

TOWN OF BRIGHTON – REGULAR BOARD MEETING – MAY 13, 2004

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**The Regular Meeting of the Town Board of the Town of Brighton was held on Thursday, May 13, 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, Steve Tucker and Lydia Wright

**ABSENT:** Council Member - John Quenell

**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 five residents present.

**GUESTS:** None

**Meeting was Called to Order** by Supervisor Robert Tebbutt at 7:01 p.m.

***APPROVAL OF MINUTES***

**Motion made** by Steve Tucker **to accept the Minutes of the Regular Town Board Meeting of April 8, 2004, as written**, second by Supervisor Robert Tebbutt.

**Roll Call Vote:** Aye 4 (Knapp, Tebbutt, Tucker, Wright), Abstain 0, Nay 0, Absent 1 (Quenell)

**Motion made** by David Knapp **to accept the Minutes of the Special Town Board Meeting of April 13, 2004, as written**, second by Supervisor Robert Tebbutt.

**Roll Call Vote:** Aye 3 (Tebbutt, Knapp, Tucker), Abstain 1 (Wright), Nay 0, Absent 1 (Quenell)

**Motion made** by Supervisor Robert Tebbutt **to accept the Minutes of the Special Town Board Meeting of May 6, 2004, as written**, second by Steve Tucker.

**Roll Call Vote:** Aye 4 (Knapp, Tebbutt, Tucker, Wright), Abstain 0, Nay 0, Absent 1 (Quenell)

***TOWN CLERK REPORT***

**Total Revenue to Supervisor as of April 30, 2004, was \$843.63**

7 Building Permits  
Commission on 3 NYSDEC Sport Licenses  
3 Dog Licenses Renewed  
6 Copies on the Copier

1. April 8, 2004, faxed Public Notice to the Adirondack Daily Enterprise, Re: Town Clerk's Office closure on April 20, it was published Tuesday, April 13, and posted at the post offices, town businesses, and on the Town Clerk's signboard.
2. Attended NYS Town Clerk's Association Annual Conference April 18 to 21 in Saratoga Springs. Voucher for hotel and food has been submitted for payment.
3. April 13 faxed Public Notice to the Adirondack Daily Enterprise, Re: Open House at Garage on Saturday, April 24. Published on Friday April 16 and posted at the post offices, town businesses, and on the Town Clerk's signboard.
4. April 28 spoke with John Bray, Computer Administrator, RE: Using the Laptop as a replacement for the current PC in the Town Hall. He did not recommend doing this for the following reasons: The mobility of having a laptop would be lost. There is no security on the laptop for the Court or Town files. Currently NT Windows is on the PC and only XP Windows is on the laptop. The cost to purchase the programs and the time spent to make the laptop secure would be close to the cost of a new computer.
5. April 29, faxed Public Notice to the Adirondack Daily Enterprise, Re: Special Town Board Meeting on Thursday, May 6. Published on Tuesday May 4. Notices were posted on April 30 at the post offices, town businesses, and on the Town Clerk's signboard.
6. Received letter dated April 23, from North Country Community College (NCCC), RE: Franklin County Website. The Web Design class at NCCC has created a website for the county and asked for

information on the Town to post. Sent an email on May 4 to Donald Paulson, Instructor, giving him the website for the Town to get the information.

