

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

July 10, 2008

Page 1 of 10

The Regular Monthly Meeting of the Town Board of the Town of Brighton was held Thursday, July 10, 2008 at 7:00 p.m. at the Brighton Town Hall, Paul Smiths, NY, with the following:

CALL TO ORDER:

Meeting was **Called to Order** by Deputy Supervisor Steve Tucker at 7:04 p.m.

The Board said the "Pledge of Allegiance to the Flag"

ROLL CALL OF OFFICERS

PRESENT: Deputy Supervisor Steve Tucker, Council Members: Sheila Delarm, Jeffrey Leavitt, and Lydia Wright

ABSENT: Supervisor Peter Martin, Sr. (For the second consecutive month)

OTHERS PRESENT: Paul Blaine - Code Enforcement Officer, Andy Crary - Superintendent of Highways, and Elaine Sater - Town Clerk

RESIDENTS: There was one resident present

GUEST: None

NOTICE OF MEETING: Notice was posted on the Town Clerk's Sign Board in front of the Town Hall.

APPROVAL OF MINUTES

- Regular Board, June 12, 2008

Motion made by Sheila Delarm, **second** by Jeffrey Leavitt, **to approve the minutes of the Regular Town Board meeting held on June 12, 2008, with the following change to Page 5, Para 1, a, xviii, White Pine Road Bridge, first sentence: Delete "company the County uses to inspect bridges" and replace with "NYS DOT."**

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

TOWN CLERK'S REPORT

Total Revenue to Supervisor as of June 30, 2008 was \$1,410.86

3 DEC Sport Licenses

9 Dog Licenses: 5 Renewal and 4 New

5 Building Permits (#08-06 to 10)

1 FOIL request

1. June 12, faxed Notice of Consent from DEC to the Attorney for the Town
2. June 17, posted Notice of Alternate Board of Assessment Review (BAR), BAR met on June 23 from 5 p.m. to 9 p.m.
3. June 19, received call from Attorney for the Town, Re: Dog Control Law, reviewed Law for the Justice but was not able to contact Justice to speak to him. The Justice asked the Board not to pay the invoice from the Attorney since he has not received an answer to his questions about the Local Law.
4. July 1, Final Assessment Role for 2008 was filed by the Assessor in the Town Clerk's Office and is available for public viewing until September 1, 2008.
5. TOWN HALL REQUESTS: None
6. TOWN PARK REQUESTS: Spencer Family- Saturday, June 21, 2 p.m.; Mental Health Association - Tuesday, July 22, 11-2 p.m., Town of Brighton - Saturday, August 9 (23 rain date), 1-5 p.m.; and Spencer Family- Sunday, August 17, 1-6 p.m.

SUPERVISOR'S FINANCIAL REPORT/CORRESPONDENCE

1. Financial Report:

- a. Town Accounts: Total funds of \$540,658.93 in the Town's accounts as of July 8
- b. CLASS Investments: Total interest for June 2008 was \$792.48; \$443.86 for the General Fund and \$348.62 for the Highway Fund
- c. Budget Amendment: General Fund amendment due to mileage costs for the Justice.

GENERAL FUND 2008 BUDGET AMENDMENT #4

Motion made by Deputy Supervisor Steve Tucker, **second** by Lydia Wright, **To Wit:**

RESOLVED that the following amounts be and the same hereby are transferred:

\$ 450.00 from Account No. A1990.4 (Contingency)

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

July 10, 2008

Page 2 of 10

As follows:

\$ 450.00 to Account No. A1110.4 (Justice)

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

GENERAL FUND 2008 BUDGET AMENDMENT #4 declared duly adopted.

d. **Audit of Financial Records:** The Supervisor did not appear at 5:45 p.m. to get his financial records audited, **Jeffrey Leavitt** said that he spoke with the Supervisor at 4:31 p.m. this afternoon and he said he would be here and his books would be here to be audited. He is tired of being lied to by the Supervisor.

