

The Regular Meeting of the Town Board of the Town of Brighton was held on Thursday, January 8, 2004, following the Organizational Meeting at 6:30 p.m. at the Brighton Town Hall, Paul Smiths, NY, with the following:

PRESENT: Supervisor Robert Tebbutt

Council Members: David Knapp, John Quenell, Steve Tucker and Lydia Wright

ABSENT: None

OTHERS PRESENT: Elaine Sater - Town Clerk, Amber McKernan - Tax Collector, Don Oliver - Superintendent of Highways, Nik Santagate - Town Justice, and Pat and Tom Willis - Historians

RESIDENTS: There were four residents present.

Meeting was Called to Order by Supervisor Robert Tebbutt at 7:05 p.m.

APPROVAL OF MINUTES

Motion made by Lydia Wright **to accept the Minutes of the Regular Town Board Meeting of November 13, 2003, with the following change:** Page 5, Para 5, Tax Collector: Change “No Report” to “A report was submitted by email.”; second by John Quenell, Aye 3 (Tebbutt, Quenell, Tucker), Abstain 2 (Knapp, Wright)

Motion made by Supervisor Robert Tebbutt **to accept the Minutes of the Special Town Board Meeting of November 25, 2003, with the following changes:** 1) Page 2, Para 4 (Health Insurance), Line 5: Change “In New York State” to “nationwide” 2) Last line: Add “in our area” after “participating providers” 3) Para 6, one line: Add “Highway” between “town” and “employees”, change “\$11000” to \$12322” and delete “and \$14000/annum for 2005.”, second by Steve Tucker, Aye 3 (Tebbutt, Quenell, Tucker), Abstain 2 (Knapp, Wright)

Motion made by Supervisor Robert Tebbutt **to accept the Minutes of the Regular Town Board Meeting of December 18, 2003, as written,** second by John Quenell, Aye 3 (Tebbutt, Quenell, Tucker), Abstain (Knapp, Wright).

TOWN CLERK REPORT

Total Revenue to Supervisor as of December 31, 2003 was \$651.73

- 1 Dog License Renewal
- 2 Building Permits (BRI03-35 & 36)
- 1 FOIL Request

1. Notice of this meeting and the Organizational meeting was published on December 30, 2003, in the Adirondack Daily Enterprise, posted notices in three Post Offices, at local businesses, and on the Town Clerk’s sign board
2. Received information from Association of Towns to be read at Board Meeting, Re: Training Sessions available for Town Officials from February 15 to 18, 2004 in New York City at Annual Meeting, copies sent to board members, a delegate needs to be appointed for the Business Meeting on Feb 18.
3. Annual Town Clerk Cash Report for 2003: A summary sheet was given to the Board Members showing receipts and disbursements for the year in preparation for the annual audit.

SUPERVISOR REPORT

1. **FINANCIAL** – Balances of Bank Accounts as of December 31, 2003, were distributed to the Board and are attached to these minutes. Two Budget Amendments (Highway #2 and General #9) are needed for the 2003 Town Budget.

RESOLUTION #14

BUDGET AMENDMENT #9 FOR 2003 GENERAL FUND

Motion made by John Quenell **to adopt Budget Amendment #9 for the 2003 General Fund to transfer \$2,102.00 from Account No. A1990 (Contingent) to the following:**

- \$ 26.00 to Account No. A1010.4 (Town Board CE)
- \$ 30.00 to Account No. A1110.4 (Justice CE)
- \$ 232.00 to Account No. A5132.4 (Town Garage CE)
- \$ 201.00 to Account No. A1620.4 (Town Hall CE)
- \$1,613.00 to Account No. A8189.4 (Landfill Monitoring CE)

Second by Supervisor Robert Tebbutt, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright)

Resolution #14 declared duly adopted.

RESOLUTION #15

BUDGET AMENDMENT #2 FOR 2003 HIGHWAY FUND

Motion made by Supervisor Robert Tebbutt to approve Budget Amendment #2 for the 2003 Highway Fund to transfer \$1,100.00 from Account No. DA5130.21 (Machinery Equipment) to the following:

\$ 1,100.00 to Account No. DA5130.4 (Repairs CE)

Second by John Quenell Robert Tebbutt, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright)

Resolution #15 declared duly adopted.

