

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

July 8, 2010

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The Regular Monthly Meeting of the Town Board of the Town of Brighton was held Thursday, July 8, 2010, at 7:00 p.m. at the Brighton Town Garage, Paul Smiths, NY, with the following:

CALL TO ORDER:

The meeting was Called to Order by Supervisor John Quenell at 7:05 p.m.

ROLL CALL OF OFFICERS

PRESENT: Supervisor John Quenell

Council Members: Jeffrey Leavitt (entered meeting at 7:10 p.m., Peter Shrope, Steve Tucker and Lydia Wright (entered meeting at 7:10 p.m.)

ABSENT: None

OTHERS PRESENT: Elaine Sater – Town Clerk and Amber McKernan – Tax Collector

RESIDENT(S): Five residents were present

GUEST: Glen Michaels, Assistant Attorney General, Plattsburgh Regional Office

The Pledge of Allegiance to the Flag was recited.

APPROVAL OF MINUTES

- Regular Board June 10, 2010

Motion made by Peter Shrope, **second** by Supervisor John Quenell, **to approve the minutes of the Regular Board meeting on June 10, 2010, as written, Aye 3 (Quenell, Shrope, Tucker), Nay 0, Absent 2 (Leavitt, Wright)**

TOWN CLERK'S REPORT

Total Revenue to Supervisor as of June 20, 2010 was \$ 91.15

1 Certified Copy

2 Park Use Donations

10 Dog Licenses Renewed

1 Copy on Copier

1. Many thanks to Michelle White for filling in for me during the June monthly board meeting. I would like to ask the Town Board to consider paying her at the same rate as the Court Clerk at \$13.19 per hour. She worked 14 hours to attend the meeting and prepare the minutes and abstracts for the bookkeeper (14 hr. X \$13.19 is \$184.66) and this does not include the time I spent training her to do this job. I only budgeted \$120 for the year because I have never used a Deputy before to cover a meeting. I will be using her again in October as I am going out of the country for two weeks. This year the Deputy Supervisor will be paid \$300 and the Deputy Superintendent of Highways will be paid \$682. I do not know how many hours they put in for this salary.
2. June 29, called Tom Tucker with the Saranac Lake Youth Soccer Association for a Certificate of Liability Insurance, have not received it yet.
3. TOWN HALL REQUEST: None
4. TOWN PARK REQUEST: Lake Placid Curling Club, Sunday July 11, 2-7p.m.; Minnie Family, Saturday July 17, 3-6p.m.; Lester Family, Saturday, July 31, 10 p.m.; Citizens Advocates, Inc., Wednesdays and Fridays, August 6, 11, 18, and 27, 10a.m. to 1:30 p.m.; Paul Smiths Gabriels Volunteer Fire Department, Saturday, August 7, 4-10 p.m.; SL Class of 1990, Saturday August 14, 12-6 p.m.; Addicts Helping Addicts, Saturday, August 21, 11a.m. to 7 p.m.
5. RECORDS MANAGEMENT/RECORDS ACCESS OFFICER: Received a FOIL request to review minutes from 1905 to 1955 from NYSDEC. Sent them to the Saranac Lake Free Library to use the microfilm of minutes stored there as I do not have access to the vault in the Town Hall where the older minutes are stored. The Town's microfilm reader was sent in for repair and was not returned before the move to the Town Garage. Munn's Business Machines cannot repair it and are holding it until the Town Hall is usable again.

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GUEST PRESENTATION - Glen Michaels, Assistant Attorney General: Glen Michaels is from the NYS Office of the Attorney General's Regional Office in Plattsburgh. He described "Project Sunlight" through a computer presentation. This project is to allow public access to state government and the information it keeps. There is a website at "www.sunlightny.org" for the public to use for access to elected officials, sponsored legislation, lobbyists involved, campaign finance records, member items, and charitable contributions. There are "smart searches" to help the public track different interests influencing lawmakers and government. This is an ongoing initiative and more features will be added over time. The Office of the Attorney General has a website at "www.ag.ny.gov". There are two Assistant Attorney Generals in the Plattsburgh office: Glen Michaels and Bob Glennon.

