

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

November 12, 2009

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The Regular Monthly Meeting of the Town Board of the Town of Brighton was held Thursday, November 12, 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 7:00 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: Eight people were present

GUEST: Sylvia Nelson - Village of Saranac Lake Chamber of Commerce and Roger Smith - Fire Chief, Paul Smiths-Gabriels Volunteer Fire Department

APPROVAL OF MINUTES

- Regular Board October 15, 2009

Motion made by Supervisor David Knapp, **second** by Steve Tucker, **to approve the minutes of the Regular Town Board meeting held on October 15, 2009, with the following changes: Page 5, Highway Department, Para 1d, Change "Code Enforcement Officer" to " electrical inspector from The Inspector, LLC" and Tax Collector, Para 2b, change the first sentence to "Spoke with an attorney with the Association of Towns, to an attorney at the comptroller's office in Albany and also a gentleman in the accounting division of the comptroller's office looking for information regarding partial payment in an effort to clarify the procedures and protocols for partial payments." Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0**

- Special Board October 22, 2009

Motion made by Supervisor David Knapp, **second** by Lydia Wright, **to approve the minutes of the Special Town Board meeting held on October 22, 2009, with the following changes: Para 2, Change "\$4,790" to "\$13,603" Aye 3 (Knapp, Tucker, Wright), Nay 0, Abstain 2 (Delarm, Leavitt)**

Special Board October 29, 2009

Motion made by Supervisor David Knapp, **second** by Sheila Delarm, **to approve the minutes of the Special Town Board meeting held on October 29, 2009, with the following changes: Para 2a, change as follows: Add a period after "revisited", delete remainder of sentence. Replace the remainder of the paragraph with: " The Tax Collector said the BAS iTax (Tier II) module is a one-time expenditure of \$980, which includes the annual \$200 support and maintenance fee. This iTax (TierII)module would provide tax payment history online. The board did not see the advantage to the Town for having this capability at this time. She also said the iTax (Tier I) is the software currently used by the tax collector's office at an annual cost of \$435. That \$435 fee covers the support and maintenance of the tax collecting software, as well as the conversion of the tax bill files from the Real Property Tax files (these files are statewide) to the iTax software. An additional fee of \$100 is being charged beginning with the 2010 tax collection year if iTax users wish to have tax bills made available online through a website. The board decided to revisit having the tax bills online at the next board meeting. This account was decreased by \$1,500 to \$3,580." Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0**

TOWN CLERK'S REPORT

Total Revenue to Supervisor as of October 31, 2009 was \$ 1,320.58

7 Sport Licenses

8 Dog Licenses: 6 Renewals and 2 new

9 Building Permits (#09-33 to 41)

1 Copy on the copier

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1. November 3 delivered Election Day supplies to the County Sheriff in Saranac Lake. Unofficial results are: Supervisor John Quenell 147 votes, Write-ins 53, Council Members Steve Tucker 227 votes, Peter Shrope 177, and Superintendent of Highways Andy Crary 232 votes. A total of 278 people voted on Election Day. Absentee and Affidavit votes will be counted at a later date before the final results can be determined.
2. Information on Training Schools was sent out to newly elected officials
3. TOWN HALL REQUESTS: None
4. TOWN PARK REQUESTS: None
5. CLOSURE OF TOWN CLERK'S OFFICE: The office will be closed on Thanksgiving Day, November 26.

CITIZENS/GROUP COMMENTS:

Sylvia Nelson and Keith Wells of the Saranac Lake Chamber of Commerce spoke about an event happening in May 2010 in the Town of Brighton starting at Paul Smith's College. Sylvia Nelson said the Chamber is trying to coordinate people who will be affected by this event. On May 22 there will be a "Sunchaser Challenge". This is "Endangered Species Day" and this event will take place across the Continental United States in all the time zones. This area has been chosen for the Eastern Time Zone. The event will take place from sunrise to sunset and be headquartered at Paul Smith's College. There will 1000 people that compete in 5 disciplines: road bike, mountain bike, kayak, running, and orienteering. The coordinators are planning to film this event in 2011 from 10 time zones across the world. The Chamber is seeking support from the Town for this event. State Route 30 and 86 in the Town will be used for part of the event. The roads will not be closed as all the participants do not start at the same time. The area around Paul Smith's College will also be used. The Chamber is promoting this event as a good fit for the area that will provide an economic boost during the spring. The coordinators of the event will provide all the funding needed for this event. There is a website available under "sunchaser challenge".

