

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

November 10, 2011

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The Regular Monthly Meeting of the Town Board of the Town of Brighton was held on Thursday, November 10, 2011 following a Public Hearing held at 6:00 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 6:36 p.m.

ROLL CALL OF OFFICERS

PRESENT: Supervisor John Quenell

Council Members: Peter Shrope, Steve Tucker and Lydia Wright

ABSENT: Council Member Jeffrey Leavitt

OTHERS PRESENT: Paul Blaine – Code Enforcement Officer, Andy Crary – Superintendent of Highways, Nik Santagate-Town Justice, Elaine Sater-Town Clerk, and Daniel Spencer – Park Attendant

RESIDENTS: There were three residents present

GUESTS: Chris Alcocer, North County Construction Services

APPROVAL OF MINUTES

- Special Board October 13, 2011

Motion made by Supervisor John Quenell, **second** by Lydia Wright, **to accept the minutes of a Special Board meeting held on October 13, 2011 as written.**

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

-Regular Board October 13, 2011

Motion made by Supervisor John Quenell, **second** by Steve Tucker, **to accept the minutes of the Regular Board meeting held on October 13, 2011 as written.**

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

TOWN CLERK'S REPORT

Total Revenue to Supervisor as of October 31, 2011 was \$ 1,342.47

6 Sport License

5 Certified Copies

5 Dog Licenses, 1 Unspayed/UnNeutered and 4 Spayed/Neutered

3 Building Permits (#11-23 to 25)

1. October 13 attended Local Government Day in Potsdam. Comptroller's Office briefing stated Town has to have access to back of checks as well as front of checks for audit purposes.
2. October 20 faxed notice of two Public Hearings on November 3 to the Adirondack Daily Enterprise; notices were published and posted on the Town Clerk's Sign Board, at the three post offices and local businesses on October 24.
3. TOWN HALL REQUEST: None
4. TOWN PARK REQUEST: Friday, October 21 from 3 to 7 pm and Saturday, October 22, from 10 am to 5 pm, Paul Smith's College Rugby
5. RECORDS MANAGEMENT: Nothing to Report

SUPERVISOR'S REPORT

1. Financial Report:

a. Budget as of October 31, 2011: Distributed to Board members

b. Budget Amendments to 2011 Budget:

GENERAL FUND 2011 BUDGET AMENDMENT NO. 2

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

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RESOLVED that the following amount be and the same hereby is transferred:

\$603.00 from General Fund Account # A1990.4 Special Item Contingency

As follows:

\$ 56.00 to Account No. A1355.4 Assessor CE

\$ 13.00 to Account No. A1460.4 Records Management CE

\$ 500.00 to Account No. A6772.4 Programs for the Aging CE

\$ 34.00 to Account No. A7510.4 Historian CE

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

GENERAL FUND 2011 BUDGET AMENDMENT NO. 2 declared duly adopted.

HIGHWAY FUND 2011 BUDGET AMENDMENT NO. 1

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

RESOLVED that the following amount be and the same hereby is transferred:

\$6500.00 from Highway Fund Account # DA5130.2 Machinery Cap Outlay

As follows:

\$ 1,500.00 to Account No. DA5110.4 General Repairs CE

\$ 5,000.00 to Account No. DA5130.4 Machinery CE

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

HIGHWAY FUND 2011 BUDGET AMENDMENT NO. 1 declared duly adopted.

2. Correspondence and Other:

- a. Franklin County Manager Tom Leitz: Received letter asking if Franklin County Manager can attend a Town Board meeting; would like to meet Board and discuss County issues. Will hold until January 2012 for new Board
- b. **Explosive Magazine Certificates:** Received renewal of permits for Peter Henry from the Department of Labor, expire November 30, 2012.
- c. **Osgood Pond Association:** Would like two more Invasive Species Local Law signs posted on Church and Jones Pond. Association will reimburse Town for the signs. Peter Shrope asked that a third sign be purchased for Rainbow Lake and he would reimburse the Town for that sign.