SUPERVISOR'S REPORT

1. Deputy Town Clerk Salary:

RESOLUTION #64

AUTHORIZE INCREASE WAGE FOR DEPUTY TOWN CLERK SERVICES

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

RESOLVED that upon the recommendation of Town Clerk Elaine Sater the deputy town clerk, Michelle White, be paid for services during 2010 at the rate \$13.19 per hour.

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

RESOLUTION #64 declared duly adopted.

2. Monthly Financial Report: Financial Statement as of June 30, 2010 was distributed to the Board.

3. Removal of "Over the Hill" Structure: Had discussions with the Franklin County Treasurer and the Franklin County Office of Real Property concerning the collection of expenses from the property owner. A levy of the amount can be attached to the tax bill. There is a fine of \$500 for the Town for burying the debris in the cellar of the building. Lt. Ellithorp from NYSDEC sent a letter outlining the fine and penalties along with a ticket. Supervisor John Quenell asked the Franklin County landfill to waive the tipping fees but they would not. Total expense of the demolition is \$17,676 consisting of \$17,309 for tipping fees, \$268 fees to serve papers, \$99 for legal fees.

The Board asked Supervisor John Quenell to ask the NYS Department of Environmental Conservation to consider reducing the fine from \$500 as they have in past.

RESOLUTION #65

ASSESSMENT OF PROPERTY AND HEARING FOR 474 STATE ROUTE 86 PROPERTY

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

WHEREAS, the town has incurred direct expenses of \$17,676 in connection with the removal of the "Over the Hill" structure at 474 State Route 86 (Property Number 381-1-15) during June 2010, and

WHEREAS, the town's Local Law #1 of 1981 provides for assessment of expenses against the land on which the building was located,

NOW THEREFORE BE IT RESOLVED that the town will proceed to assess the said property for \$17,676 for said expenses, collectible as of January 1, 2011, and

BE IT FURTHER RESOLVED that that town will conduct a hearing regarding this action for the owner of the property at 6:30 p.m. on August 12, 2010, at the temporary location for the town offices at the Town Highway Garage, 17 County Route 31, such hearing to be immediately followed by the August Regular meeting of the town board.

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

RESOLUTION #65 declared duly adopted.

4. White Pine Road Bridge: Discussion was held on agreeing to pay 5% of the estimated \$700,000 cost to replace the White Pine Road bridge. By signing this agreement the White Pine Bridge will get on Franklin County's bridge replacement list for Federal and State funding. NYS Department of Transportation conducted hydraulics tests on the bridge and they determined that a culvert is too small for the stream.

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Consolidated Highway Improvement Projects (CHIPS) funding can be used as the Town's portion of the expenses. The Town receives approximately \$35,000 per year of CHIPS funds.

RESOLUTION #66

AGREEMENT TO PROVIDE FOR THE REPLACEMENT OF WHITE PINE ROAD BRIDGE

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

WHEREAS, on June 23, 2010, Franklin County presented the town with a proposed agreement providing for the replacement of the White Pine Road bridge with the county acting as project sponsor, such replacement to take place as soon as county priorities permit, with expenses to be borne 80% by the federal government, 15% by the state, and the remaining 5% by the town, and

WHEREAS, the county will assume ownership of the bridge upon project completion,

NOW BE IT RESOLVED that the supervisor is authorized to execute the proposed agreement on behalf of the town, and

BE IT FURTHER RESOLVED that the Town of Brighton will pass on all claim to ownership they may have on the White Pine Road Bridge to Franklin County with a "Quick Claim Deed" after the bridge is replaced.

ROLL CALL VOTE: Aye 4 (Leavitt, Quenell, Shrope, Tucker), Nay 0, Abstain 1 (Wright)

RESOLUTION #66 declared duly adopted.

