Agreement with the St. Paul's/Assumption Food Pantry to use the Town Park facilities for distributing food in the Town of Brighton, and

BE IT FURTHER RESOLVED that the Supervisor be authorized to sign the agreement.

ROLL CALL VOTE: Aye 3 (Quenell, Shrope, Tucker), Nay 0, Absent 2 (Leavitt, Wright)

RESOLUTION #31 declared duly adopted.

- 2) **Report from Barb Marshall, Food Pantry Director/Coordinator:**
 - a) Things are coming together nicely. Moved things around to make it easier for folks to enter through the pantry area choosing items for distribution and proceeding into the park building where the bulk of the food items are given out.
 - b) Ice overhead has been a concern with the ever "interesting" weather. One of the volunteers using the Park shovel broke it in two while trying to knock down the ice. Loaned one to Dan Spencer until another can be purchased.
 - c) Helped 160 families, a total of 543 individuals.
- d. **Maintenance on Building:** Peter Shrope said he would like a key to the building so he can get in to do some touch up work such as fixing the inside electrical wires and lights and removing the carpet when his time permits.
- e. **SLAYP:** Steve Tucker said the Saranac Lake Area Youth Program (SLAYP) has a meeting scheduled for next Wednesday. The program will be serving breakfast and lunch to children during the summer; Essex County is providing the free food. The program will run an hour longer each day.
3. **INSURANCE/INVESTMENTS - Lydia Wright, Jeffrey Leavitt, and John Quenell:** Nothing to report
4. **CEMETERY& TOWN BUILDINGS - Steve Tucker and Jeffrey Leavitt:**
 - a. Received a burial permit for Elise Marshall's mother with a donation of \$200.00 for cemetery. Filed permit with Town Clerk and gave check to the Supervisor for deposit in General Fund.
 - b. Copy of the Cemetery rules and regulations were sent to Brendan Keough to review, no reply yet.
5. **WEBSITE - John Quenell:** Nothing to report
6. **FIRE ADVISORY BOARD (FAB) - Steve Tucker:** No meeting was held.
7. **TELECOMMUNICATIONS - Jeffrey Leavitt & John Quenell:** Nothing to report
8. **TOWN HALL PROJECT- John Quenell and Peter Shrope:** See Supervisor's Report
9. **TOWN REDEVELOPMENT CITIZEN'S COMMITTEE- Susan Mayer and Lydia Wright:** Report submitted prior to meeting.
 - a. OGS met this morning (March 10) and determined the following regarding the Camp Gabriels auction.

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- Auction will be sealed bid and vocal on April 28 in Saranac Lake. The minimum bid is reduced to \$750k. The APA will give a commitment letter; the contract will be contingent upon APA approval so the purchaser can have a way out if they can't get APA approval. The open houses are scheduled for March 24 and April 12. OGS will begin advertising and getting information up on its website.
- b. Senator Little informed the committee that she has arranged a tour of Camp Gabriels for the group interested in making Camp Gabriels a Native America educational/cultural center. The group will tour the property on March 14. The group had a meeting with Syracuse University, which Senator Valesky attended. The group has been in contact with this committee, OGS and the Senator on and off since last summer.
 - c. The Redevelopment Committee is recommending that the committee be expanded to address economic development in general. The name of the committee could be changed to the "Brighton Smart Growth Committee". The scope of the committee could include such things as following up on the recommendations made in the 2009 Brighton Smart Growth Plan; monitoring economic development opportunities/issues; and serving as a liaison with the appropriate government and elected state, regional, county and government officials, and community groups. If the board approves the recommendation, the committee will seek additional members, and develop a mission statement and committee responsibilities with input from the board.

Discussion was held on the need to change the mission of this committee. Brian McDonnell, committee member, said the committee would need more town residents and direction. Discussion will continue at next meeting.

BUSINESS: See Supervisor's Report

CITIZEN'S COMMENTS:

Brian McDonnell – Paul Smiths: Said he thought the Public Hearing held on February 26 at the Fire House on the Reuse of the Camp Gabriels property was very positive. People felt the board listened to them as they voiced their concerns about the direction the Town might be going in regards to the property.

AUDIT OF VOUCHERS

RESOLUTION #32

PAYMENT OF AUDITED VOUCHERS AS LISTED ON THE ABSTRACTS

Motion made by Supervisor John Quenell, second by Peter Shrope,

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

PREPAID FUNDS: Abstract #3 for Voucher #3A through and including 3C for 2011 General Funds in the amount of \$838.18 and 2011 Street Light Funds in the amount of \$70.51

GENERAL FUND: Abstract #3 for Voucher #60 through and including #76 for 2011 funds in the amount of \$51,921.65

HIGHWAY FUND: Abstract #3 for Voucher #21 through and including #29 for 2011 funds in the amount of \$9,560.38

SPECIAL FUND - FIRE DISTRICT: Abstract #2 for Voucher #2 for 2011 funds in the amount of \$38,059.00

CAPITAL PROJECT FUND – TOWN HALL PROJECT: Abstract #21 for Voucher #38 and #39 for funds in the amount of \$2,225.00

ROLL CALL VOTE: Aye 3 (Quenell, Shrope, Tucker), Nay 0, Absent 2 (Leavitt, Wright)

Resolution #32 declared duly adopted.

ADJOURNMENT

Motion to Adjourn at 9:56 pm made by Supervisor John Quenell, Second by Steve Tucker, Aye 3 (Quenell, Shrope, Tucker), Nay 0, Absent 2 (Leavitt, Wright)

Respectfully Submitted,

Elaine Sater, Brighton Town Clerk