Keith Wells spoke about the Chamber's website "saranalake.com". There have been many hits on the website and he provided a set of graphs showing the visits to the website. There is a "community calendar" on the website. The other towns in the area have links on this website. The Chamber has moved from the Harrietstown Town Hall to the North Elba Town Hall. They have had a significant increase in visitors because it is easier to park.

The next Chamber event is at the Moody Farm in Gabriels on Wednesday, November 19, 2009. They will be happy to come to another meeting to update the Town Board. They took more Brighton Connections brochures for the Chamber.

SUPERVISOR FINANCIAL REPORT/CORRESPONDENCE

1. FINANCIAL REPORT:

a. **Fire Department Budget for 2010:** The Paul Smiths-Gabriels Volunteer Fire Department submitted a new contract with a budget reduction from \$77,466 to \$70,826.

Council member Jeffrey Leavitt asked why the Fire Department needed an increase over last year's amount when the rest of the Town is being asked to keep its budget at zero. The customary increase for the fire contract in the past was equal to the cost of living increase which is zero this year.

Fire Chief Roger Smith said the fire department is providing more services and they have been tasked by the State to get more training. Also, they are now a First Responder agency with Saranac Lake as the lead agency. They can do extrications and ice rescues.

Jeffrey Leavitt asked if the budget still provided for a golf tournament. He did not have an updated fire department budget to see if this was removed. He wondered if the fire department cut services to the Town or to the members.

Roger Smith said they receive insurance money called "2% money" that is for recreation of members and cannot be used for fire fighting. They have reduced their budget for maintenance of the building and technical rescue equipment.

Supervisor David Knapp said that costs are going up for everyone, insurance and services especially. This is the first line-by-line budget he has seen from the fire department and it is being used against them. He would have accepted the budget presented at the Public Hearing for \$77,466. This budget is less of an increase. In the past the budget has increased by 3% each year without the Town seeing a budget.

Council Member Sheila Delarm said the mandates from the State are costing more. This budget is much better from

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the first one submitted.

Discussion was held on how everyone submitted a "wish list" and everyone has cut back to reduce the budget. The budget increase is not much different from the surrounding towns. Grants can be looked at for one time purchases. Sheila Delarm will contact Harrietstown to see if they can provide information for grants.

Roger Smith thanked the Town for paving the fire department's parking lot. The fire department has asked for a grant for building maintenance but they have not heard if they received it or not.

Jeffrey Leavitt said this budget is a step in the right direction. He has heard from people in the Town that feel the fire department has spent "lavish amounts" on a fire truck and celebrations and they don't think the money should come from the Town. The fire department could purchase trucks and equipment with those funds. There are seniors on fixed incomes who are not able to continue to pay for large increases in the budget.

Roger Smith said the funds for the fire truck came from an anonymous donor and only \$85,000 was borrowed for the pumper. He has been on the fire department for over the 20 years and Chief on and off over the past 11 years. Each time they purchase an older truck that is less expensive, but they have to put a large amount of maintenance into the truck. He would like to hear directly from the persons who are complaining about the "lavish parties". The 2% funds are used for the parties, they do not use the Town's money for parties. In the past ten years the cost of trucks has gone up just like everything else and the department is growing. The \$1,150 increase for 2010 is peanuts.

RESOLUTION #84

FIRE DEPARTMENT BUDGET 2010

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

WHEREAS, a public hearing was held on November 5, 2009 for public comment on the Fire Protection contract with Paul Smiths-Gabriels Volunteer Fire Department and proposed Budget for 2010, and

WHEREAS, the public asked for the fire department to reduce its portion of the 2010 Budget, and,

WHEREAS, the Paul Smiths-Gabriels Volunteer Fire Department submitted a reduced Budget proposal for 2010,

NOW THEREFORE BE IT RESOLVED that the Paul Smiths-Gabriels Volunteer Fire Department Budget for 2010 be approved as proposed:

Reduce Fire Contract decreased from \$77,466 to \$70,826.

