

REGULAR BOARD MEETING -TOWN OF BRIGHTON –MARCH 11, 2004

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The Regular Meeting of the Town Board of the Town of Brighton was held on Thursday, March 11, 2004, at 7:00 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 three residents present.

GUESTS: There was one guest present: Gordon Crossman (Franklin County Legislature)

Meeting was Called to Order by Supervisor Robert Tebbutt at 7:02 p.m.

INTRODUCTIONS: Gordon Crossman, District 3 Franklin County Legislature, was introduced and welcomed to the meeting.

APPROVAL OF MINUTES

Lydia Wright asked for a clarification concerning Resolution #27 passed on January 8. This resolution allowed for the purchase of the land from Paul Smith College. The Bond Resolution from February 12 also includes purchasing the same land. Does the old resolution have to be rescinded? John Quenell said the new resolution over rides the first one and it does not have to be acted on.

Motion made by Lydia Wright **to accept the Minutes of the Regular Town Board Meeting of February 12, 2004, as written**, second by David Knapp, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright), Abstain 0, Nay 0

Motion made by John Quenell **to accept the Minutes of the Special Town Board Meeting of February 19, 2004, with the following addition: Page 1, Discussion after line four, Add: “Lydia Wright asked about holding a “voluntary” referendum not as a way of shortening the process, but rather because she felt uncomfortable having the board enter into a 20-year financial commitment on behalf of the town without having the taxpayers be a part of the decision making process – she wanted the Town Board to voluntarily put the Bonding Resolution to a public vote as a sign of good faith.”**, second by Robert Tebbutt, Aye 5 (Knapp, Quenell, Tebbutt, Tucker, Wright), Abstain 0, Nay 0

TOWN CLERK REPORT

Total Revenue to Supervisor as of February 29, 2004, was \$9.28 from 3 Dog License Renewals.

1. Faxed notice to the Adirondack Daily Enterprise on February 17, 2004, Re: Notice of Special Meeting of the Town Board on February 19, 2004, at 5:30 p.m. Posted notices of meeting at three local Post Offices, at local businesses, and on the Town Clerk’s sign board at the Town Hall.
2. Received information dated February 18, 2004, from the Adirondack Park Agency, Re: Local Government Day to be held on March 25 and 26 at the Hotel Saranac in Saranac Lake. Provided copies of information to Town Officials and employees.
3. February 24 the Annual Financial Report for 2003 was filed in this office. Notice was posted in the Adirondack Daily Enterprise on February 27, at the three local post offices and businesses, and on the Town Clerk’s Sign Board at the Town Hall.
4. A Primary Election was held on March 2, 2003. Vouchers are submitted for Election Inspectors and Voting Machine Custodian.
5. March 11, 2004, received a petition for the Referendum for the Bond Resolution, faxed a copy to the Attorney for the Town. Signatures have not been verified.
6. Town Hall: Food Pantry - March 4 and 18, Brighton Architectural Heritage Committee – April 22 from 1-3 p.m.
7. Park Use: No requests received

SUPERVISOR'S REPORT

1. **STATUS OF THE HIGHWAY GARAGE PROJECT – David Knapp:** Asked the board to rescind the resolution for the Bond so more information could be obtained on costs of the project. Robert Tebbutt said the public asked for a vote and they should have it. He was uncertain why the people asked for a Referendum. Lydia Wright thought it was due to the cost; there was no change from the last Bond. Information needs to be available to the public for a project this large. Public Hearings should be held. John Quenell provided the Board with a copy of the petition.

RESOLUTION #47

AUTHORIZATION FOR SPECIAL ELECTION TO APPROVE THE BOND ISSUE FOR CONSTRUCTION OF A TOWN HIGHWAY GARAGE AND SALT STORAGE

Motion made by Supervisor Robert Tebbutt, **second** by John Quenell, **to-wit:**

WHEREAS, the Town Board had adopted a resolution authorizing the issuance of up to \$500,000.00 in serial bonds of the Town of Brighton on February 12, 2004;

WHEREAS, the above referenced bond resolution was adopted subject to a permissive referendum, pursuant to Town Law Section 220,

WHEREAS, a petition was filed with the Town Clerk on March 11, 2004, bearing a legally sufficient number of qualified electors protesting the above resolution,

WHEREAS, the above referenced bond resolution will take effect only upon the adoption of a proposition to approve said bond resolution by a majority of the qualified electors of the Town of Brighton voting at an election held in the manner prescribed by Article 6 of the Town Law of New York; and

WHEREAS, the Town Board desires to provide for the submission of such a proposition to the qualified voters of the Town;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Brighton, the County of Franklin, as follows:

1. A special election shall be held in the Town of Brighton on the 11th day of May 2004 for the purpose of submitting to the qualified voters of said Town the following proposition:
SHALL, the qualified electors of the Town of Brighton, in the County of Franklin, approve the bond resolution adopted by the Town Board of said Town on the 12th day of February 2004 which resolution authorizes the issuance of \$500,000.00 serial bonds of said Town pursuant to Local Finance Law of New York to finance the construction of a new five-bay Town Highway garage with ancillary facilities for the Town Highway Department; construction of a salt shed; acquisition of 4.67 acres for said highway garage and salt shed; and incidental expenses in connection therewith, and that the maximum cost of said building, as estimated by the Town Board, is \$600,000.00, and that such cost shall be financed by the issuance of such serial bonds and the remaining \$100,000.00 will come from the Town's general reserve fund, and that the maturity of such obligation will be in excess of five years?
2. Such special election shall be held at the Town of Brighton Town Hall in said Town and the polls for said election shall open at the hour of 9 o'clock in the morning and shall close at the hour of 9 o'clock in the evening. The vote upon such proposition shall be taken by ballot in the manner provided by law.
3. The Town Clerk is hereby authorized and directed to give notice of said special election in the manner provided by law and the cause suitable ballots to be prepared for use at said election. The Town Clerk shall also select from the list of election inspectors and ballot clerks previously designated by the Town Board to act as election inspectors and ballot clerks for this election.

The question of the adoption of the forgoing resolution was duly put to a vote on roll call, which resulted as follows:

Supervisor: Robert Tebbutt	<i>VOTING: AYE</i>
Council member: David Knapp	<i>VOTING: ABSTAIN</i>
Council member: John Quenell	<i>VOTING: AYE</i>
Council member: Steven Tucker	<i>VOTING: AYE</i>
Council member: Lydia Wright	<i>VOTING: ABSTAIN</i>

Resolution #47 declared duly adopted

Motion made by Supervisor Robert Tebbutt **to hold a public hearing to discuss the Highway Garage Project on Thursday, April 1, 2004, at 7 p.m.**, second by John Quenell, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright), Abstain 0, Nay 0.

2. **FINANCIAL:** Balances of bank accounts as of February 29, 2004, were distributed to the Board and are attached to these minutes. David Knapp asked if there was money set aside for maintenance of the buildings and who oversees what needs to be maintained. There is a line item for maintenance of buildings. The Board has oversight of the maintenance on the buildings. Mr. Byno tells the Board when repairs need to be done. The Board needs to be proactive to maintain the facilities. The roof on a cemetery building needs to be repaired, the Town Garage needed to be repaired, and the Town Hall needs many repairs. The Board needs to follow a maintenance plan to keep the buildings in good repairs on an annual basis.

Supervisor Robert Tebbutt appointed a Maintenance Committee of Lydia Wright and David Knapp to pursue maintaining the buildings.

3. **HUD GRANTS CLOSEOUT:** Projects in the Town are completed and the grants can be closed out.

RESOLUTION #48

AUTHORIZATION TO CLOSE OUT HUD GRANTS FROM 1992 AND 1994

Motion made by Supervisor Robert Tebbutt, **second** by John Quenell, **to wit:**

RESOLVED that the Supervisor is authorized to sign closeout agreements between the US Department of Housing and Urban Development (HUD) and the Town for Project Number B-92-DH-36-0215 dated August 7, 1992, and Project Number B-94-DH-36-0099 dated November 2, 1994. The Town certifies that all activities have been completed as authorized by HUD in the Grant Agreements and that all CDBG financed costs associated with these activities have been incurred. The Town hereby acknowledges these remaining obligations under the terms of the Grant Agreements:

- The Town certifies that program income generated by CDBG grant activities and currently on hand, if any, or received after closeout will be governed in use by 24 CFR 570.504 and 570.426(c).
- HUD record retention period, four years after submission of a final Performance Assessment Report on October 7, 1996, for P# B-92-DH-36-0215 for most records, has expired. The Town agrees to maintain records and documents after closeout as required by State and local law.
- The Town agrees to maintain all records and documents pertaining to the grant for four years dating from the submission of a final Performance Assessment Report (PAR) on February 7, 2002, for P# B94-DH-36-0099. The Town further agrees to maintain records subject to audit, litigation, repayment obligation (such as deferred or amortized loans from CDBG funds), or other event occurring after February 7, 2002, for four years after completion of the subsequent event of repayment obligation. Upon expiration of the retention period, records and documents need to be retained only as required by State and local Law.

