

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

May 13, 2010

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The Regular Monthly Meeting of the Town Board of the Town of Brighton was held Thursday, May 13, 2010, 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 6:56 p.m.

ROLL CALL OF OFFICERS

PRESENT: Supervisor John Quenell

Council Members: Jeffrey Leavitt, Peter Shrope, Steve Tucker and Lydia Wright

ABSENT: None

OTHERS PRESENT: Elaine Sater - Town Clerk and Superintendent of Highways-Andy Crary

RESIDENTS: There were seven residents present

GUESTS: George Earle, Town Hall Project Consultant

Pledge to the Flag was recited.

APPROVAL OF MINUTES

- Public Hearing April 8, 2010 (Cable Franchise)

Motion made by Supervisor John Quenell, **second** by Peter Shrope, **to approve the minutes of the Public Hearing for the Cable Franchise held on April 8, 2010, as written, Aye 3 (Quenell, Tucker, Wright), Nay 0, Abstain 2 (Leavitt, Shrope)**

- Regular Board April 8, 2010

Motion made by Supervisor John Quenell, **second** by Steve Tucker, **to approve the minutes of the Regular Board meeting on April 8, 2010, as written, Aye 4 (Leavitt, Quenell, Tucker, Wright), Nay 0, Abstain 1 (Shrope)**

- Special Board April 15, 2010

Motion made by Supervisor John Quenell, **second** by Jeffrey Leavitt, **to approve the minutes of a Special Town Board meeting held on April 15, 2010, as written. Aye 4 (Leavitt, Quenell, Tucker, Wright), Nay 0, Abstain 1 (Shrope)**

- Special Board April 22, 2010

Motion made by Supervisor John Quenell, **second** by Jeffrey Leavitt, **to approve the minutes of a Special Town Board meeting held on April 22, 2010, as written. Aye 5 (Leavitt, Quenell, Shrope, Tucker, Wright), Nay 0**

- Special Board April 29, 2010

Motion made by Supervisor John Quenell, **second** by Jeffrey Leavitt, **to approve the minutes of a Special Town Board meeting held on April 29, 2010, as written. Aye 5 (Leavitt, Quenell, Shrope, Tucker, Wright), Nay 0**

- Hearing May 6, 2010 (Violation of LL#1 for 1981)

Motion made by Supervisor John Quenell, **second** by Steve Tucker, **to approve the minutes of the Hearing for a Violation of Local Law #1 for the Year 1981, "Unsafe Building", held on May 6, 2010, as written, Aye 3 (Leavitt, Quenell, Tucker), Nay 0, Abstain 2 (Shrope, Wright)**

TOWN CLERK'S REPORT

Total Revenue to Supervisor as of April 30, 2010 was \$ 10.11.

3 Sports Licenses

5 Dog Licenses: 4 Renewed, 1 New

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- 1) April 19 to 30th packed up and moved Town Clerk's Office to Town Garage
- 2) April 25 to 28 attended the New York State Town Clerk's Convention and Training in Saratoga Springs. NYS Department of Agriculture and Markets is no longer contracting for the maintenance of the dog license database. They plan to turn the whole operation over to the towns to maintain their own dog license issuing and renewal operation starting on January 1, 2011.
- 3) Town Clerk's Office will be closed on Tuesday May 18th until 3:30 p.m.
- 4) TOWN HALL (at Garage) REQUEST: Wednesday, May 26, Rainbow Lake Water District Association, 11 a.m.
- 5) TOWN PARK REQUEST: Spencer Family, Saturday, May 1, 1-5 p.m.

SUPERVISOR'S REPORT

- 1) **Town Hall Project:** A picture show was presented to provide a visual of the Town Hall deterioration and need for repairs and restoration in great detail. George Earle was introduced as a summer resident who is a volunteer consultant to review the architect plans for the Town Hall project. Discussion was held on the various parts of the building that need attention. Peter Shrope said that professionals should be hired to do the work. Jeffrey Leavitt asked about placing the kerosene tank under the building in the crawl space. Lydia Wright said she would like to think about the changes from the original plan. Discussion was held on how this project would be funded. There is a concern whether there will be any funding coming from New York State through grants, the State is having budget deficit issues. She thought the discussion was taking up too much time (1.25 hours) of the regular meeting and the Board should hold a Special Meeting at another time to discuss the details of this project. George Earle thought the plans were not ready to go out to bid, there was not enough detail and they were written in a way that is too open to change orders.