ROLL CALL VOTE: Aye 3 (Leavitt, Knapp, Wright), Nay 0, Abstain 2 (Delarm, Tucker)

RESOLUTION #84 declared duly adopted.

b. **Town Budget 2010:** A revised Preliminary 2010 Budget was distributed to Board members showing the changes made by the fire department and the Highway Department. The overall budget reflects a 4% increase.

RESOLUTION #85

TOWN BUDGET 2010

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

WHEREAS, a public hearing was held on November 5, 2009 for public comment on the Preliminary 2010 Budget, and

WHEREAS, the public asked for the fire department to reduce its portion of the 2010 Budget (SF3410.4) and a reduced Budget of \$70,826 was received from the Paul Smiths-Gabriels Volunteer Fire Department, and

WHEREAS, the Highway Department Superintendent reduced the Highway Appropriations in line DA5130.2 for Machinery Equipment to \$15,000 ,

NOW THEREFORE BE IT RESOLVED that the Town Budget for 2010 be approved as follows:

GENERAL FUND

| | |
|--------------------------------------|-------------------|
| APPROPRIATIONS: | \$ 450,196 |
| LESS ESTIMATED REVENUES: | \$ 51,350 |
| LESS FUND BALANCE: | \$ 90,000 |
| AMOUNT TO BE RAISED BY TAXES: | \$ 308,846 |

HIGHWAY FUND

| | |
|--------------------------------------|-------------------|
| APPROPRIATIONS: | \$ 297,813 |
| LESS ESTIMATED REVENUES: | \$ 75,465 |
| LESS FUND BALANCE: | \$ 50,000 |
| AMOUNT TO BE RAISED BY TAXES: | \$ 172,348 |

FIRE PROTECTION DISTRICT

| | |
|--------------------------------------|------------------|
| AMOUNT TO BE RAISED BY TAXES: | \$ 70,826 |
|--------------------------------------|------------------|

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STREET LIGHTING (EASY STREET) DISTRICT

AMOUNT TO BE RAISED BY TAXES: \$ 900

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

RESOLUTION #85 declared duly adopted.

- c. Distributed **Budget** and CLASS reports as of October 31, 2009 to the Board
- d. **CLASS interest** is \$33.70 for General and \$17.99 for Highway, Total CLASS balances are \$159,714.37 for General and \$69,775.97 for Highway
- e. **Budget Amendments:**

HIGHWAY FUND 2009 BUDGET AMENDMENT #2

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

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

Transfer: \$1,100.00 from Account DA9060.8 Hosp & Medical Insurance as follows: \$1,100.00 to Account No. DA5110.4 General Repairs

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

HIGHWAY FUND 2009 BUDGET AMENDMENT #2 declared duly adopted.

GENERAL FUND 2009 BUDGET AMENDMENT #7

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

RESOLVED that the 2009 General Fund Budget be amended as follows:

Transfer: \$ 82.00 from Account No. A1990.4 Contingent

as follows: \$ 82.00 to Account No. A8810.4 Cemetery CE

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

HIGHWAY FUND 2009 BUDGET AMENDMENT #7 declared duly adopted.

- f. Received a check from the Franklin County Treasurer in the amount of \$11,188.14 for Mortgage revenue.
- g. Spoke with NBT Bank about transferring the bank accounts to the new supervisor. A Board resolution will have to be approved to change the signatures.
- h. Will be out of Town from November 19 to December 7; can be reached by cell phone. He will sign the November 19th payroll before he leaves Town. Steve Tucker will cover as Deputy Supervisor for anything local, he will be signing the December 3rd payroll.

2. CORRESPONDENCE:

- a. **Letter of Support from Harrietstown Airport:** Received a request from Supervisor of Harrietstown Larry Miller asking for support for Cape Air at the Adirondack Airport in Harrietstown. Drafted a letter in support of Cape Air who is already providing service; the contract is up for renewal. Town residents should also send letters of support if they used Cape Air service and would like to see it continue. The email address of the Harrietstown Supervisor is "htownsupv@harrietstown.org". Several people commented on the good service provided by Cape Air.

