

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

**October 13, 2011**

Page 1 of 6

The Regular Monthly Meeting of the Town Board of the Town of Brighton was held Thursday, October 13, 2011 following a Special Meeting held at 5:30 p.m. at the Brighton Town Garage, 17 County Road 31, Paul Smiths, NY, with the following:

**CALL TO ORDER:**

Meeting was Called to Order by Supervisor John Quenell at 7:10 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:** Andy Crary – Superintendent of Highways, Amber McKernan - Tax Collector, Elaine Sater-Town Clerk, and Daniel Spencer – Park Attendant

**RESIDENTS:** There were six residents present

**GUESTS:** Chris Alcocer, North County Construction Services

Pledge to the Flag was recited

***APPROVAL OF MINUTES***

- Regular Board September 8, 2011

**Motion made** by Supervisor John Quenell, **second** by Steve Tucker, **to approve the minutes of the Regular Board meeting of September 8, 2011 as written.**

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

-Special Board September 22, 2011

**Motion made** by Supervisor John Quenell, **second** by Steve Tucker, **to approve the minutes of a Special Board meeting held on September 22, 2011 as written.**

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

-Special Board October 6, 2011

**Motion made** by Supervisor John Quenell, **second** by Steve Tucker, **to approve the minutes of a Special Board meeting held on October 6, 2011 as written.**

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

***TOWN CLERK'S REPORT***

**Total Revenue to Supervisor as of September 30, 2011 was \$ 1,518.30**

2 Sport Licenses

10 Dog Licenses, All Spayed/Neutered

9 Building Permits (#11-14 to 22)

1 Notary

1. September 22 faxed notice of Special Meetings on October 6 and 13 to the Adirondack Daily Enterprise; September 29 posted notices for Special Meetings on the Town Clerk's Sign Board, at the three post offices and local businesses.
2. TOWN HALL REQUEST: None
3. TOWN PARK REQUEST: Saturday, October 1, Saranac Lake Youth Soccer Association, 8:30 a.m. to 1:30 p.m.; Friday, October 7, Paul Smith's College Rugby, 12 noon to 6 p.m. and Saturday, October 8 and 15, 11:00 a.m. to 5:00 p.m.
4. RECORDS MANAGEMENT: Nothing to Report

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

**October 13, 2011**

Page 2 of 6

***SUPERVISOR'S REPORT***

**1. Town Hall Project Update – Chris Alcocer:**

- a. **Piers:** Contractor used existing bases for the piers in the front of the Town Hall.
- b. **Time Line:** Construction is expected to be completed about November 11, with November 23 as the close out date.
- c. **Windows:** Have been ordered and will arrive in one week.
- d. **Submittals:** All have been accepted and approved, except the floor finish
- e. **Information Technology (IT):** The Town is providing the IT support. Peter Shrope volunteered to design a furniture layout to determine the computer connections. He will help put the electronic wiring under the floor for the computer hookups. The old circuit was left in the attic and capped off.
- f. **Radiators:** Contractor is having a challenge finding matching radiators for the main hall. Someone suggested Fletcher's in Tupper Lake or Camp Gabriels' radiators that were cut off in the buildings when the camp was closed. The old copper fitted tubular heaters are not being reinstalled. The furnace is not being moved. The vent was put on the ridge.
- g. **Furniture:** Supervisor John Quenell has a line on a conference table from Historical Saranac Lake. Peter Shrope will contact the Saranac Lake Chamber of Commerce where it is stored.
- h. **Financing:**
  - 1) **Grant reimbursement:** The Town has to spend the funds first and then the State will reimburse the Town.
  - 2) **Application #1** has been submitted by the contractors and approved by the architect for payment of about \$30,000. The second submittal will be about \$90,000.
  - 3) **BAN for Bridge Financing:** Supervisor John Quenell distributed an updated budget for the Project. He proposes a BAN to cover the expenses. Lydia Wright asked if the amount of \$150,000 is necessary when the project does not need that much, according to the Cash Position Outlay it is only \$125,781.67. The Comptroller's Office told her that the Town cannot borrow more than the project needs. She asked if an opinion was obtained about this being subject to permissive referendum. Jeffery Leavitt said the project should be stopped, he said the Town was struggling to find funds to pay for the employee pay increases and should not be borrowing money. He said on the other hand the contractors would like to get paid. Discussion was held on the using Town reserve funds, which are not getting any interest at this time, for this project. Supervisor John Quenell said that he did not want to use Town reserve funds in case something goes wrong with the reimbursement from the State. He said the Town cannot borrow money for Town operating expenses, if the funds are not reimbursed in a timely manner. Steve Tucker said it took 90 days to get reimbursed for a grant he had from the State a few years ago.