Supervisor John Quenell scheduled a Special meeting on Monday, May 24, 2010 at 7 p.m.

- 2) **Supervisor's Financial Report, April 30, 2010:** Distributed report to Board.
- 3) **Duprey Member Item:** Received a contract from Assembly Member Janet Duprey's for the member item funds of \$10,000 for the Town Hall Project.

DEPARTMENT REPORTS

1) **HIGHWAY - Andy Crary:**

- a) Report submitted prior to meeting
 - i) Sweeping of roads all done
 - ii) Cleaned-up branches in both cemeteries.
 - iii) Back dragged Hoffman Road with loader
 - iv) Fixed head board on Paystar 2002
 - v) Cleaned up cold bay
 - vi) Moved items from Town Hall to garage
 - vii) Made dump run
 - viii) Road raked dirt roads
 - ix) Put new window in overhead door of garage
 - x) Put plows back on trucks to plow snow
 - xi) Worked at Town Hall removing partitions, closet and ceiling
 - xii) Road checks
 - xiii) Hauled fill from behind garage to McColloms Road and spread with loader
 - xiv) Started mowing cemeteries
 - xv) Took Paystar 2002 to MA Jerry's for diagnostics
- b) Received a request from Harrietstown Superintendent of Highways Craig Donaldson for support from the Town to purchase an "Asphalt Zipper" as a shared services item. It would cost the Town \$7,900 a year for five years. This machine is for removing asphalt from the road and grinding it up. Deferred until next meeting.
- c) There is a free rabies clinic scheduled for Monday, June 7 from 5 to 6 p.m. at the Town Garage.

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- d) **Over the Hill Property:** Town workers can help remove the building from “Over the Hill” if needed.

RESOLUTION #56

REMOVAL OF BUILDING ON “OVER THE HILL” PROPERTY

Motion made by Supervisor John Quenell, **second** by Jeffrey Leavitt,

RESOLVED that the Town proceed with the removal and disposal of the building on the property referred to as “Over the Hill” when the 30-day grace period has elapsed, and

BE IT FURTHER RESOLVED that the Town Board authorizes the expenditure of up to \$3,000 for tipping fees to be paid from the Contingency Fund (A1990).

ROLL CALL VOTE: Aye 3 (Leavitt, Quenell, Tucker), Nay 1 (Shrope), Abstain 1 (Wright)

RESOLUTION #56 declared duly adopted.

Peter Shrope commended and thanked Superintendent Andy Crary, Forest Pennington, and Glenn Perrino for all the work they did to move the Town Hall to the Garage. They did a great job.