Steve Tucker said he spoke with the Supervisor from 5 p.m. to 6:15 p.m. and he said he did not want a confrontation with the board so he would not be at this meeting. The Supervisor's books were left in the Town Hall for the audit but they could not be found at the time of the audit.

2. Correspondence:

a. NYS Department of Agriculture and Markets, dated June 6, 2008, Re: Requests for Proposals for Farmland Protection Implementation (FPI) Projects, there are requests for proposals (RFPs) available to solicit State assistance payments for FPI Projects.

b. Conboy, McKay, Bachman & Kendall, LLP, dated June 27, 2008; RE: NYS DEC Order on Consent; Attorney for the Town spoke with the DEC lawyer to get the fine reduced. The DEC is not willing to reduce the fine anymore.

Sheila Delarm will submit the DEC "Order on Consent" to the insurance company (NYMIR) for review. The Highway Department will clear the trees from the Slush Pond Road and chip them up when a chipper is available.

c. Conboy, McKay, Bachman & Kendall, LLP, dated June 27, 2008 Re: Appraisals on the Earle property,

RESOLUTION #62

AUTHORIZATION TO HIRE AN APPRAISER FOR ARTICLE 7 RPL PROCEEDINGS

Motion made by Lydia Wright, second by Steve Tucker, To Wit:

WHEREAS, the Town Board of the Town of Brighton has an Article 7 of the Real Property Law case pending in the Supreme Court of Franklin County,

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes the Attorney for the Town, **Scott Goldie**, to contract with **Hostetter Appraisal Services** for \$2,000 to appraise a property in the Town of Brighton for a Certiorari Tax Assessment proceeding (File #2516.0010) plus actual time and travel expense for additional consultations and court testimony if necessary.

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

RESOLUTION # 62 declared duly adopted.

d. Letter to Rabideau, Re: Response for Nonacceptance of Bids; in the May 5 minutes the Supervisor was to send a letter to Rabideau Corp. to further explain the refusal of all bids for the Town Hall Project. A copy of the letter of response has not been filed with the Town Clerk and the Board members have not received a copy. Steve Tucker will contact the Supervisor to determine if the letter was sent.

DEPARTMENT REPORTS

1. ANIMAL CONTROL OFFICER (Tri-Lakes Humane Society): Report received prior to the meeting

a. During May handled a total of 6 calls: 2 in reference to pet adoption and 4 in regards to the Dangerous Dog complaint that was made in Paul Smiths. Was ordered by the Court to seize a dog and impound it at the humane society pending the outcome of the Dangerous Dog hearing. After the hearing, was ordered by the Court to approve the fencing that the owner of the dog had installed to prevent the dog from escaping. The fence was approved as adequate in keeping the public safe and the dog was redeemed by the owner.

b. During June handled 2 calls, 1 call in reference to a lost pet and 1 call to borrow a dog crate to keep a dog indoors during the thunder/wind/hail storm that passed through the region on June 10.

2. ASSESSOR (Doug Tichenor): Report submitted prior to meeting

a. Grievance Day was held on June 23 with an alternate Board of Assessment Review (BAR) from Franklin County. Three complaints, which are pending Article 7 cases, were filed. No changes were made.

b. The Final Assessment Roll was filed on July 1

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

July 10, 2008

Page 3 of 10

- c. In order to avoid the complications that occurred this year with Grievance Day would like to make the following recommendations:
 - i. The BAR and Assessor meet early in April to establish the time for the meeting on Grievance Day. The Town has already established Grievance Day to be on the second Thursday after the Fourth Tuesday in May (which is the first Thursday in June). This meeting will also serve as a reminder of the pending day.
 - ii. The BAR and Assessor also meet in mid October to review any roll corrections that need to be made. Also to review small claims and Article 7 cases that may have occurred in the Town.
- d. The Board will need to appoint a new BAR member if Mr. Samburgh does not want to come back to serve. The Board could make the BAR a 5-person board to cover instances when there is not a quorum at a BAR meeting.
- e. Has met with the Code Enforcement Officer (CEO) and has found the CEO to be someone he looks forward to working with in the future.