5. **General Fund Long Range Forecast:** Distributed 3 different scenarios for the General Fund, looking back five years and looking ahead three years. When looking at a town's finances over the long haul, there are three key dynamics to consider: 1) Revenues 2) Expenses 3) Fund Equity (aka Fund Balance). Fund Equity, which can accurately be thought of as the amount of money in the bank, is dependent on revenue and expense flows. As is the case for personal finances, it is always a good idea to maintain some "cushion" of ready funds to meet unexpected expenses. What is the "right" level of fund equity for a town to maintain? One rule of thumb is a minimum amount equal to 10% of annual appropriations. With General Fund appropriations totaling approximately \$400,000, for Brighton that implies a minimum fund balance of \$40,000. However the Comptroller's Office has cautioned that for a small town such as Brighton, the 10% rule may not provide a safe balance to cover unanticipated expenditures or revenue shortfalls. The New York State Government Finance Officers' Association recommends a minimum of two months of annual total appropriations for municipalities. In effect, this equates to $2/12 = 16.7\%$ of appropriations. For Brighton this would imply about \$68,000. Note that this is a recommended minimum, not a recommended maximum or average. It appears there has been a conscious effort by Brighton to work down its fund balance over the past few years. In fact, General Fund property taxes have actually been reduced in some years, meaning that rising expenses have been increasingly funded by fund balances. Discussed a forecast for 2011 to 2014 in three different cases. Requested records of the Annual Update Documents (AUD) filed in the State Comptroller's Office, covering the years 2005 to 2008. Added 2009 AUD results and Budget for 2010. Made an adjustment to reduce the forecasted expense to actual levels. Projected revenues and expense for 2011 to 2014. Retirement is increasing by 11% for 2011 and different health insurance is being considered. No funds were considered for the Town Hall project. Asked the Board to consider ideas for other cost-saving options or revenue enhancements. Will discuss the Highway Fund at a later date.
6. **Discharge of HUD Mortgages:** Received a letter from Friends of the North Country asking for certain mortgages to be discharged from the HUD Housing Project of 1994.

RESOLUTION #67

DISCHARGE OF MORTGAGE HUD PROJECT BRI 94-22

Motion made by Supervisor John Quenell, **Second** by Steve Tucker:

WHEREAS, the Town of Brighton secured by mortgage dated November 20, 1998, for a Town of Brighton Housing Rehabilitation Program loan in the amount of seventeen thousand three hundred and twenty dollars, \$17,320.00, and such mortgage was recorded in Liber 599 of Mortgages starting at page 263 in the Office of the Clerk of the County of Franklin, and

WHEREAS, the mortgage contains a provision that the mortgagor will abide by all terms of the Note, and

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WHEREAS, the terms of the Note have been met including the completion of five years after the date of the Mortgage of November 20, 1998 to end without repayment of the principal or accrued interest, and

NOW THEREFORE, BE IT RESOLVED, that the Supervisor of the Town is authorized to sign and issue a Discharge of Mortgage for HUD Project 94-22, a mortgage dated November 20, 1998, in the amount of \$17, 320.00 as recorded in Liber 599 of Mortgages starting at page 263 in the Office of the Clerk of the County of Franklin.

ROLL CALL VOTE: Aye 5 (Leavitt, Quenell, Shrope, Tucker, Wright), Nay 0
RESOLUTION #67 declared duly adopted.

RESOLUTION #68

DISCHARGE OF MORTGAGE HUD PROJECT BRI 94-06

Motion made by Supervisor John Quenell, **Second** by Steve Tucker:

WHEREAS, the Town of Brighton secured by mortgage dated September 24, 1999, for a Town of Brighton Housing Rehabilitation Program loan in the amount of Twenty-one thousand Seven hundred and Fifty dollars, \$21,750.00, and such mortgage was recorded in Liber 642 of Mortgages starting at page 106 in the Office of the Clerk of the County of Franklin, and

WHEREAS, the mortgage contains a provision that the mortgagor will abide by all terms of the Note, and

WHEREAS, the terms of the Note have been met including the completion of five years after the date of the Mortgage of September 24, 1999 to end without repayment of the principal or accrued interest, and

NOW THEREFORE, BE IT RESOLVED, that the Supervisor of the Town is authorized to sign and issue a Discharge of Mortgage for HUD Project 94-06, a mortgage dated September 24, 1999, in the amount of \$21, 750.00 as recorded in Liber 642 of Mortgages starting at page 106 in the Office of the Clerk of the County of Franklin.