As required by HUD closeout regulations at 24 CFR 570.509, HUD reserves the right to conduct future monitoring of this project, either on-site or by review of information or copies of documents requested from the Town. The Town acknowledges that a finding of non-compliance resulting from such a review and failure to take appropriate corrective actions satisfactory to HUD may be taken into account by HUD, as evidence of unsatisfactory performance, in the consideration of future grant awards. Aye 4 (Tebbutt, Knapp, Quenell, Tucker), Abstain 1 (Wright), Nay 0

Resolution #48 declared duly adopted.

4. **THANK YOU NOTE:** Received a thank you note from the Saranac Lake Mountaineers for the use of the Town Park fields for the 2003 Rugby season with a \$100 donation.
5. **LANDFILL SIGNS:** Signs to keep motorized vehicles off the landfill cap have been made by Camp Gabriels and delivered to the Highway Department. They will be installed as soon as the Highway Department has access to the area.

OLD BUSINESS:

1. **INCREASE IN DISHONESTY COVERAGE FOR TAX COLLECTOR AND SUPERVISOR:**

A quote has been received for the increase in dishonesty coverage for the Tax Collector and Supervisor. Coverage of each office also covers the appointed deputy.

RESOLUTION #49

AUTHORIZATION TO INCREASE DISHONESTY COVERAGE FOR TAX COLLECTOR AND SUPERVISOR

Motion made by John Quenell, second by Supervisor Robert Tebbutt, to wit:

RESOLVED to authorize the Supervisor to increase dishonesty coverage insurance to \$400,000 for the Office of the Tax Collector and the Office of the Supervisor and to expend General Funds of \$71 to cover the increase in premium, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright) Abstain 0, Nay 0.

Resolution #49 declared duly adopted.

2. **NYMIR RISK ASSESSMENT REPORT:** John Quenell prepared a report in response to the New York Municipal Insurance Reciprocal (NYMIR) loss control surveys concerning what they considered to be correctable risks for the Town from an insurance view. Thanks to Steve Tucker for the input concerning the Park issues.

RESOLUTION #50

AUTHORIZATION TO ADOPT POLICIES AGAINST SEX DISCRIMINATION AND SEXUAL HARASSMENT AND AGAINST HARASSMENT AND DISCRIMINATION

Motion made by David Knapp, second by Lydia Wright, to wit:

RESOLVED to authorize the Town of Brighton to adopt two policies: 1) Against Sex Discrimination and Sexual Harassment and 2) Against Harassment and Discrimination (both attached), Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright) Abstain 0, Nay 0.

Resolution #50 declared duly adopted.

Motion made by John Quenell to nominate David Knapp and Lydia Wright as intake persons for all complaints concerning the discrimination and harassment policies, second by Supervisor Robert Tebbutt, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright) Abstain 0, Nay 0.

RESOLUTION #51

AUTHORIZATION TO PROVIDE ANSWERS TO RECOMMENDATIONS BY NYMIR

Motion made by John Quenell, second by David Knapp, to wit:

RESOLVED to authorize the Supervisor to provide New York Municipal Insurance Reciprocal (NYMIR) with the answers (attached) to their recommendations from their loss control surveys of June 2003, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright) Abstain 0, Nay 0.

Resolution #51 declared duly adopted.

NEW BUSINESS:

1. **DEATH OF EMPLOYEE FAMILY MEMBER:** Norris Crary, father of Highway Department employee Andy Crary, passed away this week.
2. **LETTER FROM ANIMAL SHELTER:** Received a letter dated March 3, 2004, asking the Town to waive the receipt of fees from the Animal Shelter for dogs returned to owners. Tabled until next meeting.
3. **GRANTS FOR TOWN HALL RESTORATION/ADDITION PROJECT – Lydia Wright:**
 - a. **Grant Requests:** The Town Hall Committee has the opportunity to apply for a design grant from the New York State Council on the Arts and needs the Town Board's approval to continue the process. The committee would also like approval to apply for appropriate grants in general to obtain funds to restore the Town Hall.

RESOLUTION #52

AUTHORIZATION TO APPLY FOR NYSICA'S GRANT FOR TOWN HALL RESTORATION

Motion made by Lydia Wright and second by Steve Tucker, to wit:

WHEREAS, the Supervisor of the Town of Brighton appointed Willie Sheridan and Pat Willis Co-Chairs of a Citizens Committee charged with the task of organizing interested town citizens for the purpose of assessing the needs of the Town Hall in regards to recommendations for maintenance and (historic) restoration, and

WHEREAS, the Citizens Committee hired Crawford & Stearns, Architects and Preservation Planners, to perform an architectural feasibility study/conditions assessment of the Town Hall in order to make recommendations for the restoration and preservation, as well as provide designs for a compatible addition, **NOW BE IT HEREBY RESOLVED that the Town Board authorize the Citizens Committee to apply for a grant from the New York State Council on the Arts to offset the architectural fees relating to the Town Hall Restoration Project on behalf of the Town of Brighton, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright), Abstain 0, Nay 0.**

Resolution #52 declared duly adopted.