RESOLUTION #61

PURCHASE OF THREE INVASIVE SPECIES LOCAL LAW SIGNS

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

WHEREAS the Osgood Pond Association has requested two signs for the Invasive Species Local Law to be posted at the Church Pond and Jones Pond boat launches and have offered to pay for them, and

WHEREAS Peter Shrope has requested the same sign be posted on Rainbow Lake and has offered to pay for it,

NOW THEREFORE BE IT RESOLVED that the Town Board approves the purchase of three Invasive Species Local Law signs in the amount of \$39.75 each to be posted at boat launches, and

BE IT FURTHER RESOLVED that the Town will accept reimbursement from the Osgood Pond Association for two signs and from Peter Shrope for one sign.

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

RESOLUTION #61 declared duly adopted.

3. Town Hall Project Update – Chris Alcocer:

- a. Payment requests for Application #2 are in and approved by the architect
- b. The west entrance doors are being varnished and finished
- c. The floor was sanded poorly and showed after the stain was applied, it has to be stripped and refinished. This has delayed the project by a week.
- d. The cabinets and counter top need to be installed
- e. Radiators were purchased and need to be installed
- f. The lights need to be installed
- g. The voice and data controls need to be installed. There is a concern with the controls being in the mechanical room and broadcasting into the main room, the vault is in the way. A repeater may be needed. Peter Shrope will purchase a new wireless system for \$200. He will contact Time Warner for a new modem.

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- h. Need a Certificate of Occupancy from the Code Enforcement Office
- i. Building will be commissioned with Andy Crary, a walk through will be done with the electrician and general contractor to identify where items are located, the architect will also attend. A punch list will be drawn up. A Lien Release is needed for the windows. Peter Shrope said he would like to be in on the commissioning.
- j. The retainage can be released when everything is complete.
- k. There has been some trading with items. Electrical items were involved. The contractors have done a good job.
- l. There is an outstanding change order for \$600 with Hyde–Stone.
- m. Door jam was added to bathroom door. The base boards were completely replaced.
- n. The floor was sagging and needed to be braced up, the piers shifted due to the water under the building. A2X2 foot hole is needed to put a pump in to remove the standing water where it collects under the building.
- o. The front stairs have a concrete base higher than original grade, it needs some fill

DEPARTMENT REPORTS

1. **HIGHWAY – Andy Crary:** Report submitted prior to meeting
 - a. Furnace was cleaned and adjusted
 - b. Salt arrived and was pushed into the salt shed
 - c. Went with John Quenell to get radiators for Town Hall
 - d. Went to get drinking water in Tupper Lake
 - e. Made dump run
 - f. Went to Canton Rt 11 to get the plow truck
 - g. Worked on getting plow trucks ready for winter
 - h. Set up for Election Day
 - i. Men are using vacation time
 - j. Replaced 2 hydraulic hoses on the plow truck
2. **ANIMAL CONTROL OFFICER -Tri-Lakes Humane Society:** Report received prior to meeting
 - a. Handled a total of 5 call in September and October
 - b. September
 - 1) 1 call regarding a missing cat in Gabriels
 - 2) 2 calls in regards to a Nuisance Dog Complaint from a resident of Beech Hill Rd. Drove to the complainant's home and obtained a formal complaint under the Town of Brighton Dog Control Law. Issued 2 Appearance Tickets to the owner of the dog for allowing his dog to run at large off his property, and also for the dog causing destruction on private property.
 - 3) Assisted the Town Clerk with Dog License Renewals by writing and mailing warning letters to dog owners who failed to renew their dog licenses. Mailed 4 license renewal letters and all four dog owners obtained the renewals.
 - c. October
 - 1) 1 call was a report of a found dog. Assisted with locating the owner of the dog
 - 2) 1 call was regarding an animal neglect situation involving a dog in another town. The resident lives in Rainbow Lake and wanted to inform us of the situation.
 - 3) Assisted the Town Clerk with Dog License Renewals by writing and mailing a total of 5 letters to dog owners, so far 4 owners have obtained their New Town Issued tags. The 5th owner has yet to comply with the warning letter, and will be getting a 2nd Certified Letter by mail.
3. **ASSESSOR – Doug Tichenor:** No Report received
4. **CODE ENFORCEMENT OFFICER (CEO) -Paul Blaine:** Report received prior to the meeting
 - a. **Building Permits:**
 - 1) Four (4) Building permits (BP) were issued during October #11-026 thru and including #11-029, five new homes are starting

