

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

January 12, 2006

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The Regular Town Board Meeting of the Town of Brighton was held on Thursday, January 12, 2006, at 7:00 p.m. at the Brighton Town Hall, 12 County road 31, Paul Smiths, NY, with the following:

PRESENT: Supervisor Peter Martin, Sr.

Council Members: Sheila Delarm, David Knapp, Steve Tucker and Lydia Wright

ABSENT: None

OTHERS PRESENT: Elaine Sater - Town Clerk, Donald Oliver - Superintendent of Highways, Amber McKernan - Tax Collector, Mary Ellen Salls - Historian, Nik Santagate - Town Justice

RESIDENTS: There were two residents present

CALL TO ORDER:

Meeting was Called to Order by Supervisor Peter Martin at 7:21 p.m.

ROLL CALL OF OFFICERS

REMEMBRANCES : Supervisor Peter Martin asked for a moment of silence in memory of George Peroni, a former Supervisor who passed away on December 23, 2005. Also notice has been received of the death of a son of a former Town Board Member Willie Sheridan.

APPROVAL OF MINUTES - Regular Board December 8, 2005

Motion made by David Knapp, **second** by Steve Tucker, **to approve the minutes of the Regular Town Board meeting held on December 8, 2005, as written.**

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

TOWN CLERK'S REPORT

Total Revenue to Supervisor as of December 31, 2005 was \$ 127.97

- 1 Dog License Renewal
- 3 Building Permit (#05-53 to 55)
- 2 FOIL Requests
- 1 Copier Request

1. Received notification from the Department of Labor, Re: Notice of Issuance of Magazine Certificate to Peter Henry for Detonators and Explosives, Expiration Date November 30, 2006
2. December 22, received Letter dated December 20, 2005, from the Department of Transportation in Watertown, Re: Updating zoning information for 2006. Sent fax saying no zoning laws added in the Town of Brighton during 2005
3. Received letter dated November 9, 2005, from the Office of Real Property Services, requesting updated names and addresses for Town Officials, will reply after this meeting.
4. Received letter, no date, from the Department of Correction Services, Camp Gabriels, Re: Inmate work crews are available upon request, a Formal Request and Work Crew Guideline is on file in the Town Clerk's Office.
5. December 29, received notice from the Association of Towns concerning the 2006 Training School and Annual Meeting to be held in New York City, February 19-22. A Certification of Designation of Voting Delegate needs to be approved by the Board if anyone is attending this meeting. Copies of the notice were distributed to Town Officials on December 29, 2005.
6. ANNUAL AUDIT: The records of the Town Clerk are available for audit by the Board. A copy of the town Clerk's Annual Report for 2005 was distributed to the Board
7. REQUESTS FOR TOWN BUILDING USE:
 - a. TOWN HALL: Thursday, January 26, Brighton Architectural Heritage Committee, 1-3 pm.; Saturday, Feb 4, Brighton Conspiracy CO-OP 8-5 p.m.
 - b. TOWN PARK: None
8. RECORDS MANAGEMENT: On Monday, January 2, 2006, the Town Clerk entered the Town Hall and noticed the lock was missing off the Supervisor's filing cabinet. The Clerk opened the cabinet and found check books and other assorted bookkeeping records. A lock was put on the cabinet to secure it and a key given to the new supervisor, Peter Martin.

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SUPERVISOR'S CORRESPONDENCE/FINANCIAL REPORT

1. Received a phone call on January 12, 2006, from the United States Office of Special Council. A compliant had been filed concerning violations by Peter Martin of the HATCH Act. He was told he did not violate the HATCH Act and he would be receiving a notice in writing.
2. Received a Financial Report as of December 31, 2005, and it was distributed to the Town Board. There are invoices to be paid from 2005 funds still outstanding and the former bookkeeper will pay these and complete the end of year report.
3. Highway Garage Capital Project Budget - Need to amend Resolution #81-2005 to correct a payment to JW Construction.

AMENDMENT OF RESOLUTION #81-2005

Motion made by Supervisor Peter Martin, **second** by Steve Tucker, **To Wit:**

RESOLVED, that Resolution #81-2005 be amended to increase the payment to JW Construction by \$100.00 to \$2,800 to do the required removal of asbestos from the old garage building, and BE IT FURTHER RESOLVED, that this payment was made from Voucher #70 on Abstract #19 from the Capital Project Highway Garage Fund on October 24, 2005.