RESOLUTION #53

AUTHORIZATION TO APPLY FOR GRANTS IN GENERAL FOR TOWN HALL RESTORATION

Motion made by Lydia Wright and **second** by Steve Tucker, **to wit:**

WHEREAS, the Supervisor of the Town of Brighton appointed Willie Sheridan and Pat Willis Co-Chairs of a Citizens Committee charged with the task of organizing interested town citizens for the purpose of assessing the needs of the Town Hall in regards to recommendations for maintenance and (historic) restoration, and

WHEREAS, the Citizens Committee hired Crawford & Stearns, Architects and Preservation Planners, to perform an architectural feasibility study/conditions assessment of the Town Hall in order to make recommendations for the restoration and preservation, as well as provide designs for a compatible addition, **NOW BE IT HEREBY RESOLVED that the Town Board authorize the Citizens Committee to apply for appropriate grants to offset fees, material, and other expenses/costs relating to the Town Hall Restoration Project on behalf of the Town of Brighton, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright), Abstain 0, Nay 0.**

Resolution #53 declared duly adopted.

- b. **Member Line Item Application Request:** The committee would also like a resolution to submit requests for funding from Senator Elizabeth Little and Assemblyman Chris Ortloff.

RESOLUTION #54

AUTHORIZATION TO APPLY FOR MEMBER ITEM FUNDING – SENATOR ELIZABETH LITTLE

Motion made by Lydia Wright and **second** by Steve Tucker, **to wit:**

WHEREAS, the Supervisor of the Town of Brighton appointed Willie Sheridan and Pat Willis Co-Chairs of a Citizens Committee charged with the task of organizing interested town citizens for the purpose of assessing the needs of the Town Hall in regards to recommendations for maintenance and (historic) restoration, and

WHEREAS, the Citizens Committee hired Crawford & Stearns, Architects and Preservation Planners, to perform an architectural feasibility study/conditions assessment of the Town Hall in order to make recommendations for the restoration and preservation, as well as provide designs for a compatible addition, **NOW BE IT HEREBY RESOLVED that the Town Board authorize the Citizens Committee to apply for Member Item Funding through the office of Senator Elizabeth O’C. Little to offset fees, materials, and other expenses/costs relating to the Town Hall Restoration Project on behalf of the Town of Brighton, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright), Abstain 0, Nay 0.**

Resolution #54 declared duly adopted.

RESOLUTION #55

AUTHORIZATION TO APPLY FOR MEMBER ITEM FUNDING – ASSEMBLYMAN CHRIS ORTLOFF

Motion made by Lydia Wright and **second** by Steve Tucker, **to wit:**

WHEREAS, the Supervisor of the Town of Brighton appointed Willie Sheridan and Pat Willis Co-Chairs of a Citizens Committee charged with the task of organizing interested town citizens for the purpose of

assessing the needs of the Town Hall in regards to recommendations for maintenance and (historic) restoration, and

WHEREAS, the Citizens Committee hired Crawford & Stearns, Architects and Preservation Planners, to perform an architectural feasibility study/conditions assessment of the Town Hall in order to make recommendations for the restoration and preservation, as well as provide designs for a compatible addition, **NOW BE IT HEREBY RESOLVED that the Town Board authorize the Citizens Committee to apply for Member Item Funding through the office of Assemblyman Chris Ortloff to offset fees, material, and other expenses/costs relating to the Town Hall Restoration Project on behalf of the Town of Brighton, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright), Abstain 0, Nay 0.**

Resolution #55 declared duly adopted.

- c. **Scheduled Maintenance for Town Buildings:** Since the Town is applying for grants there should be scheduled maintenance for the Town Hall to show the Town is interested in keeping the building in good repair. Would like to see an account set up dedicated solely for the purpose of maintaining and restoring the Town Hall. Spoke with the NYS Comptroller's Office, Mitch Crevar, to obtain information on setting up such an account. Examples of things needing attention soon: Fuel oil smell when coming in back door (possible furnace problem), puddle of water/ice at back steps (grading around building), front pillars need to be repaired, and there are other recommendations in the Crawford & Stearns report. Jan Kibben, a professional Clerk of the Works (currently involved in the Saranac Lake Library project), provided an estimate for the Town Hall restoration/addition project based on the Crawford & Stearns study. The committee broke down all the items into phases (attached) of things to be done right away, things that can be done later, and the addition. The cost of each phase was broken out by Phase One: \$23,290, Phase Two: \$26,200 and Phase Three: \$102,650. Funding for maintenance could come from excess fund balances. Funding for restoration and the addition would have to be dealt with separately through the Attorney for the Town. Would like to get together with Supervisor Robert Tebbutt and John Quenell to discuss the mechanics of moving funds and setting up an account. A Reuse Design Assessment Report was handed out to the Board.