**RESOLUTION #58**

**BOND ANTICIPATION NOTE FOR TOWN HALL PROJECT IN THE AMOUNT OF \$150,000**

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

**WHEREAS**, through advanced donations and previous contributions from the Town's General Fund, it appears that the Town will have adequate funds to complete the Town Hall Restoration Project, and

**WHEREAS**, it appears that interim financing in the amount of \$150,000 will be needed to complete the project owing to the long lead times involved in actually receiving the grant funds, and

**WHEREAS**, three area banks have been asked to quote upon a one year Bond Anticipation Note for \$150,000, and **WHEREAS**, NBT Bank has offered the most favorable terms,

**NOW THEREFORE BE IT RESOLVED** that the Town Board authorizes the Supervisor to sign a contract with NBT Bank for a one year Bond Anticipation Note (BAN) in the amount of \$150,000 at an annual interest rate of 2.65% subject to call without penalty, and

**BE IT FURTHER RESOLVED** that the Attorney for the Town Scott Goldie be appointed as Bond Counsel for this BAN transaction.

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

**RESOLUTION #58** declared duly adopted.

2. **Financial Report:** Budget as of September 30, 2011, was distributed to Board members

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

**October 13, 2011**

Page 3 of 6

3. **Correspondence and Other:** Received letter dated October 4, 2011, from the New York State Town Clerks Association, Inc. President Cindy Goliber, Re: Town Clerk Elaine Sater was awarded a certification from this Association as a Registered Municipal Clerk.

**DEPARTMENT REPORTS**

1. **HIGHWAY – Andy Crary:** Report submitted prior to meeting
  - a. **Report:**
    - 1) Installed running boards and window visors on new pick-up truck
    - 2) Helped haul tar for Town of Tupper Lake Highway Department
    - 3) Bob's Auto put on 4 brake canisters and replaced broken leaf spring on Paystar
    - 4) Went to Plattsburgh for parts for truck
    - 5) Road raked dirt roads
    - 6) Patched holes with top mix
    - 7) Cut tree on Wardner Road
    - 8) Mowed cemeteries for last time this year
    - 9) Cleaned culvert on Tebbutt Road with back hoe
    - 10) Made dump run
    - 11) Hauled crusher run to Clarke Wardner Road for the hill that washed out
    - 12) Cleaned out dry hydrants with back hoe
    - 13) Men are using vacation time
    - 14) Need to order salt for winter
    - 15) Had sand screened by Trudeau Sand and Gravel
    - 16) Stained entryway to garage and had a light put up over the entryway door
  - b. **Truck Bid Opening:** Received one bid on the 2006 Ford F250 from St. Bernard's Church in Saranac Lake in the amount of \$6,250.00

**RESOLUTION #59**

**SALE OF HIGHWAY VEHICLE: 2006 FORD 250 PICKUP TRUCK WITH PLOW FOR \$6,250**

**Motion made** by Peter Shrope, **second** by Jeffrey Leavitt,

**WHEREAS** a notice was posted and published in the Adirondack Daily Enterprise on September 22 and October 3 to accept bids for the sale of a 2006 Ford 250 pick-up truck, and

**WHEREAS** only one bid was received from St. Bernard's Church in Saranac Lake for \$6,250, which exceeds the minimum bid request of \$6,000,

**NOW THEREFORE BE IT RESOLVED** that the Town Board accepts the bid from St. Bernard's Church in Saranac Lake in the amount of \$6,250 for the sale of the 2006 Ford F250 Pickup Truck with a plow.