Motion made by Supervisor David Knapp, **second** by Sheila Delarm, **to authorize Supervisor David Knapp to sign a letter in support of Cape Air receiving the contract for services at the Harrietstown Adirondack Airport. Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0**

- b. **Letter of Support for Rainbow Lake Association Grant:** Pat Willis requested the Town Board support the Rainbow Lake Association's request for a grant for the "Rainbow Lake Water Quality Protection Program". This grant will help the Association monitor the quality of the water in the Rainbow Lake waterways. In the past a survey for Eurasian Watermilfoil has been conducted. This grant would help cover the cost to the Rainbow Lake Water Quality Protection Program for providing education to people who use the waterways.

Motion made by Supervisor David Knapp, **second** by Sheila Delarm, **to authorize the Supervisor David Knapp to sign a letter of support for a grant from the Lake Champlain Basin Program for the Rainbow Lake Association's**

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“Rainbow Lake Water Quality Protection Program”.

Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0

- c. **Letter of Support for the Development Authority of the North Country (DANC):** Received a request from Steven Horn who has been pursuing broadband coverage for the McColloms area to support the Development Authority of the North Country (DANC) in their efforts to expand broadband coverage in the Adirondacks and northern New York State. Sheila Delarm would like to see a committee set up to support Steven Horne.

Motion made by Supervisor David Knapp, second by Sheila Delarm, to authorize Supervisor David Knapp to sign a letter in support of the Development Authority of the North Country (DANC) in its efforts to expand broadband coverage in the Adirondacks and northern New York State.

Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0

- d. Received an invitation to the CLASS luncheon on Thursday, December 10, 2009 in Lake Placid. Lydia Wright and Town Clerk Elaine Sater will plan to attend.

DEPARTMENT REPORTS

1. TAX COLLECTOR - Amber McKernan: Report read at meeting

- a. Received 4 phone calls requesting tax information
- b. Request lists continue to come in from mortgaging and tax servicing institutions. Set hours for payment in person as follows: 8 a.m. to 4 p.m. Tuesday through Thursday during the month of January only, at 18 County Road 60, or by appointment.
- c. This office is waiting for further information regarding the partial payments from the Office of the Franklin County Treasurer. To date nothing has been forthcoming.
- d. Is concerned about the credit card payment procedures by the County, they passed a resolution authorizing the County to collect taxes payments by credit card. Asked how the Town will get its money and does the Town's bond cover the amounts of the warrant collected by the County.

Supervisor David Knapp said he has not received any information from the County concerning partial payments or credit card payments.

- e. Would like the Board to make a final decision on the posting of tax bills as a part of the Tier I iTax program. Through this service, tax bills would be accessible through the Town of Brighton website, as they have been for the 2009 tax year.

Discussion was held on how the information was authorized to be put on the website in January 2009. There were emails between Amber McKernan and Sheila Delarm to get the link onto the website at no cost to the Town. Now there is a \$100 fee for this same service for 2010.

RESOLUTION #86

WEBSITE LINK TO 2010 TAX BILL INFORMATION

Motion made by Supervisor David Knapp, second by Steve Tucker, to Wit:

WHEREAS, the 2009 tax bills were available on the Town of Brighton's website in January 2009 by a link at no cost to the Town, and

WHEREAS, the company providing this information will no longer provide the service for free,

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes Tax Collector Amber McKernan to purchase the ability for the 2010 tax bill information to be accessible on the Town's website for the amount of \$100.00 from the iTax Tier I provider BAS.

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

RESOLUTION #86 is declared duly adopted.