- 2) **ANIMAL CONTROL OFFICER (Tri-Lakes Humane Society):** Report submitted prior to meeting
- a) Handled a total of 10 calls; responded to a stray dog call in Gabriels after the NYSP were contacted. Seized the dog and left notice at a residence that the neighbors thought owned the dog. Owner claimed the dog after it was transported to the vet for rabies vaccination, owner obtained NYS Dog License. Responded to a call in regards to a dog fight that had occurred in a house in Gabriels; the NYSP were called. Drove to the residence to assist the owner’s dog sitter in transporting 2 injured dogs to a local veterinarian for treatment. Responded to a call on Paul Smith’s College campus after the NYSP were contacted in regards to a student sneaking a large dog into a dorm on campus. Called campus security and drove to PSC campus. The owner surrendered the dog to the Humane Society since dogs are not allowed in the dorms. Received a call in regards to the spay/neuter assistance from one person and assisted them with information for obtaining a voucher and low cost surgery.
 - b) Sent notice of Dog Control Officer and Municipal Shelter Inspection which was completed on 04/13/2010 and was rated “Satisfactory”.
- 3) **ASSESSOR - Doug Tichenor:** Report received prior to the meeting
- a) Tentative assessment roll was filed with the Town Clerk as of May 1.
 - b) Attended Board of Assessment Review Training on May 5, 2010, in Malone from 1 to 4 p.m.; training will gain him Continuing Education credits
 - c) Grievance Day is Thursday, June 3, from 5 – 9 p.m. at the Brighton Town Garage. There are four BAR members who will attend.
- 4) **CODE ENFORCEMENT OFFICER (CEO) - Paul Blaine:** Report submitted prior to meeting
- a) **Building Permits:** No Building Permits issued during April
 - b) **Avoidable Alarms Update:** Seven avoidable alarms open, letter was sent to Paul Smith’s College concerning five alarms for a total of \$1,250.00 in fees.
- 5) **TAX COLLECTOR - Amber McKernan:** Report submitted prior to meeting
- a) During the month of April collected \$2,654.43. Was able to accept those payments because they had been post marked on or before 31 March 2010.
 - b) At the conclusion of the collection period posted a total of \$1,107,203.76 from 889 parcels. Of that amount \$1,082,476.01 was collected by this office; the balance of \$24,727.75 was paid directly to the Franklin County Treasurer’s Office by various utility companies in the Town of Brighton.
 - c) Prepared the books and records for reconciliation with the Treasurer’s Office. On 7 April turned in all paid and unpaid bills and the tax roll and warrant. Turned in 68 unpaid tax bills; 61 of those tax bills had an outstanding \$2.00 second mailing fee, for which the Town of Brighton will be paid by the Treasurer’s Office. Thirty (30) of those unpaid bills were partial payments.
 - d) On completion of the audit of the warrant by the Treasurer’s office, issued check #832 in the amount of

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\$101,518.81 to Bryon A. Varin, Franklin County Treasurer, as the balance of the warrant due the county for the 2010 collection from the Town of Brighton. The audit was signed and notarized.

- e) On 8 April issued check #833 in the amount of \$1,427.83 to John Quenell, Supervisor of Town of Brighton, as the balance of penalties and second mailing fees. On 7 May issued check #834 in the amount of \$35.34 to Supervisor Quenell. That was the interest earned by the Collector's bank account as of 30 April. On 7 May also returned the \$50 petty cash fund to Supervisor Quenell.
- f) Have one check, #829, issued as a refund of an overpay, which remains outstanding. Have written to the taxpayer asking that the check be cashed as soon as possible. Except for this outstanding check, the account now stands at \$0.00 as proscribed by law.
- g) Ask that the Town of Brighton Board set a time for their audit of the records. Will provide forms to each member of the board in advance of the audit so they can be informed and prepared beforehand.
- h) Will be attending the NYSATRC seminar and training in Lake Placid 13-16 June.

Supervisor John Quenell set an audit of the Tax Collector's 2010 records for 6:30 p.m. on Thursday, June 10.

- 6) **TOWN JUSTICE - Nik Santagate:** Report submitted prior to meeting.
Check written to Supervisor in the amount of \$8,397.00 for 119 disposed cases during April
- 7) **HISTORIAN - Mary Ellen Salls:** No report submitted

COMMITTEE REPORTS

1) PARK & RECREATION - Steve Tucker and Peter Shrope

- a) **Park Usage:** Received a list of dates from Dan Spencer with number of people who were at the park during April.
- b) **Park Closed:** The Park will be closed on May 28 to 31 and June 25 & 26 as Dan Spencer will be out of Town.
- c) **Saranac Lake Youth Soccer Association (SLYSA):** Supervisor John Quenell received a request to use the Park on Monday and Wednesday during July and August for its soccer program. Steve Tucker asked if a Certificate of Insurance was received; it was not. He also said the coaches would like to remove the backstop out in the field and make four separate soccer fields.
- d) The port-a-potty needs to be requested for the summer

2) INSURANCE/INVESTMENTS - Lydia Wright and Supervisor John Quenell:

- a) Insurance: Supervisor John Quenell and Lydia Wright still need to meet to discuss the Health Insurance comparisons; they are waiting for the outcome of the CSEA negotiations. CSEA is asking what is covered by the current policy. BlueCross/BlueShield is researching this request.
- b) Investments: NYCLASS - Highway Fund has interest income is \$31.23 for the month of April with a balance of \$189,864.79 and General Fund has interest income of \$46.82 for the month with a balance of \$284,932.16.