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

Resolution #81-2005 declared duly amended.

4. Correction of Duplicate Payment to Suburban Energy

AMENDMENT OF RESOLUTION #110-2005

Motion made by Supervisor Peter Martin, **second** by Steve Tucker, **To Wit:**

WHEREAS, a duplicate voucher (Highway #107-2005, #94-and #95-2005) from Suburban Energy Services for \$1,225.96 was audited by the Town Board, and approved for payment on November 10, 2005, and

WHEREAS, a refund of \$1,225.69 has been received from Suburban Energy and deposited in the Highway Checking Account on December 23, 2005,

NOW THEREFORE BE IT RESOLVED, that Resolution #110-2005 be amended to reduce the amount charged on Highway Fund Abstract #11 to Account #DA5142.4 by \$1,225.69

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

Resolution #110-2005 declared duly amended.

5. Received a letter dated December 30, 2005, from Assemblyman Chris Ortloff asking for support of the NYS "Save Our Home Act" (modeled after and named for the Florida state law). The letter states:
"It now includes an assessment cap, a tax levy cap, total state takeover of county Medicaid costs, restoration of school aid cut in 2003 and a ban on unfunded state mandates on local government and schools.
This legislation addresses the single most important issue on the minds of voters here and across the state. It is sure to become the central theme of the gubernatorial campaign next fall. Although we have cut state taxes over the past 11 years, to about average among the 50 states, we have, in the process, shifted the burden so our local taxes are now the highest in the nation.
I extend both personal wishes for a Happy New Year, and an appeal to you to work with us on this high and worthy goal. Together, I know we can get the job done!"
6. Received the Tax Rate Sheet for 2006 and a Resolution from the Franklin County Legislature allowing Election Chargeback for the year 2004 of \$14,090.84 for the Town of Brighton. Assess value for County Tax rate is \$117,901,783, Ful Value is \$162,492,971 and the Equalization Rate is 72.66%. The following tax rate breakdown is per \$1,000 of assessed property value:
 - a. Town General \$ 2.476
 - b. County Tax \$ 8.448
 - c. Highway \$ 1.498
 - d. Fire Protection District \$ 0.513
 - e. Easy Street Lighting District \$ 14.00 (per parcel only on Easy Street)

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- f. Rainbow Lake Water District \$0.045
 - g. Chargeback Board of Elections (BOE) \$ 0.119
7. Amendment to Check Cashing Policy (Resolution #85-2001)

AMENDMENT OF RESOLUTION #85-2001

Motion made by Supervisor Peter Martin, **second** by Lydia Wright, **To Wit:**

RESOLVED that Resolution #85-2001 be amended as follows:

- a. **Procedures, Paragraph 7. The Town of Brighton will impose a \$20.00 fee for returned checks with insufficient funds on the individual or organization issuing the check according to general Municipal Law, Article 5, Section 85**
- b. **Policy, Paragraph 1. The individual or organization issuing the returned check will not be allowed to write checks to the town of Brighton in the future. Only cash, money order, or certified bank check transactions will be accepted.**

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

Resolution #85-2001 declared duly amended.

8. Received a letter from Tom Willis concerning the Town Hall Restoration Fund. As of January 5, 2006 the fund balance is \$20,295. The year end appeal has raised \$1,590 so far. During January the fund will apply to the John Ben Snow Foundation of Syracuse, NY. This foundation funds historic restoration project in the state.