2. HIGHWAY- Andy Crary:

- a. **Report:**
 - i. Had the windshield replaced on the 2002 Paystar
 - ii. Checked roads

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- iii. Made dump runs
 - iv. Put flaps on the plows
 - v. Rebuilt the spinner on the LT9000
 - vi. Had the tires changed on the trucks
 - vii. Painted the wings and plow
 - viii. Received the salt
 - ix. Set up for the Food Pantry
 - x. Got the trucks ready for winter, had the clutches adjusted
 - xi. Employees are using their time acquired
 - xii. Applied for the CHIPS funding in the amount of \$68,838.45.
 - xiii. Needs carbide blades for the plows, they are about \$583 a set
 - xiv. Will be in and out of the Garage over the next few weeks
- b. **Voting Machine:** There is room to store the old green voting machine in the Garage until the County decides what to do with it. Supervisor David Knapp will contact Tom Tucker to see if he will come and put the machine down so it can be stored. It was never put away after the 2008 election by the County Board of Elections, who now owns it.
- c. **Roof on Garage:** Andy Crary spoke to the company who provided the roof and they said the damage is not covered under warranty. Discussion was held on what to do next. Supervisor David Knapp asked Andy Crary to contact Joe Garso at North Woods Engineering with this information and get a written clarification on the non-warranty issue.
- d. **Thank You Letter:** Received a letter from the Paul Smiths-Gabriels Volunteer Fire Department thanking the Highway Department for paving the parking lot with grindings from the Adirondack Airport in Harrietstown.
- e. **White Pine Bridge:** Supervisor David Knapp sent Resolution #76-2009 to the Franklin County Legislature and the Attorney for the Town; he has not heard back from them. He will forward the Resolution to Senator Betty Little and Assemblymember Janet Duprey.
- f. **CSEA**
- i. **Dental Benefits for Retirees:** Received a request from the CSEA Employee Benefits Fund for a Memorandum of Agreement for retirees to obtain dental benefits at their own expense.

RESOLUTION #87

CSEA EMPLOYEE BENEFIT FUND RETIREE DENTAL PLAN

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

WHEREAS, the Town currently has a collective bargaining agreement with CSEA, and

WHEREAS, the Town provides Dental benefits through the CSEA Employee Benefit Fund,

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes the Supervisor David Knapp to sign a Memorandum of Agreement with the CSEA Employee Benefit Fund as follows:

Coverage under the CSEA Employee Benefit Fund Retiree Dental Plan (the "Plan") administered by the CSEA Employee Benefit Fund (the "Fund") shall be available to any member of the CSEA bargaining unit who retire and meets the following criteria:

1. The member retires directly from employment with the employer during or after the term of the collective bargaining agreement in which this Memorandum is executed.
2. The member has coverage under a Fund-sponsored Dental Plan on or after July 1, 2002
3. The member agrees in writing to comply with all requirements of the Fund which are applicable to retiree coverage at the time of his or her application to the Fund for retiree coverage.
4. The member agrees in writing to pay for any and all premiums for coverage under the Plan.

The employer has no obligation to pay for coverage under the Plan.

The Fund agrees to provide all information regarding the Plan, including, but not limited to, eligibility requirements, to any member of the CSEA bargaining unit who may be eligible for participation in the Plan.

The Fund shall be solely responsible for the administration of the Plan, including, but not limited to, the enrollment and billing of any member of the CSEA bargaining unit eligible for participation in the Plan.

The Fund agrees to hold the Employer harmless from any liability in connection with the cost of providing coverage under the Plan.

Neither the Unit nor the Employer shall use this Memorandum of Agreement as precedent in future collective

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bargaining agreement negotiations.

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

Resolution #87 declared duly adopted.

ii. **Contract:** Supervisor David Knapp received a letter dated November 2 from Brian Paige, CSEA Labor Relations Specialists, concerning the 2010 contract asking for a one year contract, a 6% raise, and the dates of the winter season.

RESOLUTION #88

CSEA 2010 CONTRACT FOR EMPLOYEE COLLECT BARGAINING UNIT6870

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

WHEREAS, the Town Supervisor sent a letter dated March 23, 2009 to Brian Paige, CSEA Labor Relations Specialist, requesting contractual information changes no later than the middle of September 2009 in order to account for monetary request during the 2010 budget workshops, and

WHEREAS, a letter dated November 2, 2009 was received from Brian Paige requesting monetary changes to the CSEA contract for 2010, and

WHEREAS, the Town Board adopted the Town's 2010 Budget on November 12, 2009,

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes Supervisor David Knapp to sign and send a letter to Brain Paige, CSEA Labor Relations Specialist; Forest Pennington, Brighton Highway Department Steward; and Colleen Wheaton, CSEA Region President, with the following:

1. The Town accepts the request for a one year contract
2. The Town rejects the request for a 6% wage increase. The Board determined a 0% increase in wages for highway workers by way of the adoption of the Town Budget for 2010 on Thursday, November 12, 2009.
3. The dates for the beginning and ending of the snow and ice season were determined to begin on December 1 and end on March 31 by Resolution #77-2009 at the Regular Board meeting on Thursday October 15, 2009.
4. The Town requested contractual changes to be provided no later than the middle of September 2009
5. The Town Board will discuss contractual policy language clarifications at its next regularly scheduled meeting on Thursday, December 10, 2009.

