

The Regular Meeting of the Town Board of the Town of Brighton was held Thursday, May 10, 2001 at 7:00 p.m. at the Brighton Town Hall, Paul Smiths, NY, with the following:

PRESENT: Supervisor Christopher Leifheit
Council Members: Alicia Bodmer
Linda Dobson
John Quenell

ABSENT: Council Member Roger Smith

OTHERS PRESENT: Elaine Sater-Town Clerk, Don Oliver-Superintendent of Highways, and Amber McKernan-Tax Collector

RESIDENTS: There were five residents present.

GUESTS: None

Meeting was Called to Order by Supervisor Christopher Leifheit **at 7:11 p.m.**

APPROVAL OF MINUTES:

Motion made by Supervisor Christopher Leifheit **to accept the minutes of the Regular Town of Brighton Meeting on April 12, 2001,** as written, second by Linda Dobson; Aye 4, Absent 1 (Smith)

TOWN CLERK REPORT

Total Revenue to Supervisor as of APRIL 30, 2001 was \$160.68

1 Marriage License ML#1-2001

10 Certified Copies

7 Dog License Renewed

2 Impound Fees from Humane Society

1 Building Permit (BRI2001-05)

1. Issued Check #383 for September 2000 Town Clerk Revenues to Supervisor to replace missing check (#360) never deposited by former Bookkeeper
2. May 1 received Tentative Roll from Assessor Doug Tichenor.
3. Attended NYS Town Clerk's Association Annual Conference April 21 to 24 in Buffalo, I have one more year as District 9 Director. I am attempting to set up a Franklin County Association for Town Clerks, met with Town Clerks Tuesday, May 8, 2001 and will have another meeting June 4 to organize Association
4. Attended State Archives training on May 8, 2001 in Malone. Records Management Moment: Only one copy of records needs to be maintained. If you have information at home that is the "official" copy I would like to have it for the "Official File". As town employees and officers leave they should be able to destroy the "copies" of records they have at home as long as the "Official" copy of the record is on file in the Town Hall. Example: All the Minutes you get from me are "copies" I have the "Official" copy in the vault.
5. Training Classes available: New and Improved Retirement Benefits, May 30 by teleconference, Niagara Mohawk is having a Spring Customer Briefing on Wednesday, May 16 in Canton, NY and Merwin Rural Services Institute is offering Grant Writing Workshops in May and June
6. Received notice of Board of Assessment Review Training on May 3, three BAR members attended, Grievance Day is Thursday June 7. I have asked Food Pantry to move the distribution hours back to 3 pm so the building will be cleaned up by 4:30pm
7. Rabies Clinic will be held Monday, June 4 at the Town Garage
8. Park Use Schedule: Business & Professional Women, Sunday Aug 19, 2-6 pm
9. Town Hall Schedule: Assessor Hours: Monday, May 14 (9 am-1 pm) and Thursday, May 17 (4-8 pm), Food Pantry will be held May 17 and June 7

SUPERVISOR'S REPORT AND CORRESPONDENCE:

Balances of Accounts as of May 4, 2001 were available and are attached to these minutes

Business at Hand:

1. Pre-Paid the **Workers Comp Premium** of \$13,840.46 (Check #5422) to Franklin County Self-Insurance Plan, approved by Council Member Roger Smith and Linda Dobson and Supervisor Christopher Leifheit.
2. Received **Inter-municipal Agreement for Code Enforcement Services** from the Town of Santa Clara. Mileage will be paid on a quarterly basis, but a monthly accounting will be required. Clerical Support will be provided as needed. Attorney for the Town, Janet Bliss, has reviewed the contract.

RESOLUTION # 37

INTERMUNICIPAL AGREEMENT FOR CODE ENFORCEMENT SERVICES

Motion made by John Quenell **to authorize Supervisor Christopher Leifheit to sign an Inter-municipal Agreement (Attached) with the Town of Santa Clara for Code Enforcement services to commence May 1, 2001,** second by Supervisor Christopher Leifheit, Aye 4, Absent 1 (Smith)

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Absent

Resolution #37 declared duly adopted.