ROLL CALL VOTE: Aye 5 (Leavitt, Quenell, Shrope, Tucker, Wright), Nay 0
RESOLUTION #68 declared duly adopted.

RESOLUTION #69

DISCHARGE OF MORTGAGE HUD PROJECT BRI 94-26

Motion made by Supervisor John Quenell, **Second** by Steve Tucker:

WHEREAS, the Town of Brighton secured by mortgage dated December 2 1999, for a Town of Brighton Housing Rehabilitation Program loan in the amount of Eight thousand Five hundred and Twelve dollars, \$8,512.00, and such mortgage was recorded in Liber 651 of Mortgages starting at page 97 in the Office of the Clerk of the County of Franklin, and

WHEREAS, the Town of Brighton secured by mortgage dated December 2 1999, for a Town of Brighton Housing Rehabilitation Program loan in the amount of Five thousand Six hundred and Forty-seven dollars and 52 cents, \$5,647.52, and such mortgage was recorded in Liber 651 of Mortgages starting at page 100 in the Office of the Clerk of the County of Franklin, and

WHEREAS, the mortgage contains a provision that the mortgagor will abide by all terms of the Note, and

WHEREAS, the terms of the Note have been met including the completion of five years after the date of the Mortgages of December 2, 1999, to end without repayment of the principal or accrued interest, and

NOW THEREFORE, BE IT RESOLVED, that the Supervisor of the Town is authorized to sign and issue a Discharge of Mortgage for HUD Project 94-26, two mortgages dated December 2, 1999, in the amounts of 8,512.00 as recorded in Liber 651 of Mortgages starting at page 97 and \$5,647.52 as recorded in Liber 651 of Mortgages starting at page 100 in the Office of the Clerk of the County of Franklin.

ROLL CALL VOTE: Aye 5 (Leavitt, Quenell, Shrope, Tucker, Wright), Nay 0
RESOLUTION #69 declared duly adopted.

- 7. Rescue Service Contract:** The Town signed a contact with the newly formed independent Saranac Lake Rescue Service (SLRS). The Village of Saranac Lake is stating that the towns will be charged for fire and rescue services according to the assessed property value of each town. The Town does not contract for fire service, only rescue service. The SLRS is not as independent of the Village as they think. Verne James of the SLRS is not able to determine the cost to the Town, it may be 6%.

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8. **SPDES Permit - Highway Garage:** Storm water discharge permit from the Town Garage project needs to be closed out. The DEC said the Town does not need it anymore. A qualified engineer needs to sign off on the discharge plan. The cost is not more than \$200 according to Joe Garso, PE.

RESOLUTION #70

DISCHARGE OF STORM WATER PERMIT CLOSURE

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

WHEREAS, the Town still has in force a storm water discharge permit (SPDES) that originated with the highway garage construction project, and

WHEREAS, the Department of Environmental Conservation has suggested that the Town should close out the permit at this time, and

WHEREAS, the Notice of Termination required for this purpose requires verification from a licenses engineer that proper storm water removal procedures were followed during the project,

NOW THEREFORE BE IT RESOLVED that Mr. Joseph Garso, P.E. who served a project engineer for the garage project, be requested to complete the Notice of Termination at a cost Not to Exceed \$200, to be paid from the General Fund.

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

RESOLUTION #70 declared duly adopted.

9. **Retirement:** Two Town officials, Town Clerk and Superintendent of Highways, submitted hours to the Town Clerk for the retirement system. A resolution was submitted by the Clerk to the Board for approval of standard work day and days per month for retirement purposes.

