

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

October 15, 2009

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The Regular Monthly Meeting of the Town Board of the Town of Brighton was held Thursday, October 15, 2009 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 Supervisor David Knapp at 7:03 p.m.

The "Pledge of Allegiance" to the flag was recited.

## ROLL CALL OF OFFICERS

**PRESENT:** Supervisor David Knapp, Council Members: Sheila Delarm, Jeffrey Leavitt, Steve Tucker and Lydia Wright

**ABSENT:** None

**OTHERS PRESENT:** Elaine Sater - Town Clerk, Amber McKernan- Tax Collector, and Andy Crary - Superintendent of Highways

**RESIDENTS:** Three residents were present

**GUEST:** None

## APPROVAL OF MINUTES

- Regular Board September 10, 2009

**Motion made** by Supervisor David Knapp, **second** by Lydia Wright, **to approve the minutes of the Regular Town Board meeting held on September 10, 2009, as written, Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0**

## TOWN CLERK'S REPORT

**Total Revenue to Supervisor as of September 30, 2009 was \$ 140.68**

5 Sport Licenses

1 Certified Copy

1 Marriage License #3-2009

7 Dog Licenses: 6 Renewals and 1 new

4 Copies on the copier

2 Donations for Town Park Use

1. September 22-23, attended a meeting of the NYS Town Clerk's Association in West Point; NYS Department of Health gave a briefing on new requirements for Sub-registrars in case of a pandemic. This effects towns with hospitals. NYS Department of Agriculture and Markets gave a briefing on dog licenses. Micro chipping of animals may be required in the future. The Department of Ag & Mkts may be turning over the licensing function (purchase of tags, forms, etc.) to the towns to track themselves and disband the statewide licensing system.
2. Tentative Budget for 2010 was distributed to the Board on September 30, 2009 by Supervisor David Knapp. Notice of the Budget meetings for Thursday, October 22 and 29 at 6 p.m. was posted on October 13 in the Town's post offices and at local businesses and on the Town Clerk's Sign Board. Notice was published in the Adirondack Daily Enterprise on Oct 15.
3. Notice of the Regular Board meeting date change from October 8th to 15th was published in the Adirondack Daily Enterprise on Thursday September 17, Tuesday, September 22, and Thursday, October 1. Notices were also posted one the Town Clerk's Signboard, in the three post offices and at local businesses.
4. Received notice of the General Election to be held on Tuesday, November 3 from 6 a.m. to 9 p.m., the Town Clerk's Office will be closed on that day.
5. TOWN HALL REQUESTS: NONE
6. TOWN PARK REQUESTS: UEA of Niagara Mohawk, Saturday, September 19 - 12 to 8 p.m.

## CITIZENS/GROUP COMMENTS:

- **Ruth Woodward - Board of Directors for The Association of Senior Citizens in Franklin County:** Represents the Town of Brighton as a director, needs to be reappointed for three years. Attends four meetings a year and receives a lot of information about programs available for seniors in the Town but has no way of getting it out to people, would like to leave information in the Town Hall. The case workers work through the Office of the Aging in Malone or the Adult

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Center in Saranac Lake. Information on the CARES Unit will be posted in the Town Hall along with the bus schedule.

**Gould Hoyt** nominated Ruth Woodward to serve on the Board of Directors for the Association of Senior Citizens in Franklin County, second by Lydia Wright. There were no further nominations.

**RESOLUTION #73**

**APPOINTMENT TO BOARD OF DIRECTORS, ASSOCIATION OF SENIOR CITIZENS IN FRANKLIN COUNTY**

**Motion made** by Supervisor David Knapp, second by Lydia Wright, **To Wit:**

**WHEREAS**, the Association of Senior Citizens in Franklin County, Inc. (herein known as "Association") is a non-profit organization which exists to improve the quality of life for the elderly in Franklin County, and

**WHEREAS**, the Association's mission is to assist the Senior population in remaining independent, in a healthy, clean, and safe environment of as long as possible, and

**WHEREAS**, the By-Laws of the Association call for town supervisors in Franklin County to select a representative to serve for three years on the Board of Directors of the Association,

**NOW THEREFORE BE IT RESOLVED** that the Town Board of Brighton appoints Ruth Woodward of Paul Smiths to serve for three years on the Board of Directors for the Association of Senior Citizens in Franklin County, Inc. as the representative for the Town of Brighton.