3) CEMETERY& TOWN BUILDINGS - Steve Tucker:

- a) **Cemetery:**
 - i) Ordered flags for Memorial Day
 - ii) Appointment with Shelly Haden, who wants to put up a head stone for her mother, was cancelled by her.
 - iii) Working on draft of rules and regulations.
- b) **Town Buildings:** Nothing to report

4) HIGHWAY- Jeffrey Leavitt, Steve Tucker and Lydia Wright: Jeffrey Leavitt said he and Superintendent of

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Highways Andy Cray are looking at some Town roads that could be abandoned. Discussions have been held with adjacent property owners.

- 5) **WEBSITE - Supervisor John Quenell:** Nothing to report.
- 6) **FIRE ADVISORY BOARD (FAB) - Steve Tucker:**
 - a) Have not met.
 - b) The Certificate of Need for the Saranac Lake Rescue Department was approved. They have to wait 60 days before billing people who use the service.
- 7) **TELECOMMUNICATIONS - Jeffrey Leavitt and Supervisor John Quenell:**

Cell Phone Service: Jeffrey Leavitt said he was working on getting better cell phone service in the central, northern, and eastern areas of the Town. Met with Assembly Member Janet Durprey about getting more coverage in the area.
- 8) **TOWN HALL PROJECT- Supervisor John Quenell, Peter Shrope, and Lydia Wright::**
 - a) Peter Shrope said the Town Hall has moved completely to the Garage
 - b) More signs are needed to direct people over to the Town Garage.
 - c) The surge protector in the Court is not strong enough to keep all the equipment working without drawing on the UPS unit.
 - d) Supervisor John Quenell thanked Peter Shrope for the work he did on coordinating the move.
- 9) **TOWN REDEVELOPMENT CITIZENS COMMITTEE - Susan Mayer:** Report submitted prior to meeting
 - a) Supervisor John Quenell gave a brief overview of the report concerning Camp Gabriels. NYS Office of General Services (OGS) had a tour of Camp Gabriels on May 5. A disposal plan is being up worked by OGS but they had never seen the property. Committee Member Steve Erman, APA, attended the tour and invited the County IDA Director and Empire State Development to attend also. Committee Member Brian McDonnell also attended. The property has not been appraised yet by OGS, there are no funds in the budget to do an appraisal. Supervisor John Quenell said the State can dispose of property in four ways: 1) The property can be given to a municipality for certain purposes 2) It can be appraised and auctioned off 3) It can be conveyed to an agency of the State that can then parcel it out 4) It can be disposed of by the Legislature.
 - b) Last committee meeting was held on April 20. The committee reviewed Steve Erman's maps of the area where the camp property is located. Steve Erman pointed out the property lines and explained that the property does not have access to Jones Pond. It was mentioned that many of the suggested reuses are just too small to want the entire facility and the State will not break up the property. The committee discussed how Senator Little's Office indicated the solar panel mfg. only wants one building and Ft. Drum, which toured the facility back in mid-March, found the facility to be too big for its VA plans. Bob Ross from St. Joe's is not interested in the entire facility but might still be interested in a piece of it, if we could find someone who could take over the property then divide it up. Also discussed was the possibility of finding a developer who would want to put in housing or the town taking it and developing a hamlet around Gabriels area, using the Camp's water and sewer infrastructure to assist others in the area. The Committee also discussed having the Town write to Governor Paterson to formally offer assistance in developing a plan for the reuse of the property in a way that would be of economic benefit to the Town of Brighton and Franklin County.
 - c) Visitor's Interpretive Center (VIC): Sue Mayer attended part of the VIC Steering Committee meeting on 7 May by phone and it was reported that there were "very confidential" developments that could not be discussed but would affect plans that have been discussed to date. The hiring of a consultant to do a business plan for the VICs is now on hold and the wording of the mission/vision statement is being changed to say "one or both" facilities, rather than treating them as one entity. At a previous meeting, it

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was mentioned that Syracuse Environmental Sciences and Forestry was interested in the Newcomb facility. Also attended the April 16 meeting by phone. The Committee reviewed vision statements, operating expenses, contributions to the VIC transition fund and discussed legal issues.

- d) The Committee will be meeting the week of May 24. Franklin County IDA Director John Tubs accepted the committee's invitation to attend for discussion on reuse options for Camp Gabriels.