3. **Motion made** by Supervisor Christopher Leifheit **to introduce Proposed Local Law #3-2001, "Residence Requirements for Appointed Building Inspector for the Town Of Brighton"** (attached), second by John Quenell, Aye 4, Absent 1 (Smith)

RESOLUTION #38

AUTHORIZATION TO HOLD A PUBLIC HEARING FOR PROPOSED LOCAL LAW #3-2001 (Residence Requirement for Appointed Building Inspector)

Motion made by Supervisor Christopher Leifheit to authorize a Public Hearing on Thursday, June 14 at 6:45 pm at the Town Hall for the purpose of public input for proposed Local Law #3-2001 “Establishing the Residence Requirements for the Appointment of the Office of Building Inspector for the Town of Brighton”, (attached), second by John Quenell, Aye 4, Absent 1 (Smith)

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Absent

Resolution #38 declared duly adopted.

4. **Budget Amendment #2-2001:** Landfill expenses need to be increased due to Landfill Closure Expenses

RESOLUTION #39

AUTHORIZATION FOR BUDGET AMENDMENT #2-2001 FOR GENERAL FUND

Motion made by Supervisor Christopher Leifheit to authorize Budget Amendment #2-2001 to transfer General Funds for \$5,469.78 from Account #A1990.4 (Contingent) to Account #A8160.4 (Landfill CE) to cover landfill closure bills that are reimbursable, second by Linda Dobson, Aye 4, Absent 1

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Absent

Resolution #39 declared duly adopted.

5. Payments for Land fill Closure Construction

RESOLUTION #40

AUTHORIZATION TO PAY GRIFFIN INTERNATIONAL FOR LANDFILL CLOSURE WORK

Motion made by Supervisor Christopher Leifheit to authorization payment of \$2,080.00 from General Funds A8160.4 (Landfill CE) to Griffin International for work completed on Landfill Closure Project, second by John Quenell, Aye 4, Absent 1 (Smith)

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Absent

Resolution #40 declared duly adopted.

RESOLUTION #41

AUTHORIZATION TO PAY J HUTCHINS CONSTRUCTION FOR LANDFILL CLOSURE WORK

Motion made by Supervisor Christopher Leifheit to authorization payment of \$31,644.00 from General Funds A8160.4 (Landfill CE) to J. Hutchins Construction Inc. for work completed on Landfill closure construction, second by John Quenell, Aye 4, Absent 1 (Smith)

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Absent

Resolution #41 declared duly adopted.

6. **HUD Update:** Before the HUD 94 grant project can be closed out the Town must reimburse HUD \$5,779.33 of Administrative fees to the CDBG fund that should have come from the General Fund. The Brighton HUD 94 CDBG Program must reimburse the Town Of Brighton \$177.93 that came from General Fund and should have come from the 94 HUD CDBG funds. This will clear up the Brighton HUD 94 grant and close it out. Funds will continue to be paid to Friends of the North Country until the HUD 92 project is closed out.

RESOLUTION #42

AUTHORIZATION TO REIMBURSE TOWN GENERAL FUND FOR HUD EXPENDITURES

Motion made by Supervisor Christopher Leifheit to authorize the Brighton HUD 94 CDBG Fund to reimburse the Town Of Brighton General Funds (A6460.4) for General Funds of \$177.93 used to pay for HUD project expenses in error, second by John Quenell, Aye 4, Absent 1 (Smith)

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye

Roger Smith Absent

Resolution #42 declared duly adopted.

RESOLUTION #43

AUTHORIZATON TO REIMBURSE HUD 94 CDBG FUND FOR HUD EXPENDITURES

Motion made by Supervisor Christopher Leifheit to authorize the payment of \$5,779.33 from General Fund A6460.4 to the Brighton HUD 94 CDBG Fund to reimburse this fund for expenses paid out in error for HUD Administrative expenses, second by John Quenell, Aye 4, Absent 1 (Smith)

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Absent

Resolution #43 declared duly adopted

RESOLUTION #44

AUTHORIZATON FOR BUDGET AMENDMENT #3-2001 GENERAL FUND

Motion made by Supervisor Christopher Leifheit to authorize Budget Amendment #3-2001 to transfer General Funds for \$5,779.33 from Account #A1990.4 (Contingent) to Account #A6460.4 (Industrial Development) to cover HUD Project Administrative Expenses, second by Alicia Bodmer, Aye 4, Absent 1 (Smith)