7. May 1, 2004, received Tentative Roll from Assessor Doug Tichenor
8. May 11, held a Special Election for a \$500,000 bond referendum and the results are: 101 Yes and 73 No. There were 177 voters, 176 ballots were cast and 2 ballots were invalid. Election Inspectors would like the board to know that a voter threatened and insulted them by asking them if they were aware of a specific election law and the voter would go to the Attorney General's Office if they violated it. [*Webmaster note: In a board meeting held on May 25, 2004 the town clerk retracted the assertion that the voter "threatened and insulted" the election inspectors. See Minutes of May 25, 2004 meeting.*] The remarks were made after the polls had opened about 9:10 a.m. The Election Inspectors attend training every year and are re-certified every four years. The Town Clerk was not notified of a deficiency in their training before the polls opened. They would like to know on what authority this was done and if the Town Board was aware of a training problem that would have instigated the remarks.
9. The State Archives would like the Town Board to support a resolution for "the Elimination of the Sunset Provisions of the Local Government Record Management Improvement Fund (LGRMIF) and the Cultural Education Fund (CEF). The Town of Brighton has benefited from this fund in the form of a grant of \$96,000 through Franklin County to purchase a microfilm machine, records shelving, and storage boxes and to inventory the records and have minutes, marriage records, and vital records microfilmed.
10. Rabies Clinic will be held Thursday, May 27, at the Town Garage from 5 to 6 pm
11. Received coupon tickets for government workers to celebrate the 50<sup>th</sup> Anniversary of Great Escape in Glens Falls, one ticket is good for \$10 off up to six admissions until July 11, 2004.
12. May 13, 2004, received a Petition to Eliminate Passing Zone on Easy Street (State Route 86), in Paul Smiths. Copies were distributed to Town Board.
13. Town Clerk's Office will be closed on Tuesday, June 8 for DECALS training in Ray Brook. The Town Clerk will be attending SARA training in Malone on Wednesday, June 2, for managing emails.
14. Park Use Schedule: Mountaineers Rugby - Saturdays in June 5,12,19 and July 10, 24, 12 noon to 5 p.m.; Boy Scout Troop 12 - Sunday, June 13, 3 to 8 p.m.
15. Town Hall Schedule: Assessor sat at the Town Hall Thursday, May 13, from 9 a.m. to 1 p.m. Board of Assessment Review will meet Thursday, June 3, from 5 to 9 pm, and Food Pantry will be held Thursday, May 20.

**SPECIAL ELECTION:** The Town Board appointed the Town Clerk to run the Special Election and there was no indication to the Town Clerk that there was a training problem before the polls opened. The Town Board is the Board of Elections for the Special Elections so the questions (On what authority did a voter question the Inspectors and was the Town Board aware of a training problem that would have instigated the remarks?). The Board was not aware of any problem with Election Inspector training. After some discussion Supervisor Robert Tebbutt said he would like to discuss this in Executive Session at the end of the meeting since it involves a person employed by the Town.

**Lydia Wright** said she received phone calls from voters concerning the use of paper ballots instead of the machine and asked why the machine was not used. The Town Clerk said the machine was not used because the Voting Machine Custodians did not think it was wise to spend another \$200 on this election. Steve Tucker said it took several hours to set up the machine.

### ***SUPERVISOR'S REPORT***

1. **HIGHWAY GARAGE PROJECT:** Have been in touch with the APA concerning the Permit for building a new garage; asked what the Town needed to do to get the permit application process moving since the Bond was approved. Read a letter (attached) to be sent to Thomas Saehrig at the APA to get the permit application opened. There is one day of the time left before approval. Joe Garso will have to provide information to complete the application. If there is a materiel change to the permit application it will have to be redone.

**A Special Meeting to discuss the Highway Garage Project has been called tentatively for Wednesday, May 19, at 5 p.m.** Would like to have Joe Garso, the engineer, at the meeting. David Knapp will contact Joe Garso to determine when he can attend a meeting and notify Supervisor Robert Tebbutt.