DEPARTMENT REPORTS

- 1. ANIMAL CONTROL OFFICER (Andy Crary) **No Report**
- 2. ASSESSOR (Doug Tichenor) **No Report**
- 3. CODE ENFORCEMENT OFFICER (Ed Lagree)
 - a. Completed 13 Building Permits for 2005, 37 are still outstanding, for a total of 55. A total of \$9,185.20 was collected in permit fees.
 - b. Completed 16 from 2004, renewed 11, and 1 is incomplete, received \$25.00 for an increase in fees.
 - c. Completed 3 from 2003, renewed 5, closed 1, and 1 is incomplete
 - d. Completed 2 from 2002, closed 3, and 1 is incomplete
 - e. Completed 2 from 2001 and closed 1
- 4. TAX COLLECTOR - Amber Mckernan
 - a. Was notified by the Office of Real Property in Malone, that tax bills and the tax roll for 2006 was available for pickup on Thursday, December 29. The warrant was signed on December 30. Prepared 852 tax bills for mailing and received the warrant by fax. Bills were mailed on December 30.
 - b. Posted a public notice for receipt of the warrant in three post offices and on the Town Hall's outside and inside bulletin boards. A notice was faxed to the Adirondack Daily Enterprise for publishing two consecutive weeks.
 - c. The amount of the 2006 Warrant is \$1,590,801.10. On Thursday, January 12, 2006 a notice of correction in the amount of \$.24 was received, decreasing the total amount of the 2006 Warrant to \$1,590,800.86. The warrant amount to be paid to the Town of Brighton is \$530,493.00. The warrant amount to be paid to Franklin County is \$1,060,307.86 (after adjustment).
 - d. To date \$222,184.67 has been collected from 155 parcels. Of that amount \$1.10 has been refunded. On January 10, issued check #739 in the amount of \$1.00 and check #740 in the amount of \$0.10 for the refunds. Issued check #741 in the amount of \$125,000.00 as first payment to Supervisor Peter Martin.
 - e. Request that the Town's website be updated to reflect the correct dollar amount that the tax collector is collecting. The amount that is shown under the description of the tax collector is approximately half of what this office is actually responsible for.
 - f. Deputy Tax Collector, Thomas McKernan, should be named insured on the bond for this office if this has not already been done.

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- g. The Office of the Tax Collector will be closed on Friday, January 20. A voice message will be left to that effect on the voice mailbox.

Supervisor Peter Marin said he would check on updating the website and who is insured under the bond.

- 5. TOWN JUSTICE - Nik Santagate
 - a. Disposed of 40 cases and issued a check in the amount of \$2,607.00 to the Supervisor
 - b. Will explain his report to the Supervisor at his convenience

COMMITTEE REPORTS

- 1. HIGHWAY DEPARTMENT - Don Oliver, David Knapp and Steve Tucker
 - a. Plowed and sanded roads
 - b. Performed maintenance of vehicles
 - c. Submitted 2006 Agreement for the Expenditure of Highway Moneys for approval
- 2. PARK & RECREATION - Steve Tucker and Lydia Wright
 - a. Water has been put down for ice but it has all melted in the warm weather, rails were put down but did not hold the water
 - b. Dan Spencer has been snow blowing the area for the ice

- 3. INSURANCE - Sheila Delarm and Lydia Wright (Nothing to report)

Supervisor Peter Martin noted that the medical insurance policy for the Highway Department would no longer be available after June 2006 and another policy would have to be procured.

- 4. INVESTMENTS - Sheila Delarm and Lydia Wright
Nothing to Report

- 5. CEMETERY - Steve Tucker and David Knapp
 - a. Reviewing the rules and regulations for updating
 - b. Met with Brendan Keough and Stacy Annis to discuss size of plots and lots for Section 4 of Mt. View Cemetery, more discussion will follow.
 - c. People are interested in reserving plots for their family, senior citizens can reserve 3 lots

The **Town Clerk** noted that the funeral homes are just burying people without first getting permission from the town. They are noting on their receipt form that "no one is in charge" of the cemetery.

- 6. TOWN BUILDINGS - Steve Tucker and David Knapp
 - a. The stairs did not get replaced before the weather turned cold. The contractor will start on them in the spring when the weather is warmed unless the plan is changed.
 - b. The check issued to the contractor will be voided and returned to the Supervisor

OLD BUSINESS

- 1. TOWN HALL LAND TRANSFER FROM PAUL SMITH'S COLLEGE

RESOLUTION #14

AUTHORIZATION TO ACCEPT LAND PARCEL FROM PAUL SMITHS COLLEGE

Motion made by Peter Martin, **second** by David Knapp, **To Wit:**

WHEREAS, Paul Smith's College of Arts and Sciences and the Town of Brighton have obtained a permit (#186-2005) from the Adirondack Park Agency (APA) to subdivide a parcel of land less than 1 acre, and

WHEREAS, Paul Smith's College of Arts and Sciences has offered this parcel to the Town since the Town Hall sits on this parcel,

NOW THEREFORE BE IT RESOLVED that the Town of Brighton accepts this parcel of land (.37 acres) from Paul Smith's College of Arts and Sciences and the Supervisor be authorized to file a quick claim deed with the Franklin County Clerk. The parcel of land (.37 acre) will be combined with Tax map number 380.-1-31 currently belonging to the Town of Brighton.