2. **NATIONAL REGISTER DESIGNATION FOR TOWN HALL:** Received notice dated, November 17, 2003, from the New York State Office of Parks, Recreation and Historic Preservation that the Brighton Town Hall has been listed on the National Register of Historic Places. Thank you to Pat and Tom Willis who made this happen. Tom and Pat Willis presented the Town with a plaque for the Town Hall.
3. **LOGGING TRUCKS ON KEESE MILLS ROAD:** Received letters from Seaway Timber Harvesting, dated November 19, 2003, and LandVest, dated December 3, 2003, RE: Speed and time trucks will be on the Keese Mills Road. Letters will be on file with the Town Clerk if anyone wants to view them.
4. **ACKNOWLEDGEMENT OF SEASONAL DONATIONS:** Asplin Tree Farm donated a tree to the Town. Steve Tucker and Dan Spencer put it up at the Park. Amber McKernan and others decorated it. Robert Tebbutt donated the lights for the tree. Mary Ellen Salls donated a wreath for the Town Hall and Pat Willis put it up on the Front Door. Thank you letters have been sent for these gifts.
5. **STATE AND FEDERAL POSTING REQUIREMENTS:** Council Member David Knapp was asked to look at the Town compliance with the Labor Law posting requirement for next meeting.
6. **PRESERVATION OF ST. GABRIEL'S ROMAN CATHOLIC CHURCH:** Received a letter from the Friends of St. Gabriel's Church asking the Board to send a letter to Reverend Lawler of the Diocese of Ogdensburg in support of preserving the church. Pat Willis will talk to anyone interested in writing letters for this cause.

RESOLUTION #16

AUTHORIZATION TO SEND A LETTER OF SUPPORT RE: ST. GABRIEL'S CHURCH

Motion made by Supervisor Robert Tebbutt to Resolve that the Supervisor of the Town of Brighton write a letter to the Right Reverend Monsignor Robert L. Lawler of the Diocese of Ogdensburg asking to ensure that St. Gabriel's Roman Catholic Church near Paul Smith College is preserved since it was downgraded to an Oratory and is no longer used on a regular basis, second by David Knapp, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright)

Resolution #16 declared duly adopted.

7. DESIGNATION OF NYMIR AS INSURANCE CARRIER AND PAYMENT OF PREMIUM

RESOLUTION #17

AUTHORIZATION TO DESIGNATE NYMIR AS INSURANCE CARRIER AND PAY PREMIUM

Motion made by Supervisor Robert Tebbutt to approve the designation of New York Municipal Insurance Reciprocal (NYMIR) as the insurance carrier for the Town of Brighton and to authorize

the payment of \$11, 195.12 for the 2004 annual premium as budgeted, second by John Quenell, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright)
Resolution #17 declared duly adopted.

8. **2004-2005 CONTRACT WITH CSEA:** Labor Contract is due for renewal for two years. The Town received a proposal and it was distributed to the Board. Negotiations were held and the Town needs to approve the contract. An increase in pay of 36 cents per hour per year was budgeted. Article XIV – Health Insurance will remain the same as what is currently in place on 12/1/03. Article X – Work Day-Work Week-Overtime: Would like to increase on-call during the snow/ice season (November 1st to April 30th) from two hour to four hours of stand by pay for Saturday and Sunday, in addition to any and all overtime.

RESOLUTION #18

DECLINING OF CSEA LABOR CONTRACT

Motion made by John Quenell to Resolve that the Town Board declines to accept the proposal of the CSEA Labor Union at this time, second by Supervisor Robert Tebbutt, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright)
Resolution #18 declared duly adopted.

9. **STATE DOT ROUTE 86 IMPROVEMENT PROJECT:** There are some items that need to be taken care of for the Route 86 Project including sale of land and alternation of intersections.