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Absent

Resolution #44 declared duly adopted

7. **Brighten Brighton Update:** Linda Dobson briefed the Board on the Clean-up Project. The Highway Department is doing a great job picking up the junk. Joe Bruno is picking up the junk cars and will pick up the “salvage metal”. About 7 cars have been removed so far. The price of the tires has gone up to \$3.00, possibly \$4.00 at the Lake Clear Transfer Station. Linda Dobson and John Quenell are looking for a better deal; there are a lot of tires. Problems encountered: People from out-of-town brought junk into the town and left it, household garbage was left, and people added to their piles after the deadline. The County Landfill has advertised a reduced rate for tipping fees from May 7 to 18th for Towns doing “spring cleanup”. The Town was never notified of this reduction and Linda Dobson is trying to get the reduced rate from April 30 to the end of this Town’s cleanup. Supervisor Christopher Leifheit talked to Legislature Ray Susice about a reduced rate from the landfill and Mr. Susice was not interested in giving the Town a break. Don Oliver mentioned some people did not separate items and this made pickup more difficult. John Quenell said postage for mailing brochures was \$62.00.
8. **Tribute for Arlene Hogan:** John Quenell gave Roger Smith a copy of an aerial photo of Rainbow Lake Road. There has been no communication from Roger Smith on the matter since. John Quenell thought Arlene Hogan might like a copy of the book that will be printed as part of the Brighton 2000 Project.
9. **COUNCIL MEMBERS:**
 - a. **Alicia Bodmer: Saranac Lake Area Youth Program** contract is available for review

RESOLUTION #45

AUTHORIZATON TO SIGN CONTRACT FOR SARANAC LAKE AREA YOUTH PROGRAM

Motion made by Alicia Bodmer to authorize Supervisor Christopher Leifheit to sign an Inter-municipal Agreement (attached) between the Town Of Brighton and the Village of Saranac Lake, Town of North Elba, Town of Harriestown, and Saranac Lake Central School District for the maintenance of a joint youth program, second by Supervisor Christopher Leifheit, Aye 4, Absent 1 (Smith)

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Absent

Resolution #45 declared duly adopted

- b. Contract for **First Responder Emergency Medical Services Association (FREMSA)** is available for review and approval

RESOLUTION #46

AUTHORIZATON TO SIGN CONTRACT FOR FREMSA AND EXPEND FUNDS FOR 2000 AND 2001

Motion made by Supervisor Christopher Leifheit to authorize acceptance of the contract between the Town Of Brighton and the First Responder Medical Services Association (FREMSA) for emergency services for the period January 1, 2000 to December 31, 2001 and to expend funds of \$1,000 for each year 2000 and 2001 from Special Fund SF3410.4, second by Linda Dobson, Aye 4, Absent 1 (Smith)

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Aye

Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Absent

Resolution #46 declared duly adopted

- c. John Quenell: Received a letter dated May 3, 2001 from the **Rainbow Lake Association**, Re: Conduit for Grant Money for detection of Eurasian Water-milfoil into Rainbow Lake, they would like Town’s support again this year.

RESOLUTION #47

AUTHORIZATON TO SIGN CONTRACT FOR RAINBOW LAKE ASSOCIATION AS CONDUIT

WHEREAS, the Rainbow Lake Association continues to be concerned about the possible spread of Eurasian Water-milfoil in the Rainbow Lake waterway and,

WHEREAS, the Town Of Brighton supported the Rainbow Lake Association in 2000 to obtain a grant for early detection of this non-native plant and,

WHEREAS, another third of Rainbow Lake, Clear Pond and “The Inlet Flow” areas still need to be surveyed;

THEREFORE Be it Resolved, that the Town Of Brighton agrees to act as conduit for the Rainbow Lake Association for the purpose of applying for a grant of \$975 from the Lake Champlain Basin Program to pay for a professional survey by Adirondack Ecologists of Crown Point to detect if there is any Eurasian Water-milfoil in Rainbow Lake and to authorize Supervisor Christopher Leifheit to sign the contract with the Lake Champlain Basin Program, receive and hold grant funds, and disperse grant funds for the Rainbow Lake Association. The Town is not responsible for any monetary obligations by the Rainbow Lake Association.