RESOLUTION #71

STANDARD WORK DAY AND HOURS REPORTED FOR RETIREMENT

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

BE IT RESOLVED that the Town of Brighton hereby establishes the following standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body.

Elected Officials:

Title: Town Clerk, **Name:** Elaine Sater, **Standard Work Day:** 6 hours, **Term Begins** 1/1/08, **Participates in Employer's Time Keeping System:** No, **Days/Month:** 13.92

Title: Superintendent of Highways, **Name:** Andy Crary, **Standard Work Day:** 6 hours, **Term Begins:** 1/1/10, **Participates in Employer's Time Keeping System:** No, **Days/Month:** 26.67

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

RESOLUTION #71 declared duly adopted.

DEPARTMENT REPORTS

- 1) **HIGHWAY - Andy Crary:** Report submitted prior to meeting
- a) Finished demolition of "Over the Hill" structure
 - b) Mowed grass at cemeteries / Town Hall / Garage
 - c) Raked dirt roads
 - d) Cleaned up cemetery, restocked with black dirt and sand
 - e) Worked on Clarke-Wardner Road, 4 loads of crusher run
 - f) Worked on Keese Mills Road, 1 load of crusher run
 - g) Mowed landfill cover
 - h) Mowed roads
 - i) One Load of crusher run to Park
 - j) General shop work
 - k) Glenn Perrino was on vacation for a week
 - l) Dump run
 - m) Helped with food pantry

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- 2) **ANIMAL CONTROL OFFICER (Tri-Lakes Humane Society):** No report submitted
- 3) **ASSESSOR - Doug Tichenor:** Filed Final Assessment Role with Town Clerk on July 1, 2010
- 4) **CODE ENFORCEMENT OFFICER (CEO) - Paul Blaine:** Report submitted prior to meeting
 - a) **Building Permits:**
 - i) 4 building permits (BP) were issued BP#10-010 thru 10-013
 - ii) Issued three Certificates of Compliance and closed three BPs: BP#08-006, 09-006 and 10-011
 - iii) Issued one Certificate of Occupancy and closed one BP#08-014,
 - b) **Avoidable Alarms Update:** Two avoidable alarms open
- 5) **TAX COLLECTOR - Amber McKernan:** Report submitted prior to meeting
 - a) Received 3 phone calls regarding tax information and sent one fax.
 - b) Continue to have difficulties with the laptop computer, took eleven minutes to load program, had a virus. Need to have a technician look at the computer; BAS costs \$125 per hour. Would like to purchase a new computer for 2011.
 - c) Has not received any information from the Franklin County Treasurer's Office regarding county-wide tax collection software, they are talking to vendors for a new system.
- 6) **TOWN JUSTICE - Nik Santagate:** Report submitted prior to meeting.
Check written to Supervisor in the amount of \$6,460.00 for 70 disposed cases during June
- 7) **HISTORIAN - Mary Ellen Salls:** No report submitted

COMMITTEE REPORTS

- 1) **PARK & RECREATION - Steve Tucker and Peter Shrope**
 - a) **Saranac Lake Youth Soccer Association (SLYSA):** Steve Tucker said there are now 6 soccer fields set up. There are over 400 children that signed up for the program.
 - b) **Park Usage:** Peter Shrope said that Dan Spencer is to record the number of people using the restrooms in the building on a monthly basis
 - c) **Mower for Park:** Discussion was held on the purchase of a used mower versus a new mower. Superintendent of Highways Andy Crary provided the Board with prices.

RESOLUTION #72

PURCHASE OF FLAIL MOWER FOR PARK

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

WHEREAS, the purchase price of a new Woods Finish Mower is \$2,200, and

WHEREAS, the price of a used New Holland Flail mower is \$1,600,

NOW THEREFORE BE IT RESOLVED that the Superintendent of Highways Andy Crary is authorized to purchase a used New Holland, Model 918LO, 60 inch, Flail Mower for the amount of \$1,600.00 from New Holland, Inc. for the Town Park, and

BE IT FURTHER RESOLVED that the Superintendent of Highways will inspect the used New Holland Flail Mower before purchasing it.