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

**RESOLUTION #59** declared duly adopted.

- c. **Abandonment of Mt Pond Road:** Supervisor John Quenell said the Town is still liable for the road if it is abandoned. He will talk to the Association of Towns concerning the closing of the road. Andy Crary will talk to other Superintendents of Highways to see what they have done. Jeffrey Leavitt said the Town should turn the right-of-way over to the State since it owns the land around the road.
2. **ANIMAL CONTROL OFFICER -Tri-Lakes Humane Society:** No Report received.
3. **ASSESSOR – Doug Tichenor:** No Report received
4. **CODE ENFORCEMENT OFFICER (CEO) -Paul Blaine:** Report received prior to the meeting
  - a. **Building Permits:**
    - 1) Seven (7) Building permits (BP) were issued during September #11-019 thru and including #11-025
    - 2) Three BPs were completed: Two (2) Certificates of Compliance were issued for BP#09-010 and BP#10-027 and one (1) Certificate of Occupancy was issued for BP#10-001.

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

**October 13, 2011**

Page 4 of 6

- b. Avoidable Alarms:** Four (4) complaints were received and are open, #11-021 thru and including 024
- 5. TAX COLLECTOR - Amber McKernan:** Report received at meeting
- a.** Received 7 requests for tax information
  - b.** Checked inventory and will order clerical supplies and equipment in anticipation of the coming collection season
  - c.** Submitting a form at this meeting for enrollment in the New York State Retirement System
  - d.** Office will be closed from November 9 to 14 and November 16 to 30. The answering machine will reflect this information.
- 6. TOWN JUSTICE - Nik Santagate:** Report submitted prior to meeting  
Disposed of 49 cases and wrote a check for \$4,315.00 to the Supervisor
- 7. HISTORIAN - Mary Ellen Salls:** Report received prior to meeting
- a.** Have been busy as usual, was contacted by a couple of families,
    - 1) The first contact is a descendent of Jim Cross, a famous guide for Paul Smith. Another of the Cross family also contacted her last week, Willis Cross's great-granddaughter. Willis was a younger brother of Jim's who lived and worked in the area for years before moving to Saranac Lake.
    - 2) Contacted by Russell Newell's family with pictures of the Newell and Blanchard families. Russell was married to Old Mose Sawyer's daughter
  - b.** Since there is no History Day this year, she is arranging the families by alphabetical order in loose leaf note books, so a new historian will not have trouble finding the information they need
  - c.** Have several families to contact for pictures so when time prevails it will be done.
- 8. PARK & RECREATION – Dan Spencer:** Report given at meeting
- a. Report:** Raked pine needles and got snow blower ready for winter use, removed carpet, mowed and raked grass, painted inside of building
  - b. Painting of Building – Peter Shrope:** A person needing Community Service hours is painting the building on the outside. Peter Shrope said the roof needs special paint that can only be brushed on so it will have to wait until spring, when the weather warms up again, to get painted.
  - c. St. Paul's/Assumption Food Pantry- Barbara Marshall:** Report received prior to meeting.
    - 1) Served 168 families, 567 people in total
    - 2) The building looks beautiful, all are excited about the "new look". Would like to know how to get in touch with the gentleman who did the work to see if any paint was leftover or can get the color to get more paint to paint the bottle bins. Asked if the roof would be tackled this year or next.
    - 3) Peter Shrope did a great job on the park side floor. It is much easier to clean up after the food pantry.
    - 4) Grateful to Danny for putting out the trash can and recyclables for her. She is helping him by putting any park building trash into the can to be pitched whenever needed. A good working relationship.
  - d.** Amber McKernan said the trailer for the food pantry is being off loaded on the pavement where is says no motorized vehicles. There is still no butt can. There is a cut off road sign that is dangerous because people cannot see the pole sticking up a few inches from the ground. Andy Crary said he will remove the bank from the left side of the building so the trailer can be backed up to the side of the building away from the pavement.