Supervisor Robert Tebbutt said there was already an account set up in the budget for maintaining the building (A1620.4).

Pat Willis asked that any repairs done need to be done with historic preservation in mind such as replacing cement tops on pillars with cement.

John Quenell said there are funds available to do maintenance but not to restore the building. First a plan needs to be agreed upon by the Board and the tax payers need to be informed.

Supervisor Robert Tebbutt said to table this topic until the next meeting so the Board can review the Reuse Design Assessment Report.

4. **HUD MORTGAGE SUBORDINATION - John Quenell:** A resident with a HUD Mortgage (HUD Project #BRI19-94) has asked the town to subordinate the mortgage with AAMES Home Loan.

RESOLUTION #56

AUTHORIZATION FOR A SUBORDINATION OF HUD MORTGAGE OF \$20,750.00

Motion made by John Quenell, **second** by Supervisor Robert Tebbutt, **to wit:**

WHEREAS, the Town of Brighton now owns and holds the following mortgage and the bond or note secured thereby: Mortgage dated the 15th day of September, 1998, made by a resident (HUD Project # BRI19-94) in the principal sum of Twenty Thousand Four Hundred Dollars (\$20,400.00), and recorded in Liber 591 of Mortgages at Page 178 in the Office of the Clerk of the County of Franklin, covering the premises therein described, and amended on the 28th day of May, 1999, to add the sum of Three Hundred Fifty Dollars (\$350.00), increasing the principal amount to Twenty Thousand Seven Hundred Fifty Dollars (\$20,750.00), such amendment being recorded in Liber 628 of Mortgages at Page 235 in the Office of the Clerk of the County of Franklin, and

WHEREAS, the present owner of the premises hereinabove mentioned and hereinafter mentioned, is about to execute and deliver to AAMES Home Loans, with offices at PO Box 57093, Irvine, California, a mortgage to secure the principal sum of One Hundred Thousand Dollars (\$100,000.00) and interest, covering the premises under HUD Project #BRI19-94 and more fully described in said mortgage, and

WHEREAS, the AAMES Home Loans has refused to accept said mortgage unless said mortgage held by the Town of Brighton be subordinate in the manner hereinafter mentioned.

NOW, THEREFORE BE IT RESOLVED that the Supervisor be authorized to sign an agreement with AAMES Home Loans in consideration of the premises (HUD Project #BRI19-94) and to induce AAMES Home Loans to accept said mortgage, and also in consideration of One Dollar, paid to the Town of Brighton, the receipt whereof is hereby acknowledged, the Town of Brighton hereby covenants and agrees with AAMES Home Loans that the mortgage held by the Town of Brighton be and shall continue to be subject and subordinate in lien to the lien of the said AAMES Home Loans for One Hundred Thousand Dollars (\$100,000.00) and interest, about to be delivered to AAMES Home Loans, and to all advances heretofore made or which hereinafter may be made thereon (including, but not limited to all sums advanced for the purpose of paying brokerage commissions, consideration paid for making the loan, mortgage recording tax, documentary stamps, fee for examination of title, surveys, and any other disbursements and charges in connection therewith) to the extent of the last mentioned amount and interest and all such advances may be made without notice to the Town of Brighton, and to any other extension, renewals and modifications thereof. The agreement may not be changed or terminated orally. The agreement shall bind and inure to the benefit of the parties hereof, their respective heirs, personal representatives, successors and assigns. Aye 4 (Tebbutt, Knapp, Quenell, Tucker), Abstain 1 (Wright), Nay 0
Resolution #56 declared duly adopted.