Motion made by Supervisor Christopher Leifheit, second by Alicia Bodmer, Aye 4, Absent 1 (Smith)

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Absent

Resolution #47 declared duly adopted

- d. **New Garage for Highway Department** - Plans are available to review for a garage from the contractor of the Paul Smiths/Gabriels Fire House, a site survey needs to be completed
- e. **Adelphia Contract:** Contract expires January 2003, the Department of Public Service reviewed the agreement and returned comments, changes proposed are minor to conform to NY State laws. Adelphia has a reputation of being a good company. Supervisor Christopher Leifheit will send a letter to Adelphia with recommendations for the changes. Town can collect a percentage of the revenue, but company can just add this amount to users bills, there is no benefit to the Town residents to collect the percentage.

CITIZENS COMMENTS:

Bill Stebbins-Easy Street: Has three concerns:

- a. **Speed:** Concerned with speed on Easy Street Hill (Route 86), can a no passing zone be created on the hill? Need better law enforcement to slow people down. Supervisor Christopher Leifheit will send a letter to Department of Transportation requesting a double line for the whole hill.
- b. **Junk:** Noticed a house owner on Easy Street carting in 8 loads of junk left out for the highway to pick up
- c. **Zoning:** Would like copy of zoning laws, what is APA jurisdiction? No zoning in the Town Of Brighton, APA laws apply. In the past a zoning plan has been proposed to the residents of the Town but they have not accepted it.

NEW BUSINESS:

- 1. Received a letter dated May 8, 2001, from Mrs. Caldwell, Re: Concerns about land-use policy and Code Enforcement within the Town Of Brighton; mentioned two property owners who appear to be in violation of the “Junk Car” Law and Building Code/Health Laws.
- 2. Attorney for the Town, Janet Bliss, has reviewed the proposed Junk Yard Local Law. Alicia Bodmer will update the local law with the attorney’s recommendations and discuss at the next board meeting.
- 3. Monthly Meeting Organizational Change: Vouchers need to be reviewed with more care. Would the Board like to meet 15 minutes earlier to sign the vouchers? Board Members agreed to show up at 6:45 pm to sign vouchers before the meeting starts.

COMMITTEE REPORTS:

- 1. **CODE ENFORCEMENT OFFICER:** No Report
- 2. **COURT- Nik Santagate:** Reviewed 36 cases and sent \$1,632 to the State Comptroller
- 3. **HIGHWAY – Don Oliver:** Working on Spring Cleanup, on Route 86 at Helm’s as of today, lost a day’s work when hydraulic lift on loader broke, Town of Harrietstown has been helping, will be finished in two more weeks
- 4. **TAX COLLECTOR- Amber McKernan:**
 - a. Total receipts collected in April 2001: \$25,226.83

- b. Total Receipts to Date: \$682,433.20, there are still 83 outstanding tax bills, a second billing notice will be mailed on May 15, 2001 with a \$1.00 penalty fee added to each parcel in addition to the 4% late payment fee.
- c. Penalties paid to Supervisor Christopher Leifheit: \$562.08 for March 8-April 24, \$570.94 for April 24 to date
- d. Check for \$75,000 issued to Franklin County, Total issued to date: \$220,000
- e. March and April bank statements received and balanced
- f. Required to turn-in tax roll on June 6, 2001
- g. Would like to attend a seminar for the New York State Association of Tax Receivers and Collectors on June 11-13 in Lake Placid

RESOLUTION #48

AUTHORIZATION TO ATTEND TAX COLLECTOR SEMINAR IN LAKE PLACID

Motion made by John Quenell to authorize Amber McKernan, Town Tax Collector, to attend a seminar for the New York State Association of Tax Receivers and Collectors in Lake Placid from June 11 to 13, and to expend General Funds of \$75.00 for registration and reimburse for meals and pay mileage, second by Supervisor Christopher Leifheit, Aye 4, Absent 1 (Smith)

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Absent

Resolution #48 declared duly adopted

- 5. **INSURANCE - John Quenell:** During budget time the Board agreed to change the health insurance for Don Oliver, Superintendent of Highways, from BCBS HMO-type purchased for elected officials to the “traditional BCBS” coverage purchased for the Highway employees. Mr. Oliver was dropped from the HMO insurance and never picked up by the “traditional” Plan. After contacting BCBS, it was determined that Mr. Oliver is eligible for Medicare and he cannot be put on the “traditional” plan. He needs to apply for Medicare Part B to be covered as the rest of the town officials. This will be an out-of-pocket expense to Mr. Oliver. The Town should cover this cost since it provides health care to all the elected town officials at no expense.