- 3. **CODE ENFORCEMENT OFFICER (CEO) (Paul Blaine):** Report submitted prior to the meeting
 - a. For 2008, issued 10 permits
 - b. For 2007, 22 permits open, issued 1 Certification of Occupancy (CofO) and 1 Certificate of Completion (CofC)
 - c. For 2006, 14 permits open, issued 1 renewal
 - d. For 2005, 6 permits open
 - e. For 2004, 6 permits open
 - f. For 2003, all permits closed
 - g. Inspected active projects for the required inspections and have become familiar with the organization of the Codes office.
 - h. Computer & Software Purchase: Spoke with John Bray, Computer Administrator, concerning setting up wireless. The voucher for the BAS software has been submitted for half the cost, the remainder will be paid after the installation and training is completed.
 - i. Local Law for Junk Storage: Submitted a draft proposed local law to the board for review. Discussion was held. This local law would repeal the Local Law 3 of 2001.

Sheila Delarm will forward the draft of the local law to Scott Goldie, Attorney for the Town.

A Special Meeting will be held on Wednesday, July 23 at 7 a.m. to discuss this law further with the CEO.

- 4. **TAX COLLECTOR (Amber McKernan):**
 - a. Lydia Wright audited the Tax Collectors Financial Records prior to this meeting. They are in excellent order as usual.
 - b. Amber McKernan submitted report prior to meeting
 - i. Sent out 5 faxes and have received numerous telephone requests for tax information
 - ii. The June bank statement was received and balanced. There are still several checks outstanding. The total amount is \$14.01. Inquired at NBT bank about the possibility of an interest-bearing account for this office; waiting for a reply.
 - iii. July 9, received a phone call from the Allen Tunnell agency requesting information about Tax Collecting software and whether a computer was available with which to network with the county offices in the event a universal program were to be available for a county-wide data base. Not other information was required. Inquired as to when the information gathered in this survey would be available. Received a phone call today advising that it should be available from Bryan Varin, Franklin County Treasurer, by late in August.
 - iv. Prepared books for Audit by the Town of Brighton Board
 - v. Office will be closed Monday, July 14, through Wednesday, July 16. Will leave a voice message to that effect. The Deputy will be available to address any requests for information after 4 p.m. The office will also be closed on Thursday and Friday, August 7 and 8.
 - vi. Made an error in submitting voucher for mileage to the Tax Collector's seminar. Reimbursed the Town for the overpayment in the amount of \$107.71.

5. **TOWN JUSTICE (Nik Santagate):** No report available

6. **HISTORIAN - Mary Ellen Salls:** No report

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

July 10, 2008

Page 4 of 10

COMMITTEE REPORTS

1. HIGHWAY DEPARTMENT - Jeffrey Leavitt and Steve Tucker:

- a. **Report from Andy Crary, Superintendent of Highways**, submitted prior to the meeting
 - i. Picked up 2002 Paystar at MA Jerry in Plattsburgh, back brakes had to be replaced also.
 - ii. Made several dump runs for Town garbage; asked if St. Paul/Assumption's Food Pantry trash is supposed to be paid for by the Town. They have started collecting bottles to raise funds and the trash could get out of hand. The Town has paid to remove the Food Pantry trash in the past.
 - iii. Cut trees out of the McColloms road
 - iv. Mowed and weed wacked both cemeteries, Town Hall and garage
 - v. Cleaned out old vault at Mt. View Cemetery and demolished it. Took materials away and cleaned up old site, stained the remaining building
 - vi. All employees attended a safety meeting at Harrietstown
 - vii. Performed general maintenance around garage
 - viii. Cleaned up tree that was down on County Road 60. Someone ran into the tree when it was on the ground and blew a tire; the individual wants the Town to replace the tire. The Town is not responsible for County Road incidents. It was removed for safety purposes by the Town.
 - ix. Road raked dirt roads
 - x. Checked roads
 - xi. Need to put the 1989 L9000 plow truck out to bid again with a minimum of \$4,000.
 - xii. Computer printer from the Town Garage has been transferred to the Code Enforcement Officer
 - xiii. There is a voucher from High Peaks Ford for brake shoes in the amount of \$82.50 for the Ford Pickup. Other work was completed on the pick-up that was under warranty. The bill from the company did not reflect this cost but the monthly invoice did.