**ROLL CALL VOTE:** Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0

**Resolution #73 declared duly adopted.**

- **Gould Hoyt and David Hurwitch - Keese Mills Road:** Have a concern about the salt and sand that is building up at the bottom of the hill near their property. They would like the highway department to remove it from their lawns. In the spring the water comes down off the hill and washes away their driveways and floods their lawns and basements. There is catch basin up the hill but it does not catch all the water. They would like the Highway Department to divert the water to run into a ditch or catch basin.

- **Gould Hoyt** also mentioned a dying tree on the side of the road.

**Superintendent of Highways Andy Crary** said he would look at the situation to see what he can do to divert the water. He can remove the sand from the side of the road, but he cannot go on to private property to remove the sand. There is about 3% of salt content mixed into the sand. The tree will have to be addressed by the power company since it is near the power lines. The Highway Department does not have the equipment to remove tall trees.

***SUPERVISOR FINANCIAL REPORT/CORRESPONDENCE***

**1. FINANCIAL REPORT:**

- a. Distributed **Budget** and CLASS reports as of September 30, 2009 to the Board
- b. **CLASS interest** is \$34.56 for General and \$22.95 for Highway, Total CLASS balances are \$159,680.67 for General and \$94,757.98 for Highway
- c. **Budget 2010** will be discussed at two special meetings on October 22 and 29 at 6 p.m.
- d. **Smart Growth Grant** reimbursement of \$44,600 was received and deposited into the general account
- e. **Budget Amendment #1** to Appropriate Highway Funds

**HIGHWAY FUND BUDGET AMENDMENT #1**

**Motion made** by Supervisor David Knapp, second by Sheila Delarm, **To Wit:**

**RESOLVED** that the 2009 Highway Fund Budget be amended as follows:

**Appropriate \$26,396 from unexpended fund balance to Account No. DA5112.2 Improvements to cover paving expenses.**

**ROLL CALL VOTE:** Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0

**HIGHWAY FUND BUDGET AMENDMENT #1 declared duly adopted.**

- f. **FIRE DEPARTMENT 2010 BUDGET AND CONTRACT:** A letter was sent to Fire Chief Roger Smith of the Paul Smiths-Gabriels Volunteer Fire Department on September 22 to request a new contract for 2010 and

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ask for an explanation of the budget of about 30% submitted by the Fire Department. Met with Chief Smith on October 13 to discuss the amount of the 2010 budget. After discussion the total budget was dropped from \$91,0679 to \$77,466.00 by the Fire Department. The Board discussed the amounts of specific lines and still have questions about the amounts listed. A Public Hearing has been set for Thursday, November 5 at 6 p.m. for the 2010 Fire Service Contract.

### 2. CORRESPONDENCE:

- a. **Discharge of HUD Mortgage:** Received request from a property owner to discharge a HUD mortgage on their property.

### RESOLUTION #74

#### DISCHARGE OF HUD MORTGAGE PROJECT 92-05

**Motion made** by Supervisor David Knapp, **second** by Lydia Wright, **To Wit:**

**WHEREAS**, the Town of Brighton secured by mortgage dated September 1, 1995, for a Town of Brighton Housing Rehabilitation Program loan in the amount of ten thousand fifty-eight dollars and one cent, \$10,058.01, and such mortgage was recorded in Liber 478 of Mortgages at page 118 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 18 months after the date of the Mortgage on March 11, 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 92-05, a mortgage dated September 1, 1995, in the amount of \$10,058.01 as recorded in Liber 478 of Mortgages at page 118 in the Office of the Clerk of the County of Franklin on September 5, 1995.**