RESOLUTION #49

AUTHORIZATION TO PAY EXPENSES FOR HEALTH CARE INSURANCE

Motion made by John Quenell to reimburse Don Oliver, Superintendent of Highways, for expenses incurred in purchasing Blue Cross Blue Shield Medicare Supplement insurance, deductible expenses related to his participation in the New York State Elderly Pharmaceutical Insurance Coverage (EPIC) program, and premiums he must pay for Medicare Part B for the balance of 2001, second by Supervisor Christopher Leifheit, aye 4, Absent 1 (Smith)

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Absent

Resolution #49 declared duly adopted

- 6. **ASSESSOR:** Received a letter dated April 30, 2001 from the NYS Office of Real Property Services, Re: Thank you for the Resolution to implement an update reassessment for the 2002 Assessment Roll
- 7. **CEMETERY:** Supervisor Christopher Leifheit asked Linda Dobson to get with him and Roger Smith to get a proposal together for the map survey
- 8. **PARK:**
 - a. Site plan for fencing was done at park. Fran McAllister will provide rails for the fencing.
 - b. A new garage door is needed at the park, quotes for doors need to be obtained

CITIZENS COMMENTS:

Art Robertson- Split Rock Road: Would like to commend the Highway Department on the good job they are doing with the Cleanup (Brighten Brighton)

Mrs. Tucker-Gabriels: Sent a Thank You note to Supervisor Christopher Leifheit for the Cleanup effort

Margaret Pierce-Easy Street: How is the Cleanup being paid for?

Community Enhancement Grant Funds are being used. The amount of the Cleanup might exceed the grant amount, trying to get lower tipping fees at the Landfill.

Tracy Santagate-McColloms: The Cleanup has been a good incentive to many people to clean up their yards

Dora Mose-Easy Street: Thank you for signing the FREMSA contract and providing funds for the services

Margaret Pierce-Easy Street: The “junk yard” across the street from her business is causing her to lose potential customers. She had to get several permits to set up her business and she wondered what kind of a permit the owner has for his “junkyard”. Other people in the Town had to clean up their “junk yards”; she cited an example on Rainbow Lake Road. How can Easy Street be “enhanced” when a “junk yard” is allowed?

The Town is working on a Local Law for junk in the Town and a new Code Enforcement Officer is being hired. This should help with the “junk yard” problems in the Town.

RESOLUTION #50

AUTHORIZATION TO EXPEND SPECIAL FUNDS FOR THE FIRE CONTRACT

Motion made by Linda Dobson to authorize the expenditure of Special Funds of \$27,501.00 for the second and final payment to the Paul Smiths-Gabriels Volunteer Fire Department for 2001 Fire Service, second by Alicia Bodmer, Aye 4, Absent 1 (Smith)

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Absent

Resolution #50 declared duly adopted

RESOLUTION #51

AUTHORIZATION TO PAY ALL BILLS LISTED ON ABSTRACTS

Motion made by Supervisor Christopher Leifheit to pay the vouchers as listed on the abstracts attached to these minutes as follows:

ABSTRACT #5–All Funds: Pre-Paid Voucher #5A as follows: \$13,384.46 General Funds

ABSTRACT #5-General Fund: Voucher #65 through and including Voucher #91 as follows: \$42,838.68

ABSTRACT #5-Highway Fund: Voucher #56 through and including Voucher #70 as follows: \$3,061.25

ABSTRACT #5–Street Lighting District: Voucher #5 for \$49.28

ABSTRACT #3–Special Funds: Voucher #3 through and including Voucher #4 as follows: 2000 Funds: \$1,000 and 2001 Funds \$28,501.00

ABSTRACT #2-HUD CDBG: Voucher #3 as follows: \$177.93

Second by Alicia Bodmer, Aye 4, Absent 1 (Smith)

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Absent

Resolution #51 declared duly adopted.

Motion made by Supervisor Christopher Leifheit to adjourn the Regular Town Board Meeting at 9:15 p.m., second by Linda Dobson; Aye 4, Absent 1(Smith)

Respectfully submitted,

Elaine W. Sater
Brighton Town Clerk