REPORTS

1. **COURT (Santagate):** 45 cases were disposed and \$3,405.00 was sent to the State Comptroller's Office
2. **HIGHWAY COMMITTEE (Quenell/Oliver):**
 - a. Plowed and sanded roads.
 - b. Drained water pockets on roads and ditches.
 - c. Cut banks back with loader.
 - d. Cleaned the garage.
 - e. Cleaned and serviced equipment
 - f. Supply of salt and sand are nearly gone.
 - g. County will let the Town use "speed trailers" for monitoring speed on roads. The Highway Department can request them for use on State highways and Town roads. Easy Street (State Route 86 speed zone in Paul Smiths), Rainbow Lake Road (County Road 60) and Keese Mills Road (Town Road) were suggested as places to put the trailers.
 - h. Received a complaint about a severe water-pooling problem on the Keese Mills Road. Snow banks were moved back to relieve the problem.Dave Knapp asked how the sand and salt is stored and how large a Salt Shed is needed. John Quenell said the sand is stored outdoors and the salt is covered.
3. **INSURANCE/INVESTMENTS (Quenell):** Nothing to Report
4. **ASSESSOR (Tichenor):** No Report
5. **TAX COLLECTOR (McKernan):**
 - a. Collected to date \$941,223.17 from 716 parcels with 139 bills still outstanding. Last year at this time collected from 708 parcels. During the month of February collected a total of \$179,608.52 from 112 parcels.
 - b. Received notification from the Franklin County Treasurer's Office that the final payments from New York State for the Rainbow Lake Water District had been paid. Reconciled the payments and entered them into the roll book.
 - c. Received notice from the bank that a check in the amount of \$1670.00 tendered as payment on 28 January was returned on February 4 for insufficient funds. Contacted the person who issued the check and because the payment of their tax bill was then considered unpaid and late, the

appropriate penalty was imposed as well as the \$15.00 returned check charge, which is included in the penalties collected.

- d. On March 4, 2004, issued check #710 in the amount of \$18.37 as a refund for overpayment. Also issued check #711 in the amount of \$50,000.00 to Bryon A. Varin, Franklin County Treasurer as the second payment from the Town. Total sent to the County to date is \$410,000.00. On March 10 issued check #712 in the amount of \$0.98 as a refund for overpayment. On March 11 issued check #713 in the amount of \$594.28 to Supervisor Robert Tebbutt for penalties collected from February 12 to date.
- e. Received notification of a change to the Warrant of \$0.08 less.
- f. Received February bank statement on March 8 and balanced it.
- g. Received 48 phone calls regarding tax matters since February 12; about half of the callers were requesting receipted tax bills from 2003, which are no longer available through this office. Sent out 7 faxes.
- h. Outstanding tax bills will be copied and mailed. Enclosed with them will be an appropriate notification of the second mailing fee now imposed on payments postmarked after the 15 March date set by Resolution #109 of the 18 December 2003 meeting.
- i. Supervisor Robert Tebbutt signed a request asking for an extension of the warrant time to 30 April 2004. The current time the warrant expires is 30 March 2004. The Supervisor has to ask for an extension so the Tax Collector can continue collecting taxes until 30 April 2004.

6. ANIMAL CONTROL OFFICER (Crary): No Report

7. CODE ENFORCEMENT OFFICER (Lagree): No Report

8. CEMETERY (Tucker): No activity this month.

Supervisor Robert Tebbutt asked who put in the request to repair the cemetery building roof. No one knew.

9. PARKS AND RECREATION (Tucker): Dan Spencer reported that there is no longer any ice. Children are still coming to play pool and foosball. They are waiting for the snow to melt and the water to disappear so they can play basketball.

Supervisor Robert Tebbutt said the use of the Park is up significantly from last year.

10. HISTORIAN (Willis): Since it is March would like the new board members them to know they are past of a long tradition. The first Town of Brighton Board meeting was held on March 2, 1859, at the home of Julius Quarters. This is the 145th board. There were two items decided at the first meeting. They decided to raise \$250 for the support of highways and bridges and they decided to raise \$15 to buy the statutes of New York State so that the Judge would have something to which he could refer. The first assessment of the Town was done later in 1859 for \$13,849. The biggest assessment was to Keese and Donaldson.

11. COMPENSATION AND BENEFITS (T. Willis): Received a report (attached) from a survey compiled by the Town of Bangor Supervisor Loren Eggleston and passed it out to Board members for their information. Supervisor Robert Tebbutt would like Tom Willis to head up another “re-look” at compensation for the Town sometime in the future.

12. TOWN HALL CITIZENS’ COMMITTEE (P. Willis): Looking for grants for the Town Hall Project. The State Historic Preservation Office has a June deadline for grants. The private donation fund drive needs to get started; would like to have matching funds to apply for more grants. Looking for letters of support. Next meeting is March 30, 2004, at 5:45 p.m. People are still looking over the three proposals received from architects. The committee will recommend to the Board when they are ready to select a proposal.

Supervisor Robert Tebbutt thanked Pat Willis for all the work she has done as the Committee Co-Chair.