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ROLL CALL VOTE: Aye 5 (Delarm, Knapp, Martin, Tucker, Wright), Nay 0
Resolution #14 declared duly adopted.

Motion made by Lydia Wright, second by Steve Tucker, to authorize the Town Clerk, Elaine Sater, to file the Quick Claim Deed for the transfer of land and the APA Permit (#186-2005) with the County Clerk's Office, and be reimbursed for any fees.

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

2. ADELPHIA CABLE/TIME WARNER: Received notice that the cable franchise agreement with Adelphia Cable has been extended until June 28, 2006, pending the change over to Time Warner Cable. Time Warner Cable is asking for right-of-way permission to run transmission lines through the Town.

RESOLUTION #15

AUTHORIZATION TO GRANT TIME WARNER PERMISSION TO CONSTRUCT TRANSMISSION LINES

Motion made by Supervisor Peter Martin, second by Steve Tucker, To Wit:

WHEREAS, Time Warner Cable with offices in Malone, New York, operates a cable television system; and

WHEREAS, Time Warner Cable has petitioned this Town Board for permission to construct transmission lines and ancillary equipment on existing poles or underground on or along roadways in the Town of Brighton (as shown on a map on file in the Town Clerk's Office) and connect Time Warner Cable's cable television system to the exiting transmission lines and equipment in the Town of Brighton through the Town of Waverly, Santa Clara, and Duane along Rural Route 458 and New York State Route 30; and

WHEREAS, the proposed cable will be attached to the current utility poles where feasible situated along said route and Time Warner Cable will apply for the proper licensing for attachments; and

WHERE AS, Time Warner Cable has offered the consideration of One (\$1.00) to the Town of Brighton for such permission,

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Brighton grants Time Warner Cable and it successors and assigns, permission to construct transmission lines and ancillary equipment along the roadways as shown on a map on file in the Town Clerk's Office, and upon payment by said corporation to the Town of Brighton the sum of One Dollar (\$1.00), be subject to the following conditions:

1. The said transmission line and ancillary equipment shall be constructed and maintained in accordance with plans and specifications approved by appropriate and necessary governmental agencies.
2. That Time Warner Cable shall comply with all regulations governing work within a public area and shall obtain all necessary permits prior to commencing work.
3. That Time Warner Cable will take all necessary precautions and employ all reasonable means to prevent accident or injury while the work is in progress.
4. That the work shall be done in such a manner as to not interfere with existing facilities in the roadways, and Time Warner Cable shall be responsible for all such damage.
5. That Time Warner Cable shall, at all times, defend and indemnify the Town of Brighton against any and all liability, damages, costs and expenses which it may incur or be held liable for on account of any injury to any person or property in any manner including death arising from the construction, operation and maintenance of said main trunk cable line or by reason of the failure of Time Warner Cable to complete and comply with any of the condition herein contained.
6. This permit is granted solely for the purpose therein specified, and Time Warner Cable agrees there shall be no distribution of cable television services to subscribers located along the transmission lines absent a valid franchise agreement awarded by the Town for this express purpose. The terms, conditions, and grant of this permit shall in no way prohibit the Town from awarding a non-exclusive franchise for cable television to any cable television operator.

ROLL CALL VOTE: Aye 5 (Delarm, Knapp, Martin, Tucker, Wright), Nay 0
Resolution #15 declared duly adopted.

3. OUT-OF-TITLE PAY: The Franklin County Personnel Office for Civil Service sent a letter concerning "Out-of-Title Pay", Section 61 of the Civil Service Law. Any one taking on the duties of the Superintendent of Highway or Deputy in his absence must be paid at a higher rate during the time they assume these duties. An MSD222 must be on file.
4. CSEA CONTRACT: Received a letter from CESA, Local 1000 AFSCME, AFL-CIO, dated November 28,

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2005, accepting the Town of Brighton's offer of a one year contract with a four percent wage increase. No copy of the CSEA contract was available to approve.