RESOLUTION #63

AUTHORIZATION TO RE-ADVERTISE 1989 L9000 PLOW TRUCK AS SURPLUS EQUIPMENT

Motion made by Steve Tucker, Second by Lydia Wright, To Wit:

RESOLVED that the Superintendent of Highways Andy Crary be authorized to re-advertise for bids to sell the 1989 L9000 Snow Plow Truck two times in the Adirondack Daily Enterprise and Press Republican for a minimum bid of \$4,000. Bids to be opened at the August 14 Regular Board meeting.

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

RESOLUTION #63 declared duly adopted.

- b. **CSEA Contract:** No response from the CSEA representative on the new contract
- c. **Snow and Ice Contract for 2008** needs voucher signed so County can pay Town for services
- d. **MOU for Shared Services Grant:** Franklin County received a grant for a paver and wants the Town to sign a MOU for sharing the paver

RESOLUTION #64

AUTHORIZATION TO SIGN MOU WITH FRANKLIN COUNTY HIGHWAY DEPARTMENT FOR PAVER

Motion made by Lydia Wright, Second by Steve Tucker, To Wit:

WHEREAS, the County of Franklin Highway Department applied for a grant to purchase a paver and this grant has been approved by NYSDOS,

NOW THEREFORE BE IT RESOLVED that the Deputy Supervisor, Steve Tucker, be authorized to sign a Memorandum of Understanding (MOU) with Franklin County Highway Department for the use of the County paver on Town Roads. The Town is responsible for paying for materials, supplying the trucks and manpower for hauling the materials, submitting the request for County Highway Department assistance, sending the resolution "to hold the County harmless, getting State agency permits, if needed, and having the road ready for paving.

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

RESOLUTION #64 declared duly adopted.

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

July 10, 2008

Page 5 of 10

RESOLUTION #65

AUTHORIZATION TO HOLD FRANKLIN COUNTY HARMLESS FOR PAVING TOWN ROADS

Motion made by Steve Tucker, Second by Lydia Wright, To Wit:

WHEREAS, Franklin County provides the paving machinery for paving the roads in the Town of Brighton, and

WHEREAS, the County received a grant for a new paver, and

WHEREAS, the Town Board has approved a Memorandum of Understanding with the County,

NOW THEREFORE BE IT RESOLVED that the Town of Brighton covenants and agrees to defend, indemnify and hold harmless the Franklin County Highway Department against any claims, actions or judgements arising out of the Town of Brighton's actions involved in, or associated with, all highway repairs for which it has requested the assistance of the Franklin County Highway Department for the year 2008.

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

RESOLUTION #65 declared duly adopted.

- e. **County Road 60 Speed Limit:** No further information
- f. **State Route 30:** The Board discussed requesting a reduction in speed near the intersection of Keese Mills Road, Paul Smiths College, State Route 30, and State Route 86.

RESOLUTION #66

AUTHORIZATION TO REQUEST AN ASSESSMENT OF THE SPEED LIMIT ON STATE ROUTE 30 NEAR THE INTERSECTION AT PAUL SMITH COLLEGE

Motion made by Sheila Delarm, Second by Lydia Wright, To Wit:

WHEREAS, the intersection at Paul Smith's College entrance, State Route 30, State Route 86, and Keese Mills Road, is dangerous: there was a fatality in 1999 at this intersection and there is limited sight from State Route 86 where vehicles must pull into the traffic lane to see south on State Route 30 over the guard rails and beyond a large pine tree, **NOW THEREFORE BE IT RESOLVED that the Town Board authorizes a request to be submitted through the Franklin County Highway Department to the New York State (NYS) Department of Transportation to investigate and assess the speed limit in accordance with NYS Vehicle and Traffic Law, Section 1620, from the bridge on State Route 30 south of the south entrance to Paul Smith College, past the intersections with State Route 86 and Keese Mills Road, north toward the NYS Visitor's Interpretive Center and reduce the speed limit to 45 m.p.h. and**

BE IT FURTHER RESOLVED that the NYS Department of Transportation remove the white pine tree that is blocking driver's view from State Route 86 of the south bound lane on State Route 30.