OLD BUSINESS

- 1) **TIME WARNER FRANCHISE:** Supervisor John Quenell said in the interest of time this contract will be discussed at the next meeting. He is proposing to remove the 5% franchise fee from the contract.
- 2) **AVOIDABLE ALARM VIOLATIONS:** Supervisor John Quenell received a letter dated May 4, 2010, from the Attorney for the Town Scott Goldie addressed to Justin R. Meyer, Esq, Attorney for Paul Smiths College, concerning the discovery demand to Paul Smith's College; he gave Mr. Meyer a May 14 response date.

NEW BUSINESS:

- 1) **FOOD PANTRY COORDINATOR Barb Marshall:** There are about 100 to 150 families who use the food pantry per month. Fresh produce comes from Elizabethtown. She is concerned about having enough space and access to it for the food pantry. She has heard she may have to move again. She is also concerned about access for elderly people who use carts to get their food. The dirt floor in the cold bay makes it difficult for them to get their food to their cars. Volunteers help them carry food and other items that are available from the food pantry. A letter was sent to the Town Board with her concerns. She thanked the Highway Department for all their help with unloading the trucks at the garage.

Jeffrey Leavitt said he met with George Earle at the Park and they looked over the property to see if there was space enough for the Food Pantry to use it. There is a large liability with having so many vehicles at the garage, especially during plowing season. He would like to meet with Barb Marshall to discuss this further.

Peter Shrope said the Park was used on weekends and during the week but the Food Pantry could still use it on the days it is closed.

- 2) **PAUL SMITH'S COLLEGE EMERGENCY MANAGEMENT PLAN:** Philip Fiacco, Paul Smith's College's Director of Campus Safety, asked the Town Board to support the College in its efforts to apply for a grant to rewrite its Emergency Management Plan. The Emergency Management Plan would include training for anyone four times a year. The College would hire an independent consultant to review the plan.

RESOLUTION #57

SUPPORT OF PAUL SMITH'S COLLEGE FOR NYS DEPT OF EDUCATION GRANT

Motion made by Supervisor John Quenell, **second** by Lydia Wright,

RESOLVED that the Supervisor, as the representative of the Local Government, be authorized to sign a Partner Agreement with Paul Smith's College who is applying for an Emergency Management Higher Education (EMHE) grant from the NYS Department of Education, and

BE IT FURTHER RESOLVED that Board Member Jeffrey Leavitt be appointed as liaison to work with the EMHE Program Director at Paul Smith's College.

ROLL CALL VOTE: Aye 5 (Leavitt, Quenell, Shrope, Tucker, Wright), Nay 0

Resolution #57 declared duly adopted

CITIZENS COMMENTS: None

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AUDIT OF VOUCHERS

Motion made by Supervisor John Quenell, **second** by Lydia Wright, **to audit the vouchers. Aye 5 (Leavitt, Quenell, Shrope, Tucker, Wright), Nay 0**

RESOLUTION #58

PAYMENT OF AUDITED VOUCHERS AS LISTED ON THE ABSTRACTS

Motion made by Lydia Wright, **second** by Supervisor John Quenell:

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

PREPAID FUNDS: Abstract #5 for Voucher #5A through and including 5C for 2010 General Funds in the amount of \$794.51 and 2010 Street Light Funds in the amount of \$56.60

GENERAL FUND: Abstract #5 for Voucher #115 through and including #147 for 2010 funds in the amount of \$16,888.25

HIGHWAY FUND: Abstract #5 for Voucher #44 through and including #50 for 2010 funds in the amount of \$7,944.89

CAPTIAL PROJECT: TOWN HALL PROJECT: Abstract #13 for Voucher #16 through and including #19 for Capital Project funds in the amount of \$ 6,768.79

ROLL CALL VOTE: Aye 5 (Leavitt, Quenell, Shrope, Tucker, Wright), Nay 0

Resolution #58 declared duly adopted.

ADJOURNMENT

Motion to Adjourn at 9:45 p.m. made by Lydia Wright, **Second** by Supervisor John Quenell, **Aye 5 (Leavitt, Quenell, Shrope, Tucker, Wright), Nay 0**

Respectfully Submitted,

Elaine Sater
Brighton Town Clerk