NEW BUSINESS

1. **CONTRACTS**

- a. Town of Harrietstown Airport

RESOLUTION #16

AUTHORIZATION TO APPROVE AND PAY \$1,000 FOR A CONTRACT WITH THE TOWN OF HARRIETSTOWN FOR ADIRONDACK AIRPORT SERVICES

Motion made by Supervisor Peter Martin, second by Steve Tucker, To Wit:

RESOLVED, that the Town Supervisor be authorized to sign the "Contract for Services" submitted by the Town of Harrietstown in connection with support of the Adirondack Regional Airport during 2006 and to pay the Town of Harrietstown the sum of \$1,000.

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

Resolution #16 declared duly adopted.

- b. FX Browne Landfill Monitoring

RESOLUTION #17

AUTHORIZATION TO APPROVE AND PAY \$3,100 FOR AN AGREEMENT WITH FX BROWNE, INC FOR 2006 POST- CLOSURE MONITORING AT THE LANDFILL

Motion made by Supervisor Peter Martin, second by David Knapp, To Wit:

BE IT RESOLVED, that the Supervisor is authorized to sign an agreement with F.X. Browne, Inc, for 2006 Post-Closure Monitoring at the Town of Brighton Landfill, and pay an amount not to exceed \$2,000 for services and \$1,100 for laboratory fees, total not to exceed \$3,100.

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

Resolution #17 declared duly adopted.

- c. Franklin Snowmobilers, Inc

RESOLUTION #18

AUTHORIZATION TO APPROVE AND PAY \$300 FOR A CONTRACT WITH FRANKLIN SNOWMOBILERS, INC FOR 2006 TO MAINTAIN TRAILS IN THE TOWN

Motion made by Supervisor Peter Martin, second by Steve Tucker, To Wit:

RESOLVED, that the Supervisor be authorized to sign the "Contract for Services" with Franklin Snowmobilers, Inc, in connection with grooming and maintenance of snowmobile trails in the Town during 2006 and pay to Franklin Snowmobilers, Inc. the amount of \$300.

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

Resolution #18 declared duly adopted.

- d. North Country Life Flight, Inc.

RESOLUTION #19

AUTHORIZATION TO APPROVE AND PAY \$1,000 FOR A CONTRACT WITH NORTH COUNTRY LIFE FLIGHT, INC, FOR 2006 TO PROVIDE EMERGENCY AIRLIFT SERVICES

Motion made by Supervisor Peter Martin, second by David Knapp, To Wit:

RESOLVED, that the Supervisor be authorized to sign a "Contract for Services" with North Country Life Flight, Inc, for the purpose of operating the medical component of the MEDEVAC program which will serve the residents and visitors of the Town during 2006 and pay to North Country Life Flight, Inc the amount of \$1,000.

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

Resolution #19 declared duly adopted.

- e. Tri-Lakes Humane Society

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RESOLUTION #20

AUTHORIZATION TO APPROVE AND PAY \$1,150 FOR A CONTRACT WITH TRI-LAKES HUMANE SOCIETY, INC FOR 2006 TO PROVIDE ANIMAL SHELTER SERVICES

Motion made by Supervisor Peter Martin, second by David Knapp, To Wit:

RESOLVED, that the Supervisor be authorized to sign a "Contract for Services" with Tri-Lakes Humane Society, Inc, for animal shelter services during 2006 and pay to Tri-Lakes Humane Society, Inc the amount of \$1,150, the amount approved in the 2006 Budget.

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

Resolution #20 declared duly adopted.

f. Saranac Lake Adult Center

RESOLUTION #21

AUTHORIZATION TO APPROVE AND PAY \$500 TO SARANAC LAKE ADULT CENTER, INC FOR 2006 TO PROVIDE SERVICES FOR THE AGING

Motion made by Supervisor Peter Martin, second by Steve Tucker, To Wit:

RESOLVED, that the Supervisor be authorized to execute an agreement with the Saranac Lake Adult Center, Inc., to provide services for the Aging and to pay the Saranac Lake Adult Center, Inc. an annual fee of \$500.00

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

Resolution #21 declared duly adopted.

g. Saranac Lake Civic Center

RESOLUTION #22

AUTHORIZATION TO APPROVE AND PAY \$1,500 FOR A CONTRACT WITH SARANAC LAKE CIVIC CENTER, INC FOR 2006

Motion made by Supervisor Peter Martin, second by David Knapp, To Wit:

RESOLVED that the Supervisor be authorized to sign a "Contract for Services" with the Saranac Lake Civic Center for use of the Civic Center for 2006 and make a payment of \$1,500 as approved in the 2006 Budget.