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- 2) Two BPs were completed: One (1) Certificate of Compliance were issued for BP#07-009 and one (1) Certificate of Occupancy was issued for BP#11-015.
- b. Avoidable Alarms:** Two (2) complaints were received and are open, #11-025 thru and including 026
- 5. TAX COLLECTOR - Amber McKernan:** No Report received
- 6. TOWN JUSTICE - Nik Santagate:** Report submitted prior to meeting
 - a.** Disposed of 77 cases and wrote a check for \$7,510.00 to the Supervisor
 - b.** Held a jury trial on October 27 and 31. This was the 2nd jury trial during his terms as Justice. Said he was extremely proud of all the people who came for the juror pool and those who came and sat for the trial. They were very professional. He tips his hat to them, it was very complex testimony and they did a great job.
- 7. HISTORIAN - Mary Ellen Salls:** No Report received
- 8. PARK & RECREATION – Dan Spencer:** Report given at meeting
 - a.** Stacked the picnic tables for the winter
 - b.** Put up the snow fence and the new snowmobile signs
 - c.** Painted the bathroom
 - d.** Got the snow blower ready for winter
 - e.** Move the bleachers back to where they belong
 - f.** Picked up trash
 - g.** Ran out of propane, heat was out. Called Griffith Energy to fill up tank.
 - h.** Port-a-potty will be picked up on Tuesday November 15.

COMMITTEE REPORTS

- 1. HIGHWAY – Steve Tucker, Jeffrey Leavitt, and Lydia Wright:** Nothing to report
- 2. PARKS AND RECREATION – Steve Tucker and Peter Shrope:**

Received report from St. Paul's Assumption Food Pantry- Barb Marshall

 - a.** Served 190 Families, 669 people
 - b.** Bottle bins have been robbed. Still wants them moved to Town property.

Peter Shrope said the Town Board already decided the Town Park is not the place for the bottle bins. They could move them to Assumption Church parking lot where it is lighted.
- 3. INSURANCE/INVESTMENTS - Lydia Wright and John Quenell:**
 - a.** **Lydia** Wright said the interest for the month from the NYCLASS accounts is one cent for each.
 - b.** **Lydia Wright** said she will fax the Town's resolution on Health Insurance to NYSHIP for an opinion.
- 4. CEMETERY& TOWN BUILDINGS - Steve Tucker:** No activity to report
- 5. WEBSITE - John Quenell:** Nothing to report
- 6. FIRE ADVISORY BOARD (FAB) - Steve Tucker:** There was a November 8 meeting but he was unable to attend. Supervisor John Quenell received a letter from Julie Harjung, President of Saranac Lake Volunteer Rescue Services, Inc. with a final figure for the Rescue Services contract in the amount of \$21,600.
- 7. TELECOMMUNICATIONS - Jeffrey Leavitt & John Quenell:** Nothing to report
- 8. TOWN REDEVELOPMENT CITIZEN'S COMMITTEE - Susan Mayer and Lydia Wright:**

Supervisor John Quenell said he received an email from Susan Mayer, dated October 20, 2011, she is resigning from this committee. effective November 9, 2011.

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BUSINESS:

- 1. CAMP GABRIELS – Supervisor John Quenell:** Communicated with Master Sergeant Robert St. Maur, USAF (Retired), from the Plattsburgh area, who is interested in getting a veterans' cemetery at Camp Gabriels. He would like support from the Town. He has support from the Franklin County Legislature and is approaching other counties for their support. He would like to make it a Federal Cemetery but it has to be declared a State Cemetery first.
- 2. CSEA COLLECTIVE BARGAINING AGREEMENT-Supervisor John Quenell:** There is not a contract for 2012. The CSEA representative is supposed to speak to the employees concerning a 2% salary increase and provide a decision. There has been no further information from CSEA. Michael Richardson will print up a new contract for 2012 at no cost to the Town.
- 3. 2012 TOWN BUDGET:** A Public Hearing was held on November 10 at 6 p.m. **Lydia Wright** asked that more funds be included in the health insurance line to cover repaying the Town Officials for reducing their benefits during their terms for 2011. Also NYSHIP has limits on how much a Town must contribute toward the family plan for health insurance. **Supervisor John Quenell** said she was assuming that the Town was going to stay with the NYSHIP plan. He said the Town committed to support the Town Officials to purchase health insurance not to provide them with the health insurance.