**ROLL CALL VOTE: Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0**

**Resolution #74 declared duly adopted.**

- b. **Scenic Byway:** Received letter, dated 9-23-2009, from ANCA, Sharon O'Brien, Program Coordinator, concerning a brochure that is available for promoting the four-county Adirondack Trail Scenic Byway and every community along the special travel route which include State Route 30 in the Town. More information can be obtained at the website "www.adirondackscenicbyways.org"
- c. **Interstate 98:** Received letter dated September 22, 2009, from BDC of Massena, thanks for supporting the highway through St. Lawrence and Franklin Counties. A petition was enclosed to circulate for encouraging residents to also support the highway.
- d. Sent letter of appreciation to Shirley Oehler for work as Deputy Town Clerk and Deputy Registrar.
- e. Sent letter to Saranac Lake Area Youth Program requesting a contract, received a copy of the 2008 contract in reply. Will continue to pursue this before sending any money for 2009.
- f. National Grid sent information concerning paying for "green" energy sources for electric power. As an example, at the most it would add about \$30 to the monthly bill for the Highway Garage. The Board determined they did not want to increase any expenses to the Town unless necessary.

### DEPARTMENT REPORTS

#### 1. HIGHWAY- Andy Crary:

##### a. Report:

- i. Worked at park, replaced the backboard, tree, moved tractor to garage to install new battery. Picked up old tar buckets and liner.
- ii. Screened sand for 2 days
- iii. Made dump runs
- iv. Mowed cemeteries, Town Hall, and Garage lawns for the last time this year
- v. Removed flags and took to Veterans's Club for disposal
- vi. Changed oil and serviced trucks and loader
- vii. Patched holes on Keese Mill Road
- viii. Attended Workplace Violence Prevention training

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- ix. Hauled 18 loads of millings from the airport and spread out at Fire Department, used roller from Franklin County. Total man hours for Town was 12 hours, with two trucks and 1 loader, using 50 gallons of fuel for a total cost of \$476.09. The Town of Harrietstown and Franklin County also helped.
- x. Hauled sand for Town of Franklin
- xi. Chipped brush on Vosburgh and Tebbutt Roads
- xii. Put crusher run on shoulders of Hobart, Garondah, and Tebbutt Roads
- xiii. Cleaned out culverts on Slush Pond Road
- xiv. Pressure washed trucks
- xv. Put spinner and grates on 2002 Paystar
- xvi. Road raked Hoffman Road
- xvii. Window was replaced on 2002 Paystar
- xviii. Salt will be ordered before Nov 1
- xix. Need to purchase new tires for trucks

**RESOLUTION #75**

**PURCHASE OF TIRES FOR 2002 PAYSTAR TRUCK**

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

**WHEREAS**, the tires on the trucks are wearing from regular use, and

**WHEREAS**, quotes from two companies were received for tires at state contract price and installation as follows:

G&G Tire Co.	\$5,264.32
Warren Tires	\$5,398.16

**NOW THEREFORE BE IT RESOLVED that the Superintendent of Highways Andy Crary be authorized to purchase 16 new tires and get them installed on the trucks for a cost of \$5,264.32 from G&G Tire Co. of Plattsburgh.**

**ROLL CALL VOTE: Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0**

**Resolution #75 declared duly adopted.**

- b. **Franklin County Snow and Ice Removal Contract for 2010:** Supervisor David Knapp received a letter dated October 8, 2009 from the Franklin County Highway Superintendent Gary Lewis, addressed to Mr. Gerald Leroux, President of the Franklin County Highway Superintendents Association, concerning the contract for 2010 for snow and ice removal. They plan to keep the contract at 2009 prices due to the reduced cost of salt and fuel.
- c. **White Pine Bridge:** Supervisor David Knapp proposed a draft resolution to be sent to the Franklin County Legislature. He received letters of support from the Osgood Pond Association, White Pine Camp and Paul Smith's College to send with the resolution.