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

Resolution #22 declared duly adopted.

h. Agreement for the Expenditure of Highway Moneys: Questions were asked concerning this agreement, Superintendent of Highways Donald Oliver had already left the meeting and was not present to answer the questions. The roads approved in the 2005 agreement were not paved and are not included in this agreement. This agreement may be amended in the future to include these other roads.

RESOLUTION #23

AUTHORIZATION TO APPROVE THE AGREEMENT FOR THE EXPENDITURE OF HIGHWAYS MONEYS FOR 2006

Motion made by Supervisor Peter Martin, second by Steve Tucker, To Wit:

RESOLVED that the following Agreement between the Town Superintendent of the Town of Brighton and the Town Board pursuant to the provisions of Section 284 of the Highway Law be approved. The Town Board agrees that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. **GENERAL REPAIRS:** The sum of \$40,000 shall be set aside to be expended for primary work and general repairs upon 1.25 miles of town highways, including sluices, culverts and bridges having a span of less than five-feet and boardwalks or he renewals thereof.

2. **PERMANENT IMPROVEMENTS:** The following sum shall be set aside to be expended for the permanent improvement of town highways: At the end of the Vosburgh and Tebbutt Road, a distance of 1.25 miles, there shall be expended not over the sum of \$40,000 Type A Asphalt, width of traveled surface 18 feet thickness of 2 inches with subbase gravel topped with crusher run.

No moneys set aside for such permanent improvements shall be expended, nor shall any work be undertaken on such improvements until the County Superintendent approves the plans, specifications and estimates for such

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construction.

ROLL CALL VOTE: Aye 5 (Delarm, Knapp, Martin, Tucker, Wright), Nay 0
Resolution #23 declared duly adopted.

2. PAYMENTS

a. Justice Court Fund: Received notice of payments due to the Justice Court Fund for moneys received from the Town Justice for November and December. These payments will be made directly from the General Fund without vouchers since this money belongs to the Justice Court Fund and not the Town. Payments received by the Town for November and December 2005 were \$1,350 and \$780 respectively after payments are made to the Justice Court Fund of \$3,100 and \$1,827 respectively.

b. FREMSA

RESOLUTION #24

AUTHORIZATION TO PAY FREMSA \$1,250 FOR 2006 ANNUAL FEE FOR SERVICES

Motion made by Supervisor Peter Martin, second by Steve Tucker, To Wit:

RESOLVED, that the Supervisor be authorized to pay First Responder Emergency Medical Services Association (FREMSA) the amount of \$1,250 for the 2006 annual fee for services per the agreement authorized by the Town Board in Resolution #68-2005 on June 9, 2005.

ROLL CALL VOTE: Aye 5 (Delarm, Knapp, Martin, Tucker, Wright), Nay 0
Resolution #24 declared duly adopted.

c. Village of Saranac Lake Area Youth Program

RESOLUTION #25

AUTHORIZATION TO PAY \$1,200 FOR AN INTER-MUNICIPAL AGREEMENT WITH THE VILLAGE OF SARANAC LAKE TO PROVIDE AN AREA YOUTH PROGRAM FOR 2006

Motion made by Supervisor Peter Martin, second by Steve Tucker, To Wit:

RESOLVED, that the Supervisor be authorized to pay the Village of Saranac Lake the amount of \$1,200 for the 2006 annual fee for services per the inter-municipal agreement for an Area Youth Program authorized by the Town Board in Resolution #74-2003 on August 14, 2003.

ROLL CALL VOTE: Aye 5 (Delarm, Knapp, Martin, Tucker, Wright), Nay 0
Resolution #25 declared duly adopted.

d. Paul Smiths-Gabriels Volunteer Fire Department

RESOLUTION #26

AUTHORIZATION TO PAY \$31,881.50 TO THE PSGVFD FOR FIRE PROTECTION SERVICES FOR 2006

Motion made by Supervisor Peter Martin, second by Sheila Delarm, To Wit:

RESOLVED, that the Supervisor be authorized to pay the Paul Smiths Gabriels Volunteer Fire Department, Inc. the amount of \$31,881.50 for the first payment due February 1 for 2006 as per the "Fire Protection Contract" approved by the Town Board in Resolution #47-2005 on April 14, 2005.