2. **FINANCIAL REPORT:** Distributed the Financial Report to Board members for period ending April 30, 2004. The funds for the Capital Project Town Hall Project have not been transferred yet but will be shortly. The \$100 from the Rugby Club should be under Revenue A2400 Park Use Donations. It was incorrectly under A2770 Misc Income on the Town Clerk's Report from April.
3. **ANNUAL FINANCIAL REPORT 2003:** There were questions from the Comptroller's Office concerning the Annual Financial Report for 2003, mainly concerning the Landfill Capping. Gave the information to John Quenell to respond and a response was sent on May 3.
4. **INSURANCE CLAIM – KEESE MILLS ROAD:** The Town has received a claim against the Highway Department; a fence was damaged during the winter possibly from the snowplow. The Attorney for the Town was contacted and the claim has been turned over to the insurance company.
5. **BUILDING VARIANCE REQUEST – KEESE MILLS ROAD:** A resident on the Keese Mills Road would like to build on an existing foundation that is in the Town's Right-of-Way (ROW). The Code Enforcement Officer has denied a building permit and the resident has appealed to the Town Board. The Attorney of the Town has been contacted and will provide more information for the June meeting. The Highway Department should be involved with the decision also.
6. **TIRES ON EASY STREET (STATE ROUTE 86):** On April 24, 2004, the Code Enforcement Officer issued an "Order to Remedy Violation or Correction" to a resident on Easy Street concerning the accumulation of tires in accordance with and is directed and ordered to remove the tires within 10 days after receiving the notice. Called the resident and they said they would not be able to remove the tires within 10 days due to financial difficulty but would remove them over time. Received a letter dated 4 May 04 from the resident concerning this issue.

**Lydia Wright** had a question about the Fuller resident who also had a complaint against his "junk yard". What was the result of that complaint? Supervisor Robert Tebbutt said he was aware of the Town threatening to go to court against the resident. Justice Nik Santagate said the "Litter Law" is a Local Law (#3-2001) and the violation was brought before the Town Court. The Attorney for the Town and the defendant appeared in Town Court and the Justice was ready to go to trial. He asked the Attorney three times if he was ready for a trial. The Attorney asked to settle the case out of court and the Attorney went to the defendant's house and created a list of things the defendant was to comply with to be acceptable. The case was dismissed at the request of the Attorney of the Town. Supervisor Robert Tebbutt said other residents have complained they cannot sell their houses due to the Fuller residence. This issue needs to be addressed. Steve Tucker said Al Fuller spoke to him about the list of things and Al Fuller had not complied with all of them yet. Nik Santagate said there is a Local Law on the books that the Town Board should read to see if it applies to the situation.

**Supervisor Robert Tebbutt** will contact the two residents and let them know the Town Board will be addressing the "Litter Law" issue at the June meeting.

7. **ADIRONDACK COUNTY:** Would like the Board to authorize the Supervisor and Board Members to attend meetings and obtain information to determine if the Town should support the concept of a separate county.

#### **RESOLUTION #68**

#### **AUTHORIZATION TO ATTEND MEETINGS ON "ADIRONDACK COUNTY"**

**Motion made** by Supervisor Robert Tebbutt **to authorize the Supervisor or any board member to attend organizational meetings on "Adirondack County" to obtain information that will allow the Board to make a more informed decision to support or reject this idea in the future**, second by Lydia Wright.

**Roll Call Vote:** Aye 4 (Tebbutt, Knapp, Tucker, Wright), Abstain 0, Nay 0, Absent 1 (Quenell)

**Resolution #68 declared duly adopted**

8. **CEMETERY SIGNS:** Asked Bob Byno to get the signs at the two cemeteries refurbished by Camp Gabriels since they are badly weathered. The Town Clerk said the sign at the Town Hall also needs varnishing.
9. **LANDFILL SIGNS:** The landfill cap warning signs were put up at the landfill by the Highway Department.
10. **DISPOSITION OF LAPTOP COMPUTER:** The Tax Collector can use the laptop turned in by the former bookkeeper. The Tax Collector would still like a “Tax Collector” Program to be able to keep tax information available for taxpayers. Currently all the records are returned to the county at the end of the tax season. The Town Clerk can use the laptop computer.

**RESOLUTION #69**

**AUTHORIZATION FOR THE TOWN CLERK TO USE THE LAPTOP**

**Motion made by Supervisor Robert Tebbutt to allow the Town Clerk to use the extra laptop in the performance of the duties of the Office of Town Clerk, second by Lydia Wright.**

**Roll Call Vote:** Aye 4 (Tebbutt, Knapp, Tucker, Wright), Abstain 0, Nay 0, Absent 1 (Quenell)

**Resolution #69 declared duly adopted.**

11. **EASY STREET (STATE ROUTE 86) PASSING ZONE:** A petition with 38 signatures was received from Lisa Muscatello concerning a No-passing Zone on Easy Street (State Route 86). A letter will be sent to Assemblyman Chris Ortloff and State Senator Elizabeth Little per Resolution #63-2004 to ask for support on this issue.
12. **ELIMINATION OF SUNSET PROVISIONS OF LGRMIF AND CEF FOR RECORDS GRANTS:** These funds will expire unless they are made permanent. Support from the Town Board would be appreciated.