**COMMITTEE REPORTS**

- 1. HIGHWAY – Steve Tucker, Jeffrey Leavitt, and Lydia Wright:** Nothing to report
- 2. INSURANCE/INVESTMENTS - Lydia Wright and John Quenell:**  
Lydia Wright said she has a call into NYSHIP to discuss changes to the policy

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

**October 13, 2011**

Page 5 of 6

3. **CEMETERY & TOWN BUILDINGS - Steve Tucker:** No activity to report
4. **WEBSITE - John Quenell:** Nothing to report
5. **FIRE ADVISORY BOARD (FAB) - Steve Tucker:** October 18 is the next meeting
6. **TELECOMMUNICATIONS - Jeffrey Leavitt & John Quenell:**
  - a. Survey of possible cell tower locations was conducted by Austin Fischer and the results have been posted on the GIS website
  - b. Time Warner will not run more cable to the north end of the Town
7. **TOWN REDEVELOPMENT CITIZEN'S COMMITTEE - Susan Mayer and Lydia Wright:** No Report received.  
**Supervisor John Quenell** said Franklin County has passed a resolution endorsing a Veterans' Cemetery to be put in where Camp Gabriels was located.

***BUSINESS:***

1. **CSEA Collective Bargaining Agreement:** Supervisor John Quenell said he received a letter requesting information from the CSEA Representative, Diane Johnson. Will contact Michael Richardson for negotiations guidance.
2. **Mediation with Paul Smith's College - Peter Shrope and Jeffrey Leavitt:** A meeting was held with Paul Smith's College, the situation will continue to be monitored until the end of the year. The mediators would like the opinions of the Fire Department Chief and the Code Enforcement Officer. After December 31, 2011, Jeffrey Leavitt will no longer be a part of the Town Board and he does not want to continue as a mediator. The next meeting will be after the 1<sup>st</sup> of January.

***CITIZEN'S COMMENTS:***

**Thomas McKernan – Gabriels:** He finds it appalling that the Town Board passed a resolution to borrow money that is more than is needed, even after a Board member has pointed out that it is beyond what the law allows. He does not understand it. The same thing happened when the Board changed the benefits of elected officials during their term, when the Association of Towns said it needed to be done by a law and referendum. The Board is operating beyond its authority.

A second citizen agreed with him.

**There were no further Citizen's Comments**

***AUDIT OF VOUCHERS***

**RESOLUTION #60**

**PAYMENT OF AUDITED VOUCHERS AS LISTED ON THE ABSTRACTS**

Motion made by Steve Tucker, second by Lydia Wright,

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

**PREPAID FUNDS:** Abstract #10 for Voucher #10A through and including 10C for 2011 General Funds in the amount of \$714.52 and 2011 Street Light Funds in the amount of \$60.87

**GENERAL FUND:** Abstract #10 for Voucher #200 through and including #223 for 2011 funds in the amount of \$9,638.34.

**HIGHWAY FUND:** Abstract #10 for Voucher #88 through and including #102 for 2011 funds in the amount

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

**October 13, 2011**

Page 6 of 6

of \$16,545.42

**CAPITAL PROJECT FUND – TOWN HALL PROJECT: Abstract #28 for Voucher #58 through and including #65 for funds in the amount of \$35,891.58**

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

**Resolution #60 declared duly adopted.**

***ADJOURNMENT***

**Motion to Adjourn at 8:45 pm** made by Jeffery Leavitt, **Second** by Lydia Wright, **Aye 5 (Leavitt, Quenell, Shrope, Tucker, Wright), Nay 0**

Respectfully Submitted,

Elaine Sater  
Brighton Town Clerk