13. HIGHWAY GARAGE CITIZENS’ COMMITTEE (Knapp, Fountain): Nothing further to Report, see Supervisor’s Report, # 1.

CITIZENS COMMENTS:

Pat Willis – Garondah Road: In regard to the petition for the referendum, is it legal to contact each signer to get input from them about the Town Highway Garage Project? The Board was not sure of the answer.

Amber McKernan – County Route 60: In regards to the Town Hall restoration, the pillars now have cement tops that have deteriorated. Why can't granite tops that are more durable be used to replace the cement tops?

Pat Willis asked to answer the question. The architect who did the limited assessment said granite tops are not historically correct. The cement tops can be protected with some material.

Amber McKernan: Does that mean the wiring has to be replaced with original wiring?

Pat Willis: The wiring has to meet code so it has to be changed.

Tracie Santagate – McColloms: You said the Town Hall Committee has to have a plan to go further with grants. What plan do you have to show the people at the Public Hearing (on April 1 for the Highway Garage Project)?

David Knapp said he had to get with the engineer and determine a cost for what the Highway Garage Committee is proposing.

Tracie Santagate: The town has a high-end building cost and a middle building cost; what do they have for a serious compromise low-end building? Can the building we have now be renovated?

David Knapp said the town could look at reducing the grade of the metal; the size of the building, there may be a place where we can come to a happy medium. The engineer should be able to give a cost to renovate.

Supervisor Robert Tebbutt asked why people are not coming to him and asking these questions?

Tracie Santagate: The people are disenfranchised. They see that the people who came to the previous public meetings for the garage were not listened to. People said that they did call to ask questions but were only given the persuasion speech of why thing couldn't be changed. The question was asked at a previous meeting why people voted no for the bond. There has been no follow-up to determine the answer. The Board needs to go out and visit with people and find out why people voted no the first time. The Town has a lot of people with fixed incomes who cannot afford a large tax increase; they don't have a large buffer to work with. People who are actively involved weren't listened to so other people don't come because they don't think they have a chance to be heard. There is a lack of trust; the people don't feel their questions will be listened to so people have asked her to speak for them. She doesn't feel her questions are being listened to either so she has to have others ask her questions. For example why can't the land be separated from the bond issue and purchased separately from the project? This was asked several times and then when a board member brought it up it was separated out, but now it's back in with the bond issue.

Francis Hogan - County Route 60: What did Steve Tucker mean by he didn't know why there was a petition. If he is a Cadillac man and I'm a Ford man where is the comparison? Steve Tucker gave the nod to \$600,000 but where is the \$250,000 or \$300,000 model? You are talking about a "Plan C" if the bond doesn't go through and we are still waiting for "Plan B". There are always five votes so other board members must have gone to look at other garages to make a comparison. Where did Steve Tucker go to visit?

Steve Tucker said he went to the Village of Saranac Lake, the Airport, and the Town of Franklin.

Francis Hogan asked if these were comparable sizes to what the Town needs. The Village has a larger department and the Town of Franklin has eight trucks to our four. They keep some equipment outside.

Lydia Wright asked what garages did the Board visit since she was not on the board at the time of the visits.

Supervisor Robert Tebbutt said he and John Quenell visited almost 20 buildings altogether. They visited Cranberry Lake, Tupper Lake, Silver Lake, Syracuse, Lawrence, and the State Garage on Route 3. They looked at garages with 4 -5 bays since the Town has three trucks and lots of equipment to store.

Francis Hogan asked if these garages were comparable to what this town needs? He wanted to know why were the Board was looking at garages much larger than what the Town needs? These other places have 8 trucks plus equipment. He did not understand why the Board compared such large places. He asked what “Plan B” was.

Supervisor Robert Tebbutt said he thought “Plan B” was the current proposal of having an unheated outside bay and reducing the roofline over the administrative section. The cost savings should be large enough to keep the price the same since building would be built a year later. There was an 8-person committee that evaluated the needs of the highway and presented the plan to the board.

Francis Hogan asked what the cost of the proposal would be and the answer he received was only a savings of \$50,000. He wanted to know if that was it?

Supervisor Robert Tebbutt said he was in construction in the past. When he heard some of the costs he was surprised they were so high. Then he learned about the “WICKS” Law and found out that municipalities have to pay prevailing wages and other costs that go into constructing a building. The costs could be as high as 40% of what he could build a building.

Francis Hogan said people needed to know this information because they are ignorant on this issue.

Supervisor Robert Tebbutt said that was the problem. Its easy criticize when you are ignorant.

Francis Hogan said he would rather sit here to criticize than to have the Supervisor’s job.