RESOLUTION #19

AUTHORIZATION TO ACCEPT \$100 FOR TOWN LAND ON ROUTE 86 FROM DOT

Motion made by Supervisor Robert Tebbutt to Resolve that the Supervisor be authorized to accept the New York State Department of Transportation (DOT)’s offer of \$100.00 for 365 square-feet of land as identified by the DOT near the Town of Brighton Mountain View Cemetery on County Route 55 for the purpose of altering the intersection during the Route 86 Improvement Project (PIN 7161.04, Franklin County), second by John Quenell, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright)
Resolution #19 declared duly adopted.

RESOLUTION #20

AUTHORIZATION TO ALTER AND PAVE INTERSECTING ROADS

WHEREAS, in connection with the reconstruction of Route 86, Gabriels - Donnelley’s Corners, Franklin County, P.I.N. 7161.04 and under the provisions of Section 10, Subdivision 25, of the New York State Highway Law as amended, which provides in part that the Commissioner of the Department of Transportation shall “have the power to combine, connect, alter, relocate, terminate and pave intersecting highways, roads or streets,” and also that “maintenance of any highway, road or street which is affected by the subdivision and which in the judgment of the Commissioner, is not deemed to be part of the State Highway System shall be maintained by the municipality or the municipalities in which the streets or roads are located,” and

WHEREAS, the Commissioner proposes to improve Route 86, Gabriels – Donnelley’s Corners, Town of Brighton, County of Franklin and in connection therewith to alter and pave the following roads or streets:

<u>NAME</u>	<u>Between Stations</u>	<u>Center line (km)</u>	<u>Lane (km)</u>
Bert LaFountain Road	LA0+005 – LA0+080	.075	.150
Hobart Road	HR0+005 – HR0+080	.075	.150

WHEREAS, said highway, roads or streets are located within the Town of Brighton and in the judgment of the Commissioner of the Department of Transportation will not be deemed to be part of the State Highway System.

NOW, THEREFORE BE IT RESOLVED that the Town of Brighton approves the above-described paving and altering of the town roads, and

BE IT FURTHER RESOLVED that upon completion of construction of the above described roads or streets, the Town of Brighton will maintain such roads or streets in accordance with the provisions of the Highway Law, and

BE IT FURTHER RESOLVED, that the Clerk of the Board, Elaine Sater, is hereby directed to certify and transmit five (5) copies of the foregoing resolution to: New York State Department of Transportation, 317 Washington Street, Water Town, New York 13601, Attn: Timothy J. Vrett.

Motion made by Supervisor Robert Tebbutt, second by John Quenell, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright)

Resolution #20 declared duly adopted.

10. APPROVAL OF ANNUAL CONTRACTS

a. Rescue Services with the Village of Saranac Lake

RESOLUTION #21

AUTHORIZATION TO ACCEPT CONTACT/EXPENSE FUNDS FOR RESCUE SERVICES

Motion made by Supervisor Robert Tebbutt to Resolve that the Supervisor is authorized to execute a contract with the Village of Saranac Lake for the provisions of Emergency Rescue Services in the Town of Brighton for the years 2004, 2005, and 2006 at a cost of \$18,128.57, \$18,491.15, and \$18,860.97 respectively and to pay \$9,064.29 to the Village of Saranac Lake for the first installment for 2004, second by John Quenell, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright)

Resolution #21 declared duly adopted.

b. North Country Life Flight Emergency Services

RESOLUTION #22

AUTHORIZATION TO CONTRACT FOR EMERGENCY SERVICES WITH NC LIFEFLIGHT

Motion made by Supervisor Robert Tebbutt to Resolve that the Supervisor be authorized to execute a contract with North Country Life Flight to provide for emergency services to the Town of Brighton during 2004 and to pay North Country Life Flight a fee of \$1,000 for said services, second by John Quenell, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright)

Resolution #22 declared duly adopted.

c. Tri-Lakes Humane Society for Animal Shelter Services

RESOLUTION #23

AUTHORIZATION TO CONTRACT FOR ANIMAL SHELTER SERVICES

Motion made by Supervisor Robert Tebbutt to Resolve that the Supervisor be authorized to execute an agreement with the Tri-Lakes Humane Society to provide animal shelter services for the Town of Brighton during 2004 and to pay \$1,150 for said services, second by David Knapp, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright)