ROLL CALL VOTE: Aye 3 (Knapp, Martin, Wright), Abstain 2 (Delarm, Tucker), Nay 0
Resolution #26 declared duly adopted.

e. Village of Saranac Lake Rescue

RESOLUTION #27

AUTHORIZATION TO PAY \$9,430.49 TO THE VILLAGE OF SARANAC LAKE FOR RESCUE SERVICES FOR 2006

Motion made by Supervisor Peter Martin, second by David Knapp, To Wit:

RESOLVED, that the Supervisor be authorized to pay the Village of Saranac Lake the amount of \$9,430.49 for the first payment due January 1 for 2006 for rescue services as per an "Agreement for Services" approved by the Town Board in Resolution #21-2004 on January 8, 2004.

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ROLL CALL VOTE: Aye 4 (Delarm, Knapp, Tucker, Wright) Abstain 1 (Martin), Nay 0
Resolution #27 declared duly adopted.

f. Franklin County Self-Insurance Plan

RESOLUTION #28

AUTHORIZATION TO PAY \$30,466.43 TO THE FRANKLIN COUNTY SELF-INSURANCE PLAN FOR WORKER'S COMPENSATION FOR 2006

Motion made by Supervisor Peter Martin, second by Steve Tucker, To Wit:

RESOLVED, that the Supervisor be authorized to pay the amount of \$30,466.43 to the Franklin County Self-Insurance Plan for Worker's Compensation for 2006.

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

Resolution #28 declared duly adopted.

g. NYMIR Insurance

RESOLUTION #29

AUTHORIZATION TO PAY \$12,417.46 TO NYMIR FOR LIABILITY INSURANCE FOR 2006

Motion made by Supervisor Peter Martin, second by Steve Tucker, To Wit:

RESOLVED, that the Supervisor be authorized to pay the amount of \$12,417.46 to the New York Municipal Insurance Reciprocal for Liability Insurance for 2006.

ROLL CALL VOTE: Aye 5 (Delarm, Knapp, Tucker, Wright) Abstain 1 (Martin), Nay 0

Resolution #29 declared duly adopted.

h. NY State & Local Retirement

RESOLUTION #30

AUTHORIZATION TO PAY \$17,430 TO NY STATE & LOCAL RETIREMENT FOR 2006

Motion made by Supervisor Peter Martin, second by Steve Tucker, To Wit:

RESOLVED, that the Supervisor be authorized to pay the amount of \$7,669.20 from General Fund and \$9,760.80 from the Highway Fund for a total of \$17,430 to the New York State and Local Retirement Fund for 2006.

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

Resolution #30 declared duly adopted.

3. LETTER OF SUPPORT - Re: Collateral Source Bill (S.544/A.4354) for Tort Reform, received a facsimile from the Law Department of the Office of the Corporation of the City of New York, Barry Schwartz, asking for support of enactment of the Collateral Source Bill which would bring public employers into financial equity with all other employers and everyone else regarding jury awards for lost future earnings in personal injury and other tort actions.

RESOLUTION #31

AUTHORIZATION FOR SUPPORT FOR COLLATERAL SOURCE BILL(S.1544/A.4354)

Motion made by Supervisor Peter Martin, Second by Lydia Wright, To Wit:

RESOLVED that the Town Board of the Town of Brighton, Franklin County, NY, supports the Collateral Source Bill (S.1544/A.4353) which would bring public employers into financial equity with all other employers and everyone else regarding jury awards for lost future earnings in personal injury and other tort actions.

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

Resolution #31 declared duly adopted.

4. AUDIT REPORT - Supervisor Peter Martin met with the auditors from the Office of the State Comptroller who conducted a Risk Assessment on the Town in December 2005. The Comptroller's Office will not be conducting any further audit of the Town but they are available for questions at any time. This is a summary of the meeting:
- The Bookkeeper writes and signs the checks for the Town, this practice is not allowed. A new bookkeeper has been hired and that person will not be signing the checks.
 - Checks deposited into Town accounts should be stamped for "Deposit Only" for the reverse side of