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

RESOLUTION #66 declared duly adopted.

- g. **White Pine Road Bridge:** June 24 Superintendent of Highways Andy Crary received a notice from the State of New York Department of Transportation that the bridge on White Pine Road had been "red flagged". Had a meeting with the State of New York Department of Transportation (NYSDOT), put up warning signs on the bridge.
- i. A FOIL request was sent from the Highway Committee to the Franklin County Clerk and Clerk of the Legislature as follows:
 - "While researching our records concerning the White Pine Road Bridge, we are unable to find any documentation regarding the transfer of this bridge from the County to the Town of Brighton. Please provide the following documents:
 - 1) All documents pertaining to the transfer of ownership of the White Pine bridge from Franklin County to the Town of Brighton.
 - 2) The response to the Franklin Co. Replacement Bridge Project grant application (submitted April 1996) for the White Pine Rd. Bridge in the Town of Brighton, of which the response should have been around July 1996.
 - 3) The annual inspection by the Franklin Co. Department of Highways for the Town of Brighton roads and bridges for 1969, 1970, 1971.

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

July 10, 2008

Page 6 of 10

Please e-mail the above documents as pdf files, if possible, to brightontc@adelphia.net.

If you need to contact us, please call 578-8436 (Steve Tucker), 891-6666 (Jeff Leavitt) or the Town Clerk Elaine Sater) at 327-3202"

- ii. The response from the County Clerk was as follows:
"the only part of your FOIL request that pertains to the County Clerk's Office is #1. This refers to real property from the County to the Town of Brighton. I have searched UNDER NAME 'TOWN OF BRIGHTON' for your documentation. I find no agreement, no right of way and no transfer of property from the county to Town of Brighton. The searched dates were between 10/65 and 7/6/08. Other requests for #2 & #3 are not documents filed or recorded in the County Clerk's Office. Wanda Murtagh, Co. Clerk"
 - iii. The initial letter was forwarded by email to Gloria Valone, Clerk of the Franklin County Legislature, for her response.
 - iv. The Supervisor has been dealing with this issue since May 2006, he did not think the bridge would be "red-flagged". However, when the bridge was "red-flagged on June 24, 2008 the Board decided to step in and take over. A letter was found in old files dated November 22, 1994 from the Franklin County Department of Highways, Richard Brown, to David MacDowell, Administrator, when David MacDowell is attempting to apply for a HUD grant for replacing this bridge. Research of the history of the bridge in old minutes shows that in 1996 there was mention of a grant being applied for by Franklin County to repair the bridge. There is no documentation to show the Town owns the bridge.
 - v. Jeffrey Leavitt spoke with an individual who is intimately knowledgeable of this bridge and he suggested that the bridge was owned by a private party. Jeffrey Leavitt spent several hours in the County Court house researching deeds for the property in question but was unable to find the complete deeds. The NYSDOT nor the County have records of who actually owns the bridge. The Town of Brighton does not have any record of ownership of the bridge. Gordy Crossman, County Legislature, spoke with Jeffrey Leavitt concerning the bridge, he is looking for a temporary bridge.
 - vi. The Superintendent of Highways, Andy Crary, remembers the county pouring new footers for the bridge in the past. The Town has never done any work on the bridge.
 - vii. This matter is being turned over to the Attorney for the Town to notify the NYS DOT that the Town does not own the bridge. Steve Tucker will draft a letter to notify the property owners beyond the bridge that the bridge has been "red-flagged".
- h. **Slush Pond Road:** This matter has been turned over to the Attorney for the Town, see Supervisor's Correspondence, Page 2, Para 2b.
- i. **Split Rock Road:** Guardrails still need to be completed on one side