Resolution #23 declared duly adopted.

d. FREMSA for First Responder Emergency Medical Services

RESOLUTION #24

AUTHORIZATION TO CONTRACT FOR FIRST RESPONDER EMERGENCY MED SERVICES

Motion made by Supervisor Robert Tebbutt to Resolve that the Supervisor be authorized to execute an agreement with the First Responder Emergency Medical Services Association (FREMSA) to provide Emergency Advance Life Support First Responder services to sick and/or injured persons within the Town of Brighton for the years 2004, 2005, and 2006 at a cost of \$1,250 each year and to pay \$1,250 for 2004 for said services, second by John Quenell, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright)

Resolution #24 declared duly adopted.

e. Airport Services with the Town of Harrietstown

RESOLUTION #25

AUTHORIZATION TO SUPPORT THE ADIRONDACK REGIONAL AIRPORT

Motion made by John Quenell to Resolve that the Supervisor is authorized to sign an agreement with the Town of Harrietstown and pay them \$1,000 as consideration for the provision by the Town of Harrietstown of airport services for the Town of Brighton for 2004, second by Robert Tebbutt, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright)

Resolution #25 declared duly adopted.

11. AUTHORIZATION TO PAY WORKER'S COMPENSATION PREMIUM

RESOLUTION #26

AUTHORIZATION TO PAY WORKER'S COMPENSATION PREMIUM

Motion made by Supervisor Robert Tebbutt to Resolve that the Supervisor is authorized to pay \$27,318.85 to the Franklin County Self-Insurance Plan for Worker's Compensation premium for 2004, second by John Quenell, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright)

Resolution #26 declared duly adopted.

12. ESTABLISHMENT OF A SAND MINE PROJECT FUND

RESOLUTION #27

AUTHORIZATION TO ESTABLISH A SAND MINE PROJECT FUND

WHEREAS Paul Smith's College has offered to sell to the Town, for a price of \$7,000, approximately 4.67 acres of land adjoining lands owned by the Town which are presently used by the Town's highway garage, and

WHEREAS said lands could be mined by the Town for its annual road sanding needs for a least 10 years and thereby save the Town substantial expense,

NOW, THEREFORE BE IT RESOLVED, that the Town of Brighton establish a Sand Mine Capital Project Fund dedicated to the purchase of said lands from Paul Smith's College, subject to approval by the Adirondack Park Agency of said use of the land, to be funded by contributions as required from surplus funds of the Town's General Fund,

Motion made by Supervisor Robert Tebbutt, second by John Quenell, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright)

Resolution #27 declared duly adopted.

OLD BUSINESS

COPIER - The old copier was offered to the Fire Department. It doesn't belong to the Town since it was on a lease. Lockrows can give it to the Fire Department if they don't want it.

NEW BUSINESS

1. **REPLACING THE FLAG** – Bob Byno will replace the flag at the Town Hall when it gets warmer.
2. **PAUL SMITH'S – GABRIELS VOLUNTEER FIRE DEPARTMENT (PSGVFD)**
 - a. **CONTRACT** – There is not enough money in the Fire District Fund at this time to pay the voucher of \$30,051. It will be addressed at the next meeting.
 - b. **FIRE HOUSE PARKING LOT:** Received a letter, dated December 9, 2003, from the PSGVFD, Re: Plowing the Parking Lot, asked if the Town Highway would plow the lot, this is done every year by the Highway
3. **HIGWAY GARAGE CITIZEN'S COMMITTEE:** David Knapp will set a date for the next meeting

REPORTS

1. **COURT (Santagate):** 60 Cases were disposed and \$3,670.00 was sent to the State Comptroller's

Office. Prepared for the annual Audit by the Board, has two years of records available. The last audit was by the Comptroller's Office in 2002 audited the records up to December 31, 2000.