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

Resolution #88 declared duly adopted.

g. **Mobile Phone:** Supervisor David Knapp provided information on purchasing a mobile phone for the on-call person. Discussion was held on which plan is the best to get for this area.

RESOLUTION #89

TRACK PHONE PURCHASE FOR HIGHWAY DEPARTMENT

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

WHEREAS, the Highway Department employees are on call during the winter season from December 1 to March 31, and

WHEREAS, the employees need to have access to Highway Department phone calls while on call,

NOW THEREFORE BE IT RESOLVED that Superintendent of Highways Andy Crary is authorized to purchase a track phone with prepaid minutes for the on-call employees to use during the Winter Season from December 1 to March 31, and

BE IT FURTHER RESOLVED that the Highway phone number be forwarded to the track phone number during the on-call period.

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

Resolution #89 declared duly adopted.

h. **Mining Permit:** Supervisor David Knapp asked if the Town's mining permit was up-to-date. Andy Crary said the employees will get their required training in the spring. A copy of the permit is on file in the Town Garage.

3. **ANIMAL CONTROL OFFICER (Tri-Lakes Humane Society):** Received report prior to meeting

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During October handled a total of 4 calls, 3 calls in regards to a stray cat found on Garondah Road, it was united with owner that had reported it missing. The other call was in regards to pet adoption.

4. ASSESSOR - Doug Tichenor: No report submitted

Supervisor David Knapp sent letters to Jerome Samburgh and E. Philip Delarm notifying them of their appointment to the Board of Assessment Review. He also sent a copy of the appointments to Mary Bausch, Director of the Franklin County Real Property Office. He has not heard back from her concerning this issue.

5. CODE ENFORCEMENT OFFICER (CEO) - Paul Blaine: Report received prior to meeting

a. Report:

- i. Collected \$602.50 in fees for permits during October
- ii. Issued three building permits #09-039 to 041
- iii. Issued two Certificates of Compliance for Bldg Permits #09-022 and 031

b. **Adirondack Park Agency (APA):** Supervisor David Knapp contacted John Burth from the APA concerning the situation with the "litter" law in the Town. Paul Blaine sent a letter to the APA Enforcement Division to Paul VanCott supporting their efforts in enforcing their "litter" law for violations in the Town.

c. **Deer Meadow Subdivision:** A SEQR assessment form from the Department of Health was completed by the Town for this 14 lot subdivision in Gabriels. The project engineer North Woods Engineering filled out the first part, the Town is responsible for the second part. Supervisor David Knapp completed the form with the Code Enforcement Officer's input. The Board reviewed the form and the subdivision covenants.

RESOLUTION #90

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) FOR DEER MEADOWS SUBDIVISION

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

WHEREAS, Deer Meadows Subdivision is being created as a 14-lot subdivision in the Town of Brighton in the area of Gabriels on NY State Route 86, and

WHEREAS, the Department of Health requires a State Environmental Quality Review (SEQR) Type I action by the lead agency,

NOW THEREFORE BE IT RESOLVED that the Town Board approves the State Environmental Quality Review (SEQR) Type 1 action and declares the Town of Brighton as the lead agency, and

BE IT FURTHER RESOLVED that Supervisor David Knapp be authorized to sign the SEQR Type 1 action.

ROLL CALL VOTE: Aye 3 (Delarm, Knapp, Tucker), Nay 0, Abstain 2 (Leavitt, Wright)

Resolution #90 declared duly adopted.