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- the checks, if the check is made out to a particular person, that person should be endorsing the check in addition to the "Deposit Only" statement.
- c. The Bookkeeper has been using generic check stock to write Town checks. The check stock should have preprinted name of town, account number, and check number. Check stock will be ordered from the bank where the account is held.
 - d. A pre-numbered receipt book should be used to record receipts of money in all departments. The Supervisor has ordered a receipt book for his use.
 - e. Adjustments were made at the end of the year to the Annual Update Document (AUD) for 2004, these should be substantiated. The Bookkeeper should notify the board if adjustments are needed..
 - f. Purchases over \$10,000 need to be bid out if state contract vendors are not being used. Fuel is being purchased at the same price but the vendor is not on State Contract.
 - g. Payroll time sheets need to be signed by supervisor of persons being paid wages. Copies of the payroll time sheets need to be forwarded to the Town Supervisor.
 - h. Retirement had not been offered to all employees and other employees who have asked for it did not get enrolled. Need to have a letter on file to show employees were offered retirement. The time being figured for different positions is not substantiated. A "sample month" needs to be recorded by all salaried positions.

RESOLUTION #32

ORDER TO PROVIDE A "SAMPLE MONTH" FOR ALL SALARIED POSITIONS FOR RETIREMENT PURPOSES

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

WHEREAS, during a Risk Assessment conducted by the Office of the State Comptroller during December 2005 it was determined there was no basis for the accounting of time toward retirement, and

WHEREAS, several salaried positions in the Town are not full-time positions,

NOW THEREFORE BE IT RESOLVED that the Town Board direct all salaried positions to conduct a "sample month" of hours worked during February for the purpose of determining the rate to be used for time toward retirement of that specific position.

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

Resolution #32 declared duly adopted.

5. **AUDIT OF TOWN OFFICIALS BOOKS** - The audit of the Town Official's books will be conducted on Thursday, January 19, at 6 p.m. for the Town Clerk and Town Justice.
6. **SUPERVISOR'S HOURS** - The Supervisor will hold office hours on Tuesdays and Thursdays from 2:30 to 5 p.m or later in the Town Hall.

CITIZEN'S COMMENTS

Amber McKernan - Asked how the CHIPS funds are handled, what happened to the money requested for repairing the Wardner Road and can the Wardner Road be added to this year's CHIPS funds plan.

Discussion was held on how CHIPS is requested and if the funds spent on the garage parking lot should be charged to the Town Garage Capital Project instead of the Highway Fund. The CHIPS funding is a reimbursable amount up to the amount spent by the Town. In 2005 only \$7,561.51 was requested from CHIPS, the remainder is supposed to turnover into the next year. Don Oliver will have to answer the questions about repairing the Wardner Road.

Thomas McKernan - Suggested that the Board hire a outside auditor to audit the Town's books on an annual basis. It is a sound business practice that will answer the questions about how things are being done.

Tracie Santagate - Would like to thank the Town Clerk for providing flowers from the Town for George Peroni's funeral. Also, impressed with the way the new Supervisor has conducted this meeting.

Supervisor Peter Martin thanked the Town Clerk for helping him with the extensive agenda for the meeting.

Nik Santagate - Would like the board to address archival records storage at a later meeting, the Court has no more room for records and continues to generate more of them. This was addressed to the previous board and an answer was not

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given to his satisfaction.

AUDIT OF VOUCHERS

RESOLUTION #33

AUTHORIZATION TO PAY VOUCHERS LISTED ON THE ABSTRACTS

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

RESOLVED that the 2005 invoices will be paid by William Empsall, CPA, and

RESOLVED, that the 2006 invoices will be paid by Richard Meagher, and

RESOLVED that the Supervisor is directed by the Town Board to pay the audited vouchers as listed on the abstracts as follows:

GENERAL FUND: Abstract #1A for Voucher #1 through and including #18 for 2005 funds in the amount of \$5,778.18 and Abstract 1B for Voucher #19 through and including #51 for 2006 funds in the amount of \$72,367.61

HIGHWAY FUND: Abstract #1A for Voucher #1 through and including #6 for 2005 funds in the amount of \$1,324.31 and Abstract 1B for Voucher #7 through and including #14 for 2006 funds in the amount of \$20,238.60

STREET LIGHTING FUND: Abstract #1 for Voucher #1 for 2006 funds in the amount of \$ 67.25

SPECIAL FUND - FIRE PROTECTION DISTRICT: Abstract #1 for Voucher #1 for 2006 funds in the amount of \$31,881.50

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

Resolution #33 declared duly adopted.

ADJOURNMENT

Motion to Adjourn at 10:48 p.m. made by David Knapp, second by Lydia Wright, Aye 5

Respectfully Submitted,

Elaine Sater
Brighton Town Clerk