2. **HIGHWAY COMMITTEE (Quenell/Oliver):** Nov and Dec plowed and sanded the roads many times. Repaired broken chain on sander, \$100 check-up on new loader, complete service done. Eight new snow tires put on the Ford Tandem, purchased on State Contract. Ford pickup needs front-end work done. All vehicles have been inspected for the year.
3. **INSURANCE/INVESTMENTS (Quenell):** Nothing to Report.
4. **ASSESSOR (Tichenor): No Report**
5. **TAX COLLECTOR (McKernan):**
 - a. Extends a warm welcome to the new members of the Board. Looks forward to working with them.
 - b. December 26 – prepared a public notice to be published in the official newspaper for the town and posted at three post offices and at the site of the Town Clerk's Office. Faxed a copy of the notice to the Adirondack Daily Enterprise and was published on Tuesday, December 30, 2003, and Tuesday, January 6, 2004.
 - c. Prepared notice of change in the tax collection dates and second mailing date to be included with the tax bills this year
 - d. Thank you to Supervisor Robert Tebbutt for graciously allowing the Tax Collector to use his personal computer to prepare the notices, as her personal equipment was not working. She did not have access to the Town's computer. The laptop, which was to be purchased for the office of Tax Collector in 2003, has not yet been received.
 - e. Received the warrant from the Franklin County Legislature and the tax bills and tax roll from the Office of Real Property Tax Services on 29 December 2003. The total amount of the warrant for the 2004 tax year is \$1,358,586.36. The amount due to the Town of Brighton is \$514,110.00 and the amount due to the Franklin County Treasurer is \$844,476.36.

The break down is as follows:

2004		2003
To the SUPERVISOR:		
\$ 272,441.00	General Town	\$ 259,711.00
\$ 180,867.00	Highway	\$ 187,216.00
\$ 700.00	T010 Easy Street Lighting	\$ 700.00
\$ 60,102.00	FD008 Fire District	\$ 58,352.00
To the TREASURER:		
\$ 353.44	Miscellaneous Charge Backs	\$ 832.04
\$781,905.00	County Tax	\$ 683,883.00
\$ 58,109.92	Returned School Taxes	\$ 44,242.86
\$ 4,108.00	D021 Rainbow Lake Water Protection District	\$ 4,113.00

- f. Prepared the tax bills for mailing and delivered them to the three local post offices on 30 December 2003. Posted the public notices of the receipt of the warrant in the three local post offices and at the Town Hall on the outside and inside bulletin boards. Enclosed with the bills was the Town's website address.
- g. To date received \$105,848.70 from 89 parcels. Received 11 more payments than last year on this date.
- h. Ordered new duplicate checks so there is a large jump in the check numbering from the last check issued (#395 to the start number of the new checks #701). The Board will destroy the old checks at the annual audit of the books. On January 7, 2004 issued Check #701 in the amount of \$.03 for overpayment and on January 8, issued check #702 to Supervisor Robert Tebbutt in the amount of \$53,000.00 as the first payment to the Town of Brighton.

- i. Since the revenues for which the Tax Collector is responsible is now approaching 1.4 million dollars and the funds in the account of this office at any given time has also proportionally increased, I request that the board increase the dollar amount for which this office is bonded.
 - j. Once again, urges the Town Board to purchase appropriate tax collection software for the Office of the Tax Collector. Currently a spreadsheet is being used to track the tax receipts.
 - k. In regards to the laptop computers, Council Member Alicia Bodmer ordered the computers and they were sent to the wrong Town of Brighton. She had to reorder the computers again, since the other Town of Brighton refused the order. The shipping dates are 3 to 5 days and will be sent to the Town Garage. The Tax Collector was not consulted on the order for specifications.
- 6. ANIMAL CONTROL OFFICER (Crary):** This morning was called out at 4 a.m. on a dog problem
- 7. CODE ENFORCEMENT OFFICER (Lagree): No Report**
- 8. CEMETERY (Tucker):** Nothing to report - closed for the winter
- 9. PARKS AND RECREATION (Tucker):**
- a. Dan Spencer reported that the weather was not cold enough to make ice until yesterday. The Fire Department delivered 12,000 gallons of water Wednesday, January 7, and will deliver approximately 18,000 gallons more on Friday, January 9, so the rink can be used on Saturday.
 - b. Thank you to the Highway Department for plowing off the rink area of the 3 feet of snow left by the storm of December 15th.
 - c. The area over the septic tank and near the building needs to stay covered so it does not freeze up again like it did last year.
 - d. Supervisor Robert Tebbutt said the park looked very nice with the tree up and lights on it.
- 10. HISTORIAN (Willis):** The Willis family is donating a bronze plaque for the Town Hall to acknowledge it being put on the National Register of Historic Places
- 11. COMPENSATION AND BENEFITS (T. Willis):** Nothing to Report, will stay on another year if the Town needs him
- 12. TOWN HALL CITIZEN’S COMMITTEE (P. Willis):** Met on December 11, reviewing Crawford and Stearns Report. Will meet again on Saturday, January 17, 2004. Next step will be for the Board to approve hiring an architect to work on plans.
- 13. HIGHWAY GARAGE (Knapp, Fountain):** Nothing new since November’s meeting. Joe Garso (North Woods Engineering)’s office has moved to Lake Street.