2. PARK & RECREATION - Steve Tucker and Lydia Wright

- a. The Saranac Lake Area Youth Program started this week, no numbers are available of attendees yet
- b. Andy Crary, Superintendent of Highways, suggested the Park get a flail mower to mow the park, instead of the small riding mower that is used now. It will be put in the budget for next year.
- c. Dan Spencer will be on vacation August 7 to 11, he can make up the hours by coming in early on days people who want to use the park before 5 p.m.
- d. Received a letter from Susan Clark dated May 27, 2008, Re: Unavailability of Bathrooms at Park, reservation request was for 10 a.m. Discussion was held on this issue. Dan Spencer has the flexibility, if he is available, to be at the park for the times when people reserve it outside his regular hours. He receives a copy of all reservations from the Town Clerk. People who reserve the park are notified of the Park Attendant's regular hours. Steve Tucker said he will have the port-a-potty put at the park earlier in May for next year, it was put in in June this year because there was no "little league" ball players using the park. He will send a letter of reply to Susan Clark.

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

- a. NYMIR sent a letter discussing the Town's responsibility to remove trees that are in the right-of-ways
- b. Mang responded concerning the "deputies" bond coverage, the tax collector and supervisor positions are bonded, not the person, so who ever is doing the duties is covered up to \$400,000 by the insurance, regular

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

July 10, 2008

Page 7 of 10

employees are covered up to \$50,000. No separate schedule is needed for "deputies".

c. Nothing to report for Investments

4. **CEMETERY - Steve Tucker and Jeffrey Leavitt:** The vault has been removed and the remaining building painted. A letter to reserve a lot in Mt. View Cemetery was received from Robert Tummons.

5. **TOWN BUILDINGS - Steve Tucker and Jeffrey Leavitt**

a. **Town Hall:**

i. **Copier:** A decision to buy or return the copier needs to be made before the letter can be sent to Wells Fargo concerning the lease.

RESOLUTION #67

AUTHORIZATION TO PURCHASE COPIER FOR TOWN HALL

Motion made by Lydia Wright, second by Sheila Delarm, To Wit:

WHEREAS, the lease on the Kocera 2530 copier ends on December 2, 2008, and

WHEREAS, the Town must notify Wells Fargo Leasing between 180 and 120 days of the date of expiration of its intension to terminate the lease,

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes the Town Clerk to purchase the Kocera 2530 copier in the Town Hall and obtain a maintenance agreement for \$125.00 with Lockrows of Plattsburgh.

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

RESOLUTION #67 declared duly adopted.

ii. **Town Hall Project Grant (Lydia Wright and Jeffrey Leavitt):**

(1) Grant for Town Hall Project was submitted on June 30 to the NYS Parks, Recreation, and Historic Preservation Office for \$400,000. The Town will provide \$200,000 of matching funds.

(2) A letter of support from Senator Betty Little was received.

iii. **Furnace** has been shut off for the summer, the hot water heater is also shut off

b. **Garage:**

i. **Boundary lines:** Superintendent of Highways Andy Crary checked the survey job by Chris Leifheit, boundary lines are well marked.

ii. **Salt Shed Grant:** No further information

c. **Park:** Dan Spencer has been taking the Park's garbage to the landfill in his own vehicle. He was charged this last time. The Highway Department should be taking the garbage to the dump.

Steve Tucker will talk to Andy Crary, Superintendent of Highways, concerning this issue.

CITIZENS COMMENTS:

Rouse Fountain: Is having trouble reading the minutes on the website. Will be publishing a "Brighton Recorder" soon and is looking for information to put in it.

Town Board members are reading the minutes on the website with no problem. The files are in "PDF" and need "adobe acrobat reader" to access them. He may have to update his "adobe reader".