**RESOLUTION #70**

**SUPPORT FOR THE ELIMINATION OF SUNSET PROVISIONS FOR LGRMIF AND CEF**

**Motion made by Supervisor Robert Tebbutt, second by Steve Tucker, to wit:**

**Whereas,** the Local Government Records Management Improvement Fund (LGRMIF) was created in 1989 to provide technical assistance and grants to establish, improve or enhance records management programs in New York’s more than 4300 local governments, and

**Whereas,** the closely related Documentary Heritage Program (DHP) for grants and technical assistance to non-governmental historical records repositories also is supported by the LGRMIF, and

**Whereas,** a sunset date for the LGRMIF was established in the original legislation to permit its operation as a five-year experiment, and

**Whereas,** the New York State Legislature twice has extended the sunset date, most recently to December 31, 2005, and

**Whereas,** the LGRMIF has effectively supported essential advisory services and 6,300 grants totaling over \$113 million to improve the management of records for over half of all NYS local governments, and

**Whereas,** the LGRMIF and the programs it supports continue to operate at a high standard of excellence and provide direct and significant benefit to local governments at no cost to the taxpayers, and

**Whereas,** the Town of Brighton in Franklin County has benefited from technical assistance, training, publications and one grant through Franklin County totaling \$96,000, supported by the LGRMIF, and

**Whereas,** the State Legislature created the closely-related Cultural Education Fund (CEF) to support the New York State Archives, New York State Library and New York State Museum on behalf of all New Yorkers, and the Office for Public Broadcasting, and provided the CEF with an identical sunset date, and

**Whereas,** the LGRMIF and the CEF continue to be critically important in the fulfillment of the many records and information related responsibilities of the Town of Brighton and to the cultural and scientific needs of the people of New York State, therefore

**Be it resolved that the Town of Brighton, Franklin County, supports the elimination of said sunset provisions in order to make the LGRMIF and the CEF permanent as proposed in State Assembly Bill A10843 and State Senate Bill S06666.**

**Roll Call Vote:** Aye 4 (Tebbutt, Knapp, Tucker, Wright), Abstain 0, Nay 0, Absent 1 (Quenell)

**Resolution #70 declared duly adopted.**

- 13. PREPAID VOUCHERS:** The Town Clerk received pre-paid vouchers from the Bookkeeper that had not been approved by anyone in the town before the Bookkeeper paid them.

*[Webmaster note: In the board meeting of June 10, 2004 the town clerk acknowledged that Item 13 above was not part of the supervisor's report. Instead, the remark was made by the clerk.]*

**OLD BUSINESS:**

- 1. TOWN HALL CITIZENS COMMITTEE (Lydia Wright):** The application for the New York State Council on the Arts (NYSCA) grant was finalized and submitted on May 3. Ann Van Ingen from NYSCA visited the Town Hall on May 5. She interviewed Lydia Wright and Pat Willis concerning the grant application and inspected the Town Hall. She gave an insight into who gets the grants and went through the grant process. There were several Town residents in attendance: Lydia Wright, David Knapp, Robert Tebbutt, Steve Tucker, Wilhelmina Sheridan, Elaine Sater, and Pat Willis. Ann Van Ingen was pleased with the information provided with the grant. Lydia Wright, as a Council Member would like to thank Kevan Moss and Pat Willis for the many hours they put into this grant with her. A decision will be made on July 22; the funding is immediate after notification is made sometime in the Fall.
- 2. MAINTENANCE FOR TOWN BUILDINGS (David Knapp):**
  - a. CEMETERY BUILDINGS' ROOFS:** Looked at the roofs on the buildings at the Mt. View Cemetery. The block building's roof needs repair and the brown building needs the roof replaced. Moores' gave a materials estimate of \$430 for shingles and \$485 for a new metal roof. The building was used as a vault in the past but is no longer needed for this reason. Junk is stored inside; a little housecleaning is needed.
  - b. TOWN HALL STAIRS:** The stairs are not even in height and need to be replaced so there is a uniform rise and run to the stairs. The stairs should be built to Code and not worry about exact historic preservation. The walkway needs to be looked at also.