CITIZENS COMMENTS:

Art Robertson – Split Rock Road: There is no salary for an auditor, how are the Supervisor’s books audited?

Supervisor Robert Tebbutt said he sends in a report to the State Comptroller’s Office. The Town Board will audit the books of the other Town Officers.

Tom Willis – Garondah Road: There are other contracts that the Town has, have they not been submitted yet? **John Quenell** said they were not received yet.

Pat Willis – Garondah Road: The deed for the property under the Town Hall is held up waiting for an APA permit because it is a “sub-standard” lot (less than 100’ X 100’) and needs a permit before it can be sold to the Town. The attorney for Paul Smith’s College needs this information before he can complete the deed transfer. Pat Willis needs the deed to complete plans for the Town Hall.

Tom McKernan – Rainbow Lake Road (County Route 60): Would like to urge the Board and the Town Officials to take advantage of any and all training available to them.

David Knapp and Lydia Wright attended training for Newly Elected Town Officials in Albany, January 5 to 7.

David Knapp said he learned at the Association of Towns training that other Towns did not have records available to them when they took over offices. He asked how the Town of Brighton's records were protected.

Amber McKernan, Tax Collector said she backs up her tax collection records and carries a disk with her so it is not in her house.

Elaine Sater, Town Clerk, said that is why she asks for copies of everything brought before the Board so there is a copy available at the Town Hall.

Nik Santagate, Justice, said he backs up all his computer files also and keeps extra copies elsewhere.

Amber McKernan – Being there are two Town's of Brighton, and since the town is listed alphabetically by being in Franklin County people use our address when they want the other Town of Brighton in Monroe County. Has anyone considered changing our Town name?

There were many comments made as to what else could be used. Tom Willis said the other town had its name first. This will be discussed at a later date when the weather is warmer.

AUDIT OF VOUCHERS:

Motion made by Supervisor Robert Tebbutt **to audit the vouchers**, second by John Quenell, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright)

RESOLUTION #28

AUTHORIZATION TO PAY VOUCHERS

Motion made by John Quenell **to authorize the Supervisor to pay the vouchers as listed on the Abstracts as follows:**

GENERAL FUND: Abstract #1 for Voucher #1 through and including #30 for 2003 funds in the amount of \$6,106.90 and for 2004 funds in the amount of \$53,826.96

HIGHWAY FUND: Abstract #1 for Voucher #1 through and including #6 for 2003 funds in the amount of \$1,597.84 and Voucher #7 through and including #8 for 2004 funds in the amount of \$3,979.37

STREET LIGHTING: Abstract #1 for Voucher #1 for 2003 funds in the amount of \$59.84

Second by Steve Tucker, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright)

Resolution #28 declared duly adopted.

Motion made by John Quenell **to Adjourn the Regular Board Meeting at 9:35 p.m.**, second by Lydia Wright, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright)

Respectfully submitted,

Elaine W. Sater
Brighton Town Clerk