**RESOLUTION #76**

**REPAIR OF WHITE PINE ROAD BRIDGE**

**Motion made by Supervisor David Knapp, Second by Steve Tucker, to send the following resolution to the Franklin County Legislature for action on the White Pine Road Bridge:**

**WHEREAS**, the White Pine Bridge over Osgood Pond Inlet (BIN 3338310) in the Town of Brighton is in desperate need of repair; and

**WHEREAS**, the White Pine Bridge was red-flagged by New York State Department of Transportation (DOT) in 2008 due to severe spalling along the bridge fascia supports, with the left edge of the bridge deck separating from the girder and the right side also demonstrating similar deck spalling; and

**WHEREAS**, the Town of Brighton has temporarily addressed the red-flagged issues raised by the New York State DOT, such that it is restricting traffic to the center nine foot section of the bridge by placement of concrete jersey barriers to prevent travel along the sides of the bridge; and

**WHEREAS**, the measures taken by the Town of Brighton are temporary and preclude large vehicle traffic and normal snow removal practices by its local Highway Department on the bridge and far end of the road; and

**WHEREAS**, the White Pine Camp, a historic "great camp" that served as President Coolidge's 1926 summer White House, is dependent upon the bridge for automobile and bus access in order to operate it's year-round lodging and

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historic tourism business; and

**WHEREAS**, the dependence upon the bridge is of important economic interest to the White Pine Camp, the Town of Brighton, and Franklin County; and

**WHEREAS**, the bridge is also of educational and economic importance to Paul Smith's College as it provides access to their Sugar Bush operation and forested teaching lands; and

**WHEREAS**, the bridge is of importance as it provides access to private land owners; and

**WHEREAS**, the bridge is of importance as it provides access to New York State forest lands; and

**WHEREAS**, the bridge is also critical for the access of emergency agencies and personnel to the above mentioned landowners and properties, and

**WHEREAS**, the bridge is also critical for the access of services and utilities to the above mentioned land owners and properties; and

**WHEREAS**, the initial estimate cost to make the necessary repairs is thought to be in excess of \$250,000;

**NOW THEREFORE BE IT RESOLVED that the Town of Brighton supports and endorses the efforts of the Franklin County Legislature to receive available funding at the County, State and Federal levels for the repair of the White Pine Road Bridge.**

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

**Resolution #76 declared duly adopted.**

- d. **Electrical Problem in Garage:** The Code Enforcement Officer said he is satisfied with the electrical work. Supervisor David Knapp said there has been no further invoice from the contractor.
- e. **CSEA Contract:** Supervisor David Knapp sent a letter to Brian Paige on March 25, 2009 concerning the 2010 contract. He requested a response by September but there has been no response.
- f. **Compensation for On-Call:** The Comptroller's Office has no problem with using compensation time instead of pay, however the date by when the compensation time needs to be used should be specified in the contract.
- g. **Mobile Phone:** The purchase of a phone for on-call personnel needs to be looked into, the garage number can be forwarded to it during the weekend.
- h. **Winter Season Dates:** Due to On-Call for the Highway Employees dates for the winter season needs to be established so the Superintendent of Highways can set up the schedule for the season.

**RESOLUTION #77**

**WINTER SEASON FOR ON-CALL PURPOSES**

**Motion made by Supervisor David Knapp, second by Lydia Wright, To Wit:**

**WHEREAS**, the Highway Employees are on-call during the weekends of the winter season, and

**WHEREAS**, the Superintendent of Highways needs to establish a schedule for weekend on-call for the winter season,

**NOW THEREFORE BE IT RESOLVED that the Town Board sets the dates of December 1 to March 31 for the on-call schedule for the winter season, and**

**BE IF FURTHER RESOLVED that Superintendent of Highway Andy Crary has the authority to set the on-call schedule as needed according to the weather conditions.**

**ROLL CALL VOTE: Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0**

**Resolution #77 declared duly adopted.**

**2. TAX COLLECTOR - Amber McKernan:** Report submitted at meeting

- a. Sent out three faxes and received 6 calls regarding tax information
- b. Spoke to several people, except Brian Varin, County Treasurer, about the issue of partial payments for 2010. Spoke with BAS to confirm their readiness to provide partial payment capabilities for software. BAS is able to provide the program to do so with this upcoming tax collection season.