- d. **Avoidable Alarm Complaints:** During October there were 5 Avoidable Alarm complaints reported and the status on them is open. The Board discussed how the Attorney for the Town Scott Goldie should proceed. Scott Goldie requested the initial violations, of the "Prevention of Avoidable Alarms" Local Law #1 for the Year 2009 as criminal cases, be withdrawn from the Town Court. He withdraw his bill of \$1,707 (Voucher #247-2009) and \$240 (Voucher #248-2009) as well as the unbilled amount of \$32 for his erroneous filing of these violations. Steve Tucker asked for permission to talk to the Attorney for the Town on behalf of the Paul Smiths Gabriels Volunteer Fire Department to discuss the documentation for avoidable alarms. Supervisor David Knapp said Steve Tucker should talk to the Code Enforcement Officer Paul Blaine about the documentation not the Attorney for the Town.

RESOLUTION #91

AVOIDABLE ALARM VIOLATIONS

Motion made by Jeffrey Leavitt, **second** by Steve Tucker, **To Wit:**

WHEREAS, there have been violations of the "Prevention of Avoidable Alarms" Local Law #1 for the Year 2009, and

WHEREAS, the Attorney for the Town is willing to pursue these violations in a court outside the Town,
NOW THEREFORE BE IT RESOLVED that the Town Board authorizes the Attorney for the Town, Scott Goldie, to file civil claims in New York State Supreme Court for violations of the "Prevention of Avoidable Alarms" Local Law #1 for the Year 2009.

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

Resolution #91 declared duly adopted.

6. **TOWN JUSTICE- Nik Santagate:** Report received prior to the meeting
Disposed of 61 cases and distributed \$5,091 to the Supervisor
7. **HISTORIAN - Mary Ellen Salls:** No report submitted

COMMITTEE REPORTS

1. CEMETERY - Steve Tucker and Jeffrey Leavitt:

- a. Steve Tucker received a letter from the Ron Keough Monuments Co. on behalf of a family that has a concern. There are two families (Tyler and Richardson) buried in the same area. One family says there is no room for a stone for their family because another family has put in a stone. Discussion was held on what can be done to fix this situation. The Cemetery regulations and map will be reviewed at the next meeting to discuss this further.
- b. Trees at the cemetery need to be removed; Jeffrey Leavitt will let Andy Crary know about them.

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

- a. **Health Insurance:** Received increase for health premiums for Highway Employees (\$1,828.21) and Elected Officials (\$522.90 single, \$1,009.20 two person, and \$1,377.44 family); the rate is up by 16.4%.
- b. **Contributions to Premiums for Elected Officials:** Supervisor David Knapp said if a policy was implemented for employee contributions this would not effect the budget since the funds would come from the salary already in the budget. All the people effected should meet and discuss a new policy.
- c. **Work Place Violence Prevention Policy/Training:** Public Sector HR Consultants sent a draft evaluation and Supervisor David Knapp reviewed it and made changes. If a final report is received in December the payment in the amount of \$1,000 will be made. Other items need to be addressed: the policy statement needs to be posted, sexual harassment policy needs to be updated, training needs to be updated annually, exit interviews should be conducted, and an employee assistance program established. A concern from the evaluation is the inability of the clerk to see people entering the building because of the enclosure where the computer is located.
- d. **CLASS Investments:** Continues to do poorly due to the economy

3. PARKS AND RECREATION - Steve Tucker and Jeffrey Leavitt:

- a. Maintenance work has been done on the dormers over the doors on both buildings, voucher has been submitted by T. Mark Miller for the work
- b. The port-a-potty can be removed for the winter, Steve Tucker will call Morrisonville Septic

4. TOWN BUILDINGS - Steve Tucker and Jeffrey Leavitt

- a. **Town Hall:**
 - i. **Town Hall Restoration Project (Lydia Wright):** Received a proposal from Wes Haynes to act a "owner's representative" on the Town Hall Project. This proposal will be forwarded to Gayle Underhill-Plum for review. More information on the grant is needed before the Town can continue.
 - ii. **Furnace:** Supervisor David Knapp said he needed more clarification from Griffith Energy on what their service contract will cover. Hyde Fuel doesn't have a service contract, service is included when fuel is purchased at 38 cents over market.
 - iii. **Copier Service Contract:** A Lockrows's representative visited the Town Hall to discuss purchasing the copier. This was completed a year ago. The service contract is expiring and he will provide information on a new service contract.
 - iv. **Septic Tank:** There is a odor in the Town Hall from the bathroom, Jeffrey Leavitt will contact Andy Crary to contact Morrisonvill Septic to get the septic tank pumped out.
- b. **Inactive Records Storage in Highway Garage:** Supervisor David Knapp prepared a "Request for Proposal" to give out to local construction businesses for installing a wall in the Town Garage to make an area for Inactive