RESOLUTION #62

CHANGE TO 2012 PRELIMINARY TOWN BUDGET

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

WHEREAS, further information on the Rescue Services contract amount was received on November 8, 2011 reducing the share for the Town of Brighton to \$21,600,

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes a change to the 2012 Preliminary Town Budget as follows:

General Appropriations: Rescue Services Account A3625.4 is reduced by \$3,803, from \$25,403 to \$21,600 and the Contingency Account A1990 is increased by \$3,803, from \$25,000 to \$28,803.

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

RESOLUTION #62 declared duly adopted.

RESOLUTION #63

ADOPTION OF 2012 TOWN BUDGET

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

WHEREAS, a Preliminary Budget for 2012 was presented to the public at a Public Hearing on November 10, 2011, at 6 p.m. and public comments were provided, and

NOW THEREFORE BE IT RESOLVED that the Town Board adopts the 2012 Town Budget as follows:

General Fund:

Total Appropriations: \$ 391,298

Total Revenues: \$ 53,250

Less Total Fund Balance used: \$ 20,448

Amount of General Fund to be raised by Taxes: \$ 317,600

Highway:

Total Appropriations: \$259,041

Total Revenues: \$75,332

Amount of Highway Fund to be raised by Taxes: \$ 183,709

Special Districts:

Fire Protection -Total Appropriations and amount to be raised by Taxes: \$ 77,640.00

Street Lighting -Total Appropriations and amount to be raised by Taxes: \$ 900.00

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

RESOLUTION #63 declared duly adopted.

- 4. SPECIAL MEETING:** Supervisor John Quenell called a Special Meeting on Monday, November 14 at 6 p.m. to approve a resolution for the Bond Anticipate Note (BAN) for the Town Hall Project. Lydia Wright

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said she would not be available for the meeting. The Town Clerk said she was not available at that time either. Supervisor John Quenell said he had to have the meeting at that time because the paper work for the BAN was dated for Monday, November 14. Lydia Wright asked that the minutes reflect that the Supervisor has had the papers for several days but it just now notifying the Board of a Special Meeting.

CITIZEN'S COMMENTS:

A Resident said the Board should speak up, she could not hear what was being said as the room echoed too much. The Town Board agreed with her, saying hopefully the next meeting will be in the renovated Town Hall.

There were no further Citizen's Comments

EXECUTIVE SESSION:

Motion to GO INTO EXECUTIVE SESSION at 8:09 p.m. made by Peter Shrope, second by Supervisor John Quenell, in accordance with Public Officers Law, Article 7, Section 105(d) for discussion relating to the litigation with Paul Smiths College concerning "Avoidable Alarms Violations"
ROLL CALL VOTE: Aye 4 (Quenell, Shrope, Tucker, Wright), Nay 0, Absent 1(Leavitt)

Motion to GO OUT OF EXECUTIVE SESSION at 8:19 p.m. made by Supervisor John Quenell, second by Peter Shrope
ROLL CALL VOTE: Aye 4 (Quenell, Shrope, Tucker, Wright), Nay 0, Absent 1(Leavitt)

AUDIT OF VOUCHERS

RESOLUTION #64

PAYMENT OF AUDITED VOUCHERS AS LISTED ON THE ABSTRACTS

Motion made by Lydia Wright, second by Peter Shrope,

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

PREPAID FUNDS: Abstract #11 for Voucher #11A through and including 11C for 2011 General Funds in the amount of \$437.24 and 2011 Street Light Funds in the amount of \$ 61.25

GENERAL FUND: Abstract #11 for Voucher #224 through and including #242 for 2011 funds in the amount of \$5,385.09.

HIGHWAY FUND: Abstract #11 for Voucher #103 through and including #110 for 2011 funds in the amount of \$18,721.21

CAPITAL PROJECT FUND – TOWN HALL PROJECT: Abstract #29 for Voucher #66 through and including #72 for funds in the amount of \$78,473.91

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

Resolution #64 declared duly adopted.

ADJOURNMENT

Motion to Adjourn at 8:30 pm made by Supervisor John Quenell, Second by Peter Shrope, Aye 4 (Quenell, Shrope, Tucker, Wright), Nay 0, Absent 1 (Leavitt)

Respectfully Submitted,

Elaine Sater
Brighton Town Clerk