**Supervisor David Knapp** said he will contract the County Treasurer's Office to find out about partial payments.

- c. Requested in budget that the Tier II module be purchased to upgrade the tax software. The Tier II module will allow taxpayers to access their payment history online through a link on the Town's website.
- d. No further correspondence has come to this office from the Franklin County Treasurer's office regarding the concerns expressed by the tax collectors and receivers.
- e. Was contacted by various TSOs and lending institutions to confirm the contact information for this office

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3. **ANIMAL CONTROL OFFICER (Tri-Lakes Humane Society):** Received report prior to meeting
  - a. During September 2009 handled a total of 7 calls, 5 in regards to 3 stray dogs, and 2 calls in regards to pet adoption. Two of the stray dogs were seized by Dog Control and brought to the Humane Society, one was not claimed and put up for adoption. The 3<sup>rd</sup> stray dog was claimed by its owner while on the property where it was found running at large.
  - b. Continue to send out Dog License Renewal warning letters to Brighton residents who have not renewed each month. Copies of these warning letters are sent to Elaine Sater, Town Clerk, at the Town Hall. There seems to be more cooperation overall this year, as the dog License Delinquent lists received are not as long and the residents that receive the warning letters do follow through with obtaining renewals for the Dog Licenses. Hope this trends continues.
  
4. **ASSESSOR - Doug Tichenor: Report submitted prior to meeting**
  - a. **Report for September:**
    - i. Included a sales list from 01/01/2009 for the Board's information: Camp 15LLC (TM# 367.3-1-4) sold for \$700,000 (AV \$288,900) and John Rovitto (TM# 381.-1.21.100) sold for \$169,900 (AV \$144,100)
    - ii. Filed 2010 Budget request with Town Budget Officer
    - iii. Received numerous calls regarding STAR and other assessment questions
    - iv. Attending a continuing education (CE) class in North Bangor on Friday September 25 as part of obligation to maintain CE credits
  - b. **Board of Assessment Review (BAR):** On September 30 the term of E. Philip Delarm expired. A letter of intent was submitted for reappointment for October 1, 2009. Jerome Samburgh also submitted a letter of intent to appointed to the BAR.

**RESOLUTION #78**

**APPOINTMENT TO THE BOARD OF ASSESSMENT REVIEW (BAR)**

**Motion made** by Supervisor David Knapp, **second** by Lydia Wright, **To Wit:**

**WHEREAS**, Local Law # 2-2009, "Increasing the Board of Review Membership in the Town of Brighton, Franklin County, New York", was adopted on May 19, 2009, and

**WHEREAS**, the Local Law increased the membership of the Board of Assessment Review (BAR) from three to five members, and

**WHEREAS**, those terms shall be for five years with initial terms staggered so no more than one member's term will expire in each of the first five years after enactment, and

**WHEREAS**, the term of E. Phillip Delarm expired on 30 September 2009, and

**WHEREAS**, there are two openings on the BAR, and

**WHEREAS**, letters of interest were received from E. Phillip Delarm and Jerome Samburgh to be appointed to the BAR,

**NOW THEREFORE BE IT RESOLVED that Supervisor David Knapp appoints the following Board of Assessment Review members:**

**E. Phillip Delarm from October 1, 2009 to September 30, 2013 (Four-year Term)**

**Jerome Samburgh from October 1, 2009 to September 30, 2014 (Five-year Term)**

**ROLL CALL VOTE: Aye 4 (Knapp, Leavitt, Tucker, Wright), Nay 0, Abstain 1 (Delarm, related to appointee) Resolution #78 declared duly adopted.**