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

RESOLUTION #72 declared duly adopted.

- 2) **INSURANCE/INVESTMENTS - Lydia Wright and Supervisor John Quenell:**
 - a) **Investments:** NYCLASS - Highway Fund has interest income is \$29.10 for the month of June with a balance of \$189,925.73 and General Fund has interest income of \$35.99 for the month with a balance of \$235,008.93.
 - b) **Health Insurance:** NYSHIP is being looked at for Health insurance

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3) CEMETERY & TOWN BUILDINGS - Steve Tucker:

a) Cemetery:

- i) A few burials took place
- ii) Has a request for another plot, will meet with the people to decide which plot
- iii) The Rules and Regulations are being reviewed, will address after January 2011.

b) Town Buildings:

Renovation of Town Park Building: Discussion was held on constructing an addition to the Park Field House so the Assumption/St. Paul's Food Pantry could move from the Town Garage to the Park. A 17' X 24' building would be attached to the Field House. It would be built with a concrete foundation with electrical service and heat. There are some donations of supplies. Peter Shrope said he was concerned with the look of the building. He would like to see the architect plan for the building. He said the Town is building a building and should follow protocol and get a building permit. Lydia Wright said she was concerned about spending tax payers' money for a non-for profit organization. She asked if the Food Pantry was going to contribute any funds. The Town will have to pay for the electricity used in the building.

RESOLUTION #73

RENOVATIONS AT TOWN PARK FOR FOOD PANTRY RELOCATION IN THE AMOUNT OF \$1,500

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

RESOLVED that the Town Board allocates \$1,500.00 for the construction of a facility at the Town Park to relocate the Assumption/St. Paul's Food Pantry to the Town Park.

ROLL CALL VOTE: Aye 4 (Leavitt, Quenell, Shrope, Tucker), Nay 0, Abstain 1 (Wright)

RESOLUTION #73 declared duly adopted.

- 4) HIGHWAY- Jeffrey Leavitt, Steve Tucker and Lydia Wright:** Jeffrey Leavitt plans to do a tour of all the Town roads with the Superintendent of Highways
- 5) WEBSITE - Supervisor John Quenell:** Corrected labels on minutes, May 13th and 24th meeting minutes were not on the website. Town Clerk said she received an email concerning the minutes from Rainbow Graphics and sent them last week, an email was returned saying the minutes were already on the website. The Town Clerk does not have the capability to create a "PDF" file. Peter Shrope said there was a free download to allow text files to be converted to "PDF" files; he will add this program to the Town Clerk's computer.
- 6) FIRE ADVISORY BOARD (FAB) – Jeffrey Leavitt & Steve Tucker:** Larry Miller, Supervisor Town of Harriestown, sent a letter to the Village of Saranac Lake, addressing the surrounding towns concern with the Village using assessed value of properties to determine the cost of fire and rescue service. There are no further meetings scheduled at this time.
- 7) TELECOMMUNICATIONS - Jeffrey Leavitt and Supervisor John Quenell:** Jeffrey Leavitt said that suppliers are not interested in putting up any more towers for cell phone service.
- 8) TOWN HALL PROJECT- Supervisor John Quenell, Peter Shrope, and Lydia Wright:** The grant contracts are ready for signing, Supervisor John Quenell is waiting for the State to pass the budget before he sends them in.
- 9) TOWN REDEVELOPMENT CITIZENS COMMITTEE - Susan Mayer:** Report submitted prior to meeting. Supervisor John Quenell gave the following report:
Camp Gabriels: There are two appraisers that need to submit their work by August 1 to OGS. The property will be auctioned off on October 1. There is a "Camp Gabriels Blue Book" available on CD that shows the property. Supervisor John Quenell has a copy. Sue Mayer spoke to Senator Betty Little about having a meeting to discuss the property. An email was sent to Assembly person Janet Duprey, but there was no response. There is a press release for college and universities to look at the property. Supervisor John Quenell sent a letter to Senator Kirsten Gillibrand and Senator Charles Schumer to notify them of the

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property being available for the VA's "Patriot Hill". The response was the Camp is too large for "Patriot Hill".