**NEW BUSINESS:**

- 1. TOWN HALL CITIZEN'S COMMITTEE (Pat Willis):** The Committee would like to apply for a grant through the NYS Office of Parks, Recreation and Historical Preservation (NYSOPRHP) under the Environmental Protection Fund. The Willis attended a workshop for completing the application for the grant on May 7. The application should include a support resolution from the Town Board to help with points toward application. The Town will have to sign a covenant with the State for about 5 years that says any changes to the Town Hall has to be approved by them. The deadline for this grant is June 30, 2004. Having a deed for the Town Hall property would be nice before the grant is submitted. The Willis will be attending training on May 20 concerning capital fund drives put on by the Adirondack Community Trust. The grant from NYSOPRHP is a reimbursable grant where the Town puts the money up front and gets reimbursed after the expenses are paid. Supervisor Robert Tebbutt read a letter from John Quenell expressing his concerns about the Town Hall Project. Lydia Wright discussed the steps she had taken to come to the point of proposing this resolution for this grant. Mitch Crevar from the Comptroller's Office helped her with the financing steps. The Town does not have to accept the grant if it is determined that the Town does not want to go forward with this project. Supervisor Robert Tebbutt was concerned with the process and he wanted to discuss some issues with the Attorney for the Town. David Knapp said he understood at the last meeting that the application for grants would cover the cost of any reimbursement grants. Lydia Wright asked for a copy of John Quenell's letter to send to Mitch Crevar at the Comptroller's Office to determine if she had correctly followed the procedures addressed in the letter.

**RESOLUTION #71**

**AUTHORIZATION TO CONTACT THE ATTORNEY FOR THE TOWN FOR PROPERTY DEEDS ON TOWN HALL AND TOWN GARAGE**

**Motion made** by David Knapp **to authorize the Supervisor to contact the Attorney for the Town to move forward on obtaining deeds for the Town Hall and Town Garage property from Paul Smith's College**, second by Lydia Wright.

**Roll Call Vote:** Aye 4 (Tebbutt, Knapp, Tucker, Wright), Abstain 0, Nay 0, Absent 1 (Quenell)

**Resolution #71 declared duly adopted.**

**RESOLUTION #72 (Tabled)**

**AUTHORIZATION TO APPLY FOR A GRANT FROM NYSOPRHP FOR THE TOWN HALL**

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

**WHEREAS**, the Town Board of the Town of Brighton (the "Town") has determined that the Brighton Town Hall (currently listed on the New York State and National Registers of Historic Places) is in need of repairs and restoration, and

**WHEREAS**, these repairs and restoration are planned to be designed and overseen by the preservation architects Crawford and Stearns, and

**WHEREAS**, an appropriate addition designed by the preservation architects Crawford and Stearns is planned for the rear of the building to accommodate current and future Town business, and

**BE IT THEREFORE RESOLVED**, that Lydia Wright, as Councilperson of the Town of Brighton, Franklin County, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provision of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$100,000 and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to this Town of Brighton for the Brighton Town Hall Restoration and Addition Project and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

**Motion made** by Robert Tebbutt **to table the motion until the June 10<sup>th</sup> meeting unless a special meeting to discuss it is scheduled**, second by Steve Tucker

**Roll Call Vote:** Aye 3 (Tebbutt, Knapp, Tucker), Abstain 1 (Wright), Nay 0, Absent 1 (Quenell)

**Resolution #72 declared tabled.**

**REPORTS**

**1. COURT (Santagate):**

- a. 47 cases were disposed and \$2,680.00 was sent to the State Comptroller's Office
- b. Would like to apply for a grant for a new computer and a credit card machine. The grant application was sent in separately having been filed (postmarked) by May 1, 2004.