5. **CODE ENFORCEMENT OFFICER (CEO) - Paul Blaine:** Report received prior to meeting
  - a. **Report:**
    - i. Collected \$688.75 in fees for permits during September
    - ii. Issued six building permits #09-033 to 038
    - iii. Issued four Certificates of Compliance for Bldg Permits #09-017 and 021, #08-022, and #07-033.
  - b. **Avoidable Alarm Complaints:** During September there were 13 Avoidable Alarm Complaints reported. Two Letters of Warning were sent out. Eleven complaints are still open. Current litigation on other complaints will be discussed in Executive Session at the end of the meeting.
  - c. **Adirondack Park Agency (APA):** The Town Board received an email dated 10/14/09 from the CEO concerning the Fuller property. The APA has been in contact with the CEO concerning unlicensed vehicles. Sheila Delarm said she received a phone call from the APA asking if the Town Board would pass a resolution

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asking the APA to pursue an investigation into this matter, it appears they have their own “junkyard” law. She said it appears that Town residents have approached the APA about this issue. Jeff Leavitt said the Town Board cannot target a specific individual. Discussion was held on why the Town has to give the APA permission to enforce its own laws. In the past the District Attorney has told the Town Board not to get involved with deciding who gets investigated. The Board can support the CEO in his decisions. Supervisor David Knapp will follow up with the CEO and APA concerning this issue.

6. **TOWN JUSTICE- Nik Santagate:** Report received prior to the meeting  
Disposed of 47cases and distributed \$4,140 to the Supervisor
7. **HISTORIAN - Mary Ellen Salls:** Submitted an oral report to the Supervisor.
  - a. Doing research for several families
  - b. Putting information already researched into binders

### COMMITTEE REPORTS

1. **CEMETERY - Steve Tucker and Jeffrey Leavitt:**
  - a. Received information on a cremation from the Keough Funeral Home, no information on where the cremains were put.
  - b. Received letter from Ron Keough, Monuments Co., concerning a burial marker for Stanley Tyler who was cremated and put in the Mt. View Cemetery.
2. **INSURANCE/INVESTMENTS - Sheila Delarm and Lydia Wright:**
  - a. **NYMIR:** Liability Insurance application was submitted, a copy of the 2010 Budget needs to be set when completed.
  - b. **Health Insurance:** Received a policy reimbursement of \$494.64 from Excellus Health Insurance Co. due to lower than anticipated health coverage reimbursements on the Highway Policy.
  - c. **Work Place Violence Prevention Policy/Training:** A Risk Assessment was performed by Public Sector HR Consultants on September 26 and 5employees attended training at the Town of Harrietstown on September 28. The payment in the amount of \$1000 will be held until the policy and report is received.

### RESOLUTION #79

#### WORKPLACE VIOLENCE PREVENTION PROGRAM PAYMENT

**Motion made** by Supervisor David Knapp, **second** by Lydia Wright, **To Wit:**

**WHEREAS**, there is an additional charge for mileage for the Workplace Violence Prevention Program risk assessment and training, and

**WHEREAS**, the policy and report for the Workplace Violence Prevention Program risk assessment has not been received,

**NOW THEREFORE BE IT RESOLVED** that Supervisor David Knapp be authorized to pay the amount of \$520.04 to Public Sector HR Consultants LLC for mileage (\$220.04) for Workplace Violence Prevention risk assessment and employee training with the Town of Harrietstown (\$300).