OLD BUSINESS:

Time Warner Cable Franchise: Supervisor John Quenell is waiting to hear from Steve Horne to see what is involved in getting people on State Route 30 to hook up to the cable line that runs along the highway.

NEW BUSINESS:

1. **Ice Cream Social:** Jeffrey Leavitt set the date for the ice cream social for Saturday, August 28 from 12 noon to 2 p.m. Will advertise in the paper and around the Town.

RESOLUTION #74

PURCHASE OF ICE CREAM FOR 3RD ANNUAL ICE CREAM SOCIAL

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

RESOLVED that Council Member Jeffrey Leavitt be authorized to purchase ice cream and advertise in the Adirondack Daily Enterprise for an amount Not to Exceed \$300 for the 3rd Annual Ice Cream Social to be held on Saturday, August 28 from 12 noon to 2 p.m. at the Town Park.

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

Resolution #74 declared duly adopted.

2. **Brighton History Day:** Steve Tucker said the Brighton History Days are scheduled for Saturday, July 31, and Sunday, August 1, at the Tucker Farm on Hobart Road from 12 noon to 5 p.m.

CITIZENS COMMENTS:

George Earle – Paul Smiths: Distributed a letter to the Town Board concerning the fire alarm issues with Paul Smith's College and the Fire Department. He would like to see this issue resolved without further tax payer expense.

Supervisor John Quenell said if the College is interested in making a settlement offer they should do that through the lawyer to the Town's lawyer. This problem is in litigation and the Town Board will not operate independently. Any further discussion by the Board should be held until Executive Session.

Tom McKernan -Gabriels: Asked if the tax levy on the "Over the Hill" property would be added to the Town's portion or the County's portion of the warrant.

Supervisor John Quenell said it would be added to the Town's warrant that the County would have to satisfy first.

EXECUTIVE SESSION:

Motion made by Supervisor John Quenell, second by Steve Tucker, to **GO INTO EXECUTIVE SESSION, at 9:55 p.m., in accordance with Public Officers Law, Article 7, Section 105(d) to discuss current litigation "Town of Brighton vs Paul Smith's College" Avoidable Alarm Violations and Section 105(e) collective negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law).**

Aye 5 (Leavitt, Quenell, Shrope, Tucker, Wright), Nay 0

Motion made to **GO OUT OF EXECUTIVE SESSION** by Supervisor John Quenell at 10:21 p.m., second by Steve Tucker. **Aye 5 (Leavitt, Quenell, Shrope, Tucker, Wright), Nay 0**

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AUDIT OF VOUCHERS

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

RESOLUTION #75

PAYMENT OF AUDITED VOUCHERS AS LISTED ON THE ABSTRACTS

Motion made by Lydia Wright, **second** by Steve Tucker,

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

PREPAID FUNDS: Abstract #7 for Voucher #7A through and including 7C for 2010 General Funds in the amount of \$665.56 and 2010 Street Light Funds in the amount of \$51.66

GENERAL FUND: Abstract #7 for Voucher #169 through and including #188 for 2010 funds in the amount of \$25,560.81

HIGHWAY FUND: Abstract #7 for Voucher #57 through and including #66 for 2010 funds in the amount of \$5,041.13

CAPITAL PROJECT - TOWN HALL PROJECT: Abstract #15 for Voucher #26 for Capital Project funds in the amount of \$ 1,920.28.

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

Resolution #75 declared duly adopted.

ADJOURNMENT

Motion to Adjourn at 10:42 p.m. made by Supervisor John Quenell, **Second** by Peter Shrope, **Aye 5 (Leavitt, Quenell, Shrope, Tucker, Wright), Nay 0**

Respectfully Submitted,

Elaine Sater
Brighton Town Clerk