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Records Storage. A fire proof file cabinet will be purchased instead of trying to fireproof the room at this time.

Motion made by Supervisor David Knapp, second by Lydia Wright, to authorize the Supervisor David Knapp to request quotes for construction of an inactive records storage room in the Town Garage. Quotes are to be submitted not later than December 10, 2009 by 5 p.m. and construction to be completed by December 31, 2009. Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0

5. WEBSITE - Sheila Delarm:

- a. Discussion was held on linking the Saranac Lake Chamber's website to the Town's website. Sheila Delarm will contact Rainbow Graphics to set this up.
- b. Discussion was held on how to track usage of the website. Sheila Delarm will ask Rainbow Graphics about getting a counter on the website to track usage.

OLD BUSINESS

- 1. FIRE ADVISORY BOARD (FAB) UPDATE:** Supervisor David Knapp contacted Paul Ellis the Treasurer for the Village of Saranac Lake to get a copy of the MOU Addendum to the Village rescue contract. They are waiting for the Saranac Lake Fire Chief Don Duso to sign the MOU. Sheila Delarm said the Town should not be paying the increase in the Contract unless the Village has hired an EMT. The Village Fire Department has several issues to complete before they can apply for separation status for the Rescue Department.
- 2. CELL PHONE TOWER:** Jeff Leavitt said the cell phone tower has been lowered by 25' so it will only provide service to Paul Smith's College. It is still not operational. He contacted Senator Betty Little's office to find out what is holding up the process. Verizon is waiting for electrical and phone to be activated; the lines are already installed. The cell phone tower in Duane is still in process. Sheila Delarm said the Duane tower has been suspended for 30 days, the APA and Verizon are discussing what type of tower should go up. There will be gaps in service between Saranac Lake and Malone. The towers are being lowered because there are not a lot of trees 90 feet tall so the towers will stick out. Jeffrey Leavitt spoke with the JNS company that leases towers to towns to rent to cell phone companies. JNS currently has a tower in Saranac Lake on top of Mt. Pisgah.
- 3. CAMP GABRIELS ADAPTIVE REUSE PLAN:** There has been no further information.

NEW BUSINESS:

NEW VOTING MACHINE: Several people said they were not comfortable with the new voting machine. They did not have privacy when voting. Whenever the machine jammed people thought it was the write-in votes causing it. Not everyone received a privacy folder to cover their vote. The mechanics of the system was not good. The pens were not easy to use, the ballots were difficult to read. Supervisor David Knapp said voters should write letters directly to the Board of Elections in Malone. The Town has no say in the process, it just provides the room.

CITIZENS COMMENTS: None

AUDIT OF VOUCHERS:

Motion made by Supervisor David Knapp, second by Jeffrey Leavitt, to audit the vouchers. Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0

RESOLUTION #92

PAYMENT OF AUDITED VOUCHERS AS LISTED ON THE ABSTRACTS

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

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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 2009 General Funds in the amount of \$ 632.35 and 2009 Street Light Funds in the amount of \$56.67

GENERAL FUND: Abstract #11 for Voucher #266 through and including #288 for 2009 General Funds in the amount of \$7,390.54

HIGHWAY FUND: Abstract #11 for Voucher #109 through and including #120 for 2009 Highway Funds in the amount of \$24,315.58.

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

RESOLUTION #92 declared duly adopted.

ADJOURNMENT

Motion to Adjourn at 11:40 p.m. made by Lydia Wright, **Second** by Sheila Delarm, **Aye 5 (Delarm, Knapp, Leavitt, Tucker, Wright), Nay 0**

Respectfully Submitted,

Elaine Sater
Brighton Town Clerk