**ROLL CALL VOTE:** Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0

**RESOLUTION #79** declared duly adopted.

3. **PARKS AND RECREATION - Steve Tucker and Jeffrey Leavitt:**
  - a. Broken glass was replaced with plexiglass.
  - b. **Saranac Lake Area Youth Program:** Received year-end report. Supervisor David Knapp received a copy of the 2008 contract but nothing for 2009.
  - c. **Repairs to Park Building:** Received a quote for chinking the walls from “Mainly Chinking” in the amount of \$7,365.90
4. **TOWN BUILDINGS - Steve Tucker and Jeffrey Leavitt**
  - a. **Town Hall (Lydia Wright):**

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- i. **Town Hall Restoration Project:** No update
- ii. **Invoice for Fire Alarm System:** Crawford & Stearns agreed to a 40% reduction to the invoice for services

**RESOLUTION #80**

**PAYMENT FOR FIRE ALARM SYSTEM DESIGN**

**Motion made by Lydia Wright, Second by Supervisor David Knapp, To Wit:**

**WHEREAS**, Crawford & Sterns were hired to create an architect plan to restore the Town Hall, and

**WHEREAS**, in February and March 2008 services of 11.75 hours were billed to the Town in the amount of \$1,402.50 to design a fire alarm system that was not needed, and

**WHEREAS**, discussion with Crawford & Stearns concerning this bill have been ongoing since the bill was received in April 2008,

**NOW THEREFORE BE IT RESOLVED that the Town Board accepts Crawford & Stearns offer to reduce the fire alarm system services bill by 40%, and**

**BE IT FURTHER RESOLVED that the Town Board authorizes Supervisor David Knapp to pay Crawford and Stearns for the fire alarms system services the amount of \$841.50 from the Town Hall Restoration Capital Project Funds.**

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

**RESOLUTION #80 declared duly adopted.**

- b. **Furnace:** Griffith Oil responded to a call to fix the furnace that was malfunctioning. Hyde Fuel was unable to respond. Requested information on rates for kerosene and furnace service, received information from Griffith Oil and Hyde Fuel.
- c. **Records Storage in Highway Garage:** Supervisor David Knapp measured the storage room and received information on the fire rating requirements from the State Archives (SARA) Regional Coordinator Denis Meadow. He said there should be 4-hour fire rated walls. Multiple layers of fire rated sheet rock are acceptable. The CEO provided information on fire rating materiel of 7 5/8" for three hours of protection.

**5. WEBSITE - Sheila Delarm:**

Unable to get the 350.org information for website in a timely manner, this did not become a cooperative effort between Paul Smith's College and the Town.

**OLD BUSINESS**

1. **FIRE ADVISORY BOARD (FAB) UPDATE:** Sheila Delarm tried to contact the Saranac Lake Fire Department concerning the separation of the Fire Department and Rescue Department, there has been no communication on this issue. The Village of Saranac Lake sent a dollar amount for the budget for 2010 with payment due February 1.
2. **MONUMENT FROM CAMP GABRIELS AT THE PARK:** The monument has been permanently installed in the park.
3. **CELL PHONE TOWER:** Jeff Leavitt said Verizon has missed their projected deadline of September 2008 for a fully operational cell tower. The cell tower is partially constructed, the branches were not dark enough and have to be replaced. It may be fully operational by the end of the month. Jeff Leavitt will call Verizon to determine the coverage for McColloms.
4. **SMART GROWTH INITIATIVE GRANT:** Received the grant funding of \$46,400 from NYSDEC for the Smart Growth Initiative.
5. **PAUL SMITH'S COLLEGE 350.ORG:** Sheila Delarm distributed information on the "350.org" actions. There will be a gathering at Paul Smith's College on October 24. A picture will be taken at 3:50 p.m. of organizations, businesses, and residents who are interested in attending.