Supervisor Robert Tebbutt said that is why we have this democratic process for people to express their opinions. It is hard to be creative and to answer everybody’s questions and doubts and concerns.

Tracie Santagate: People are looking for a concession, if they don’t like the dollar figure they are looking to see how far the Board is willing to concede on the cost of the project. If people don’t want salt used on the roads they are not going to be willing to pay for a salt shed.

Supervisor Robert Tebbutt said it wasn’t a matter of not conceding; it was a matter of working within the frame of state laws.

Tracie Santagate said she did mean to compromise state laws, she meant was the Board willing to reduce the garage to a 3-bay garage to reduce the cost. People may not be willing to pay for the particular plan proposed by the Highway Garage Committee.

David Knapp: We need a dollar figure attached to what we have now to determine how to cut costs.

Supervisor Robert Tebbutt said it would cost about \$30,000 to get an estimate, because that is what it cost last time. The engineer could not give him a figure without going out to bid.

David Knapp said in construction you don’t send a project out to bid without already knowing an estimate of what to expect. The bids are get a competitive price not the estimate.

Supervisor Robert Tebbutt said he went to a “design build” company in Plattsburgh to ask the cost estimator for estimates. That was the only cost estimate he had before the bids came in.

David Knapp said he would try to get a cost for Francis Hogan for a metal building. It may not be exact to the specification of the garage in detail but it will be a cost for a building. There are a lot of extra costs associated with building this particular building.

Nik Santagate – McColloms: Asked for clarification of what Supervisor Tebbutt said about not having an estimate from the Town’s engineer. Did he hear that the Supervisor could not even get a “ball park” figure from the Town’s engineer?

Supervisor Robert Tebbutt said he did not say that. There was an estimate from the engineer that is in the minutes. He went to the person in Plattsburgh to get a more refined figure.

Tracie Santagate asked where the Town stood with the permits for the project? If the Town is ready to go with this project are they going to proceed with them?

David Knapp said the permits are part of the process. The Town can't move forward on them until other information is available. Sometimes things hold up the permits like the water table level problem that has to be fixed first.

Supervisor Robert Tebbutt said one of the items holding up the permit is the storm water plan. It has to be drawn up still and it is expensive. Parts of the application are easy to fill in but are expensive to do. The permit is suspended but they won't wait too much longer. They need to wait for the petition process.

Tom Willis – Garondah Road: The January Financial Report shows money (\$7,357) in the Fire District checking account. Why is it still there after the bill has been paid? It was also there last year.

John Quenell said it has been there a long time and is available for absorption into the General Fund. Does not know where it came from.

Tom Willis said the handicap lift was installed in 1996. There is supposed to be routine maintenance on the lift. He asked if routine maintenance had been done on it. The paint is chipping and it is rusting. It is an expensive item and people use it so it should be routinely maintained.

Lydia Wright said it should be maintained along with the building.

Tom Willis: Someone from the Fire Department in the Town of Newcomb absconded with \$128,000; does our Fire Department have procedures in place to prevent this since the Town is the primary funding source?

Steve Tucker said the Fire Department requires two signatures on checks and Officers are bonded. People audit the books.

Tom Willis: Are there signs for Osgood Pond telling "Jet Skis" owners they are not authorized?

Supervisor Robert Tebbutt said they were put up last summer.

Tracie Santagate: The ATV signs for the Keese Mills Road are gone. Two sets were made and Alicia Bodmer has the extra set. Does the Highway Department have them?

Supervisor Robert Tebbutt asked John Quenell to check into the signs.

AUDIT OF VOUCHERS:

RESOLUTION #57

AUTHORIZATION TO PAY VOUCHERS

Motion made by John Quenell, **second** by Lydia Wright, **to wit:**

RESOLVED to authorize the Supervisor to pay the vouchers as listed on the Abstracts as follows:

GENERAL FUND: Abstract #3 for Voucher #64 through and including #93 for funds in the amount of \$6,497.06

TRUST AND AGENCY: Abstract #2 for General Voucher #74 in the amount of \$14.77

HIGHWAY FUND: Abstract #3 for Voucher #23 through and including #34 for funds in the amount of \$7,422.43

STREET LIGHTING: Abstract #3 for Voucher #3 in the amount of \$57.75

CAPITAL PROJECT (HIGHWAY GARAGE): Abstract #1 for Voucher #1 in the amount of \$153.00

Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright), Abstain 0, Nay 0

Resolution #57 declared duly adopted.

Motion made by John Quenell **to Adjourn the Regular Board Meeting at 10:00 p.m.**, **second** by David Knapp, Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright), Abstain 0, Nay 0

Respectfully submitted,

Elaine W. Sater
Brighton Town Clerk