OLD BUSINESS

1. **FIRE ADVISORY BOARD (FAB) UPDATE - Sheila Delarm:** Next meeting is on Tuesday, July 29 at 5 p.m. at the Harrietstown Town Hall; Steve Tucker will plan to attend. Funds that were paid for an "EMT" needs to be discussed. The Saranac Lake Village Fire Department and Rescue Department may be splitting into two entities in the future.

2. **BUOYS ON SPIT FIRE LAKE- Lydia Wright:** Will contact Ann Weld of St. Regis Lake Association to see if

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

July 10, 2008

Page 8 of 10

they are still interested in maintaining the buoys. A new application has to be submitted if they still want the buoys.

3. **FALSE ALARMS - Sheila Delarm:** No further information
4. **TIME WARNER CABLE IN MCCOLLOMS:** Steve Tucker said Supervisor Peter Martin told him that he spoke with Nancy Reich and she asked for more information on the names of residents of McColloms.
5. **RESCUE CONTRACT WITH VILLAGE OF SARANAC LAKE:** No contract has been received as of this meeting
6. **CODE OF ETHICS:** No further information, will be discussed at next meeting
7. **POST OFFICE IN GABRIELS:** Sheila Delarm spoke with Richard Russo, Real Estate Specialist from the Post Office, everything is still on track. Received an email dated June 20, from Richard Russo, RE: The environmental studies are completed; waiting for responses from governmental agencies.
8. **SMART GROWTH GRANT-Sheila Delarm:** Grant package was sent to Town on July 9.
9. **DISASTER PREPAREDNESS SURVEY LETTER:** The response to the Disaster Preparedness survey letter was overwhelming, there are still responses being received.
10. **LETTER FROM BOARD TO TOWN SUPERVISOR:** The Town Board wrote a letter dated July 7, 2008 to Supervisor Peter Martin concerning his job performance. Supervisor Peter Martin met with Steve Tucker after he read the letter on July 10 and decided not to attend this meeting to avoid a confrontation with the Town Board. Discussion was held with Rouse Fountain who said he would publish information addressing the Board's concerns in the Brighton Recorder. Rouse Fountain said he would speak with Supervisor Peter Martin to get his side of the story. He will run his article by the Board before he publishes it. Letter is attached to these minutes.

FIRST EXECUTIVE SESSION

Motion made by Lydia Wright TO GO INTO EXECUTIVE SESSION at 10:41 p.m. pursuant to Public Officer's Law, Article 7, Section 105, para f, to discuss the employment history of a particular individual, second by Sheila Delarm. Aye 4 (Delarm, Leavitt, Tucker, Wright), Nay 0, Absent 1 (Martin)

Motion made by Lydia Wright to GO OUT OF EXECUTIVE SESSION at 10:54 p.m., second by Steve Tucker, Aye 4 (Delarm, Leavitt, Tucker, Wright), Nay 0, Absent 1 (Martin)

Motion made by Jeffrey Leavitt, second by Lydia Wright, to enter into the minutes a letter from the Town Board dated July 7, 2008 to the Supervisor Peter Martin concerning his job performance. Aye 4 (Delarm, Leavitt, Tucker, Wright), Nay 0, Absent 1 (Martin)

SECOND EXECUTIVE SESSION

Motion made by Lydia Wright TO GO INTO EXECUTIVE SESSION at 11:15 p.m. pursuant to Public Officer's Law, Article 7, Section 105, para d, to discuss information relating to litigation, second by Sheila Delarm. Aye 4 (Delarm, Leavitt, Tucker, Wright), Nay 0, Absent 1 (Martin)

Motion made by Lydia Wright to GO OUT OF EXECUTIVE SESSION at 11:28 p.m., second by Steve Tucker, Aye 4 (Delarm, Leavitt, Tucker, Wright), Nay 0, Absent 1 (Martin)