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**NEW BUSINESS:**

- 1. SUNCHASER CHALLENGE:** Paul Smith's College will be participating in an international event in May 2010. Sylvia Nelson from the Chamber of Commerce in the Village of Saranac Lake will be coming to the Town Board meeting on November 12 to discuss this event.
- 2. CAMP GABRIELS ADAPTIVE REUSE PLAN:** Supervisor David Knapp received a copy of the Adaptive Reuse Plan for Camp Gabriels dated October 1, 2009. He called to ask questions about private businesses looking at the Camp. The Department of Corrections is continuing to decommission the Camp. The Federal, State, County and local governments are given priority to use the place. If no one is interested in the government arena then it will be offered to private entities. If the Camp is not sold then the buildings will be torn down. Supervisor David Knapp will contact Chuck Shaffer at the Office of General Services to discuss the process further. There has been a lot of clean-up of the property. Sheila Delarm is concerned that the Town is not involved with the decisions being made about Camp Gabriels.
- 3. CALLER ID:** Sheila Delarm said there should be Caller ID on the Town's phone line. Discussion was held on the need for this service; no determination was made at this time.
- 4. POST OFFICE BOX FOR HIGHWAY GARAGE:** Jeff Leavitt questioned paying for a Post Office Box at the Gabriels Post Office for the Highway Department. It was set up by a previous Highway Superintendent at the Gabriels Post Office. The Town pays for all three of its Post Office boxes.

**CITIZENS COMMENTS:** None

**EXECUTIVE SESSION**

**Motion made** by Supervisor David Knapp at 10:50 p.m. **TO GO INTO EXECUTIVE SESSION** to discuss current litigation concerning Local Law #2 of the Year 2009, "Prevention of Avoidable Alarms in the Town of Brighton", in accordance with Public Officer's Law, Article 7, Open Meetings Law, Section 105d, **second** by Steve Tucker, **Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0**

**Motion made** by Supervisor David Knapp at 11:38 p.m., **TO GO OUT OF EXECUTIVE SESSION**, **second** by Lydia Wright, **Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0**

**AUDIT OF VOUCHERS:**

**RESOLUTION #81**

**PAYMENT FOR SERVICES BY ATTORNEY FOR THE TOWN**

**Motion made** by Jeffrey Leavitt, **second** by Supervisor David Knapp, **To Wit:**

**WHEREAS**, there are questions about the amount of time charged to the Town by the Attorney for the Town for legal services concerning the handling of the Avoidable Alarm cases in Town Court, **and**

**WHEREAS**, the Town Board requests a meeting with the Attorney for the Town Scott Goldie to discuss the charges, **NOW THEREFORE BE IT RESOLVED**, that the Town Board authorizes Supervisor David Knapp to pay the amount of \$77.00 to Conboy, McKay, Bachman, and Kendall, LLP., (Voucher #248-2009) and withhold payment of \$240.00 for Attorney fees for Legal Services for Avoidable Alarm cases, **and**

**BE IT FURTHER RESOLVED** that the Town Board withholds payment of \$1,707.00 to Conboy, McKay, Bachman, and Kendall, LLP., (Voucher #247-2009) for Legal Services for Avoidable Alarms until a discussion is held with the Attorney for the Town Scott Goldie concerning the case.

**ROLL CALL VOTE:** Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0

**RESOLUTION #81** declared duly adopted.

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

**October 15, 2009**

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**RESOLUTION #82**

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

**Motion made by Lydia Wright, second by Supervisor David Knapp, To Wit:**

**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 2009 General Funds in the amount of \$ 625.49 and 2009 Street Light Funds in the amount of \$51.00**

**GENERAL FUND: Abstract #10 for Voucher #243 through and including #265, (except 247 and 260 as noted and 248) for 2009 General Funds in the amount of \$16,479.17**

**HIGHWAY FUND: Abstract #10 for Voucher #98 through and including #108 for 2009 Highway Funds in the amount of \$16,106.95.**

**TOWN HALL RESTORATION CAPITAL PROJECT FUND: Abstract #10 for Voucher #14 for Town Hall Restoration Capital Project Funds in the amount of \$841.50.**

**ROLL CALL VOTE: Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0**

**RESOLUTION #82 declared duly adopted.**

**ADJOURNMENT**

**Motion to Adjourn at 11:45 p.m. made by Supervisor David Knapp, Second by Lydia Wright, Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0**

Respectfully Submitted,

Elaine Sater  
Brighton Town Clerk