**RESOLUTION #73**

**AUTHORIZATION TO APPLY FOR A GRANT FOR A COMPUTER AND CREDIT CARD MACHINE**

**Motion made** by Steve Tucker, **second by Supervisor Robert Tebbutt, To Wit:**

**WHEREAS**, it has been determined by the Town of Brighton's Computer Administrator the computer presently used by the Court is failing due to age, and

**WHEREAS**, the Court is now required by the State of New York to accept credit cards for bail and fines and the Town of Brighton presently has no credit card machine,

**NOW THEREFORE BE IT RESOLVED** that we, the Town of Brighton Board, duly responsible authorize the application for a grant through the Justice Court Assistance Program 2004, administered by Unified Court System of New York State, in hopes of receiving a computer and credit card machine or monies to purchase the above mentioned.

**Roll Call Vote:** Aye 4 (Tebbutt, Knapp, Tucker, Wright), Abstain 0, Nay 0, Absent 1 (Quenell)

**Resolution #73 declared duly approved.**

**2. HIGHWAY COMMITTEE (Quenell/Oliver):**

- a. Repaired fence at the Town Hall, Bob Byno can stain it.
- b. Graded and raked the Tebbutt-Vosburg Road twice
- c. Broomed the sand off the Town Roads

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- d. Snow blower was changed to grass mower and tractor was serviced for the Park.
- e. Worked with Bob Byno on the grass around the Town Hall.
- f. Worked on Highway equipment, had front end of pick-up repaired
- g. Went to a County Highway Meeting on May 12, 2004, there is no budget in place, so CHIPS money is up in the air

A citizen called to tell Supervisor Robert Tebbutt that he appreciated the Highway Department cleaning up the sand from the road he lives on.

3. **INSURANCE/INVESTMENTS (Quenell):** No Report

4. **ASSESSOR (Tichenor):** No Report

5. **TAX COLLECTOR (McKernan):**

- a. The month of April was quite busy. Received payment on 38 parcels in April and 2 in May. The total number of parcels from the private sector from which payments were received totaled 798. Turned 57 unpaid bills over to the county for collection by them. This number of unpaids is slightly lower than in previous years.
- b. In April, collected a total of \$40,093.86, and in May, a total of \$3,360.55. On 6 May, turned the books and unpaid bills over to the county. For tax year 2004, \$1,013,866.15 passed through this office. The total amount paid to the Supervisor was \$516,617.89. The total amount of penalties and fees was \$2,489.52. The total amount of unpaid taxes returned to the county was \$44,368.80. After the treasurer's office reconciles their books for the year, the Town will be receiving a check in the amount of \$114.00 from them which is the amount due to the town from the \$2.00 second mailing fee on those unpaid bills.
- c. On 11 May, wrote check # 716 in the amount of \$29,245.09 to Bryon A Varin, Franklin County Treasurer as the final payment from this township. The total paid to the county for the 2004 tax year was \$497,245.09. On 13 May, issued check #717 in the amount of \$761.42 to Supervisor Robert G. Tebbutt, which is the total amount of penalties due to the Town of Brighton. Also issued check #718 in the amount of \$18.37, which is the amount of check #710 written on 4 March as a refund for overpayment. The check is no longer valid as it has exceeded the 45 days after date of issue.
- d. On 17 April, received notification of a check returned for insufficient funds in the amount of \$2,824.34. Notified the taxpayer and advised them of the protocols set by the Town of Brighton regarding checks returned for insufficient funds, and imposed the \$15.00 fee for issuing a bad check. Received payment on 3 May on that parcel.
- e. Since the last board meeting sent out 7 faxes and received 32 phone calls requesting tax information.
- f. The 31 March and 30 April bank statements were received and balanced.

6. **ANIMAL CONTROL OFFICER (Crary):** No Report

7. **CODE ENFORCEMENT OFFICER (Lagree):** As of Mar 31, 2004, there are 19 outstanding building permits from 2003 and 3 completed, 10 outstanding from 2002 and 1 completed; and 6 outstanding from 2001, one was closed.