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

July 10, 2008

Page 9 of 10

NEW BUSINESS

- 1. WEBSITE UPDATE:** Received an email from Rainbow Graphics dated June 26, 2008 requesting someone to check the updated Town Hall Restoration Project information submitted by Pat Willis. The setup and photo show was donated to the Town by Rainbow Graphics and Pat Willis. Lydia Wright reviewed the information.
- 2. TIME WARNER CABLE LETTER:** Received letter of notification that Time Warner Cable is now a separate company from Time Warner Incorporated.
- 3. LETTER OF RESIGNATION FROM BAR MEMBER:** Received a letter of resignation from E. Philip Delarm dated July 8 from the Board of Assessment Review (BAR). Town needs to advertise for more BAR members. Sheila Delarm spoke with the Franklin County Office of Real Property on May 15 and was told the BAR could meet with two members this year. She said the BAR was not a legal with only two members for this year. She said the new BAR needs to make sure the Assessor is doing a good job for the Town.

RESOLUTION #68

AUTHORIZATION TO ADVERTISE FOR BAR MEMBERS

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

WHEREAS, there have two resignations from the Board of Assessment Review in the past two months,

NOW THEREFORE BE IT RESOLVED that the Town Clerk be authorized to advertise for Board of Assessment Review members. Applicants must be 18 years of age or older, a resident of the Town, experienced in property valuation, and willing to attend the Franklin County Board of Assessment Review training in the spring.

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

RESOLUTION #68 declared duly adopted.

- 4. ACCESS TO A COMPUTER FOR BOARD MEMBERS:** Jeffrey Leavitt said that the Board members need access to a computer to do Town Business. A wireless system is being installed in the Town Hall for the Code Enforcement Officer and Justice, the board could also use this system to access the internet and the printer. The Laptop could be used if it has wireless capability added to it.
- 5. TOWN MAIL AT CAMP GABRIELS:** Jeffrey Leavitt said he was told that the Town's mail was being received at Camp Gabriels where the Supervisor works. He asked if he should pursue this issue. A letter of complaint should be sent to the Town Board if there is a problem before any actions is taken.
- 6. ICE CREAM SOCIAL:** Jeffrey Leavitt is working on an Ice Cream Social at the Town Park for Saturday, August 9 or 23 if it rains. Stewart's has ice cream sundae package that the Town can purchase if Stewart's is not willing to make a donation. Jeffrey Leavitt will contact Gus Miller at the Corner Café to see if he has freezer space.

RESOLUTION #69

AUTHORIZATION TO PURCHASE ICE CREAM FOR THE ICE CREAM SOCIAL

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

RESOLVED, that Council Member Jeffrey Leavitt be authorised to purchase \$150.00 worth of ice cream sundaes from Stewart's Shop for the Ice Cream Social on August 9 at the Town Park.

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

RESOLUTION #69 declared duly adopted.

AUDIT OF VOUCHERS

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

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

July 10, 2008

Page 10 of 10

RESOLUTION #70

AUTHORIZATION TO PAY AUDITED VOUCHERS AS LISTED ON THE ABSTRACTS

Motion made by Lydia Wright, second by Sheila Delarm, To Wit:

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

PREPAID FUNDS: Abstract #7 for Voucher #7A and #7B for 2008 General Funds in the amount of \$335.50 and 2008 Street Light Funds in the amount of \$54.33

GENERAL FUND: Abstract #8 for Voucher #170 through and including #191 for 2008 funds in the amount of \$10,692.95

HIGHWAY FUND: Abstract #8 for Voucher #73 through and including #79 for 2008 funds in the amount of \$7,407.41

CAPITAL PROJECT TOWN HALL PROJECT FUNDS: Abstract #10 for Voucher #13 in the amount of \$1,223.44

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

Resolution #70 declared duly adopted.

ADJOURNMENT

Motion to Adjourn at 12:05 a.m. on July 11, 2008 made by Lydia Wright, Second by Sheila Delarm, Aye 4, Nay 0, Absent 1 (Martin)

Respectfully Submitted,

Elaine Sater
Brighton Town Clerk

1 Attachment: Letter to Supervisor, dated July 7, 2008 from Town Board - 14 pages