8. **CEMETERY (Tucker):** Talked with Brendan Keough last month and he has not contacted Steve Tucker about spring burials yet.

9. **PARKS AND RECREATION (Tucker):**

- a. Dan Spencer replaced the swing set chains and seats as recommended by NUMIR and is looking for railings to mount on the bleachers. When we find the railing we need and install them then the NYMIR recommendations for the park will be completed.
- b. Dan has started raking around the pavilion and would like to have a handicap access picnic table for the pavilion. Asked if Camp Gabriels could make one. He will contact them to see if it is possible.
- c. There was a problem with groups moving the picnic tables out from under the pavilion, Dan used the chains from the swings to chain the tables to the posts.

d. Will purchase wood to fix the area around the horseshoe pits

**10. HISTORIAN (Willis):** Brighton History Day is Sunday, July 18; the preview days are Friday and Saturday, July 16 & 17. The firemen are welcome to sell food. The layout will be different so all the displays will be out. There will be a display for the Town Hall Project and hopefully kick off the Capital Fund Drive. Attended the Spring Conference of the Association of Public Historians in Tupper Lake in the Beth Joseph Synagogue. This building was restored with local donations.

**11. COMPENSATION AND BENEFITS (T. Willis):** No report

**12. TOWN HALL CITIZENS' COMMITTEE (P. Willis):** Brighton Architectural Heritage Committee has agreed to do the fund raising for the Town Hall Project. Pat Willis may have to resign as the Co-Chair of the Citizens Committee to head up the Capital Fund Drive.

**Supervisor Robert Tebbutt** thought she did not have to resign from the Committee but would look into it further. He said the checks can be made out to the "Town of Brighton" so another agency is not needed to collect funds from a Capital Fund Drive.

**13. HIGHWAY GARAGE CITIZENS' COMMITTEE (Knapp, Fountain):** Supervisor Robert Tebbutt thanked the members of the Committee (Art Robertson, David Knapp, Rouse Fountain, and Steve Tucker) for the work done on the Highway Garage Project. He hopes they will continue on the committee until the Highway Garage Project is completed.

#### **CITIZENS COMMENTS:**

**Tracie Santagate – McColloms:** Asked what was the reason the Board was using for going into "Executive Session", she asked for the reasons to be read. (The Town Clerk read from Public Officers Law, Article 7, Section 105, a-h.) The Board can't go into "Executive Session" for probable cause, there has to be a definite reason. There are very limited reasons for going into "Executive Session". Is there a reason the issue couldn't be discussed without using the particular person's name?

**Supervisor Robert Tebbutt** said the Town Clerk called him concerning an issue and she suggested the Board might need to go into "Executive Session" because the issue concerns an employee of the Town.

A discussion was held as to whether the Board should go into Executive Session. The Board did not know the details of the issue since there had been no discussion of it yet.

**Tom Willis – Garondah Road:** Asked if the ATV's signs were ever put up on Keese Mills Road.

**Supervisor Robert Tebbutt** said Don Oliver and John Quenell took care of it and since neither one of them were at the meeting he couldn't give an answer.

#### **EXECUTIVE SESSION**

**Motion made by Supervisor Robert Tebbutt to Go Into Executive Session at 9:15 p.m. for the purpose of discussing the actions of a particular person in accordance with Public Officers Law, Article 7, Section 105(f), second by David Knapp**

**Roll Call Vote:** Aye 4 (Tebbutt, Knapp, Tucker, Wright), Abstain 0, Nay 0, Absent 1 (Quenell)

**Motion made by Supervisor Robert Tebbutt to Go Out of Executive Session at 9:45 p.m., second by David Knapp**

**Roll Call Vote:** Aye 4 (Tebbutt, Knapp, Tucker, Wright), Abstain 0, Nay 0, Absent 1 (Quenell)

Since the individual involved was not present during the Executive Session the Board decided to give the individual a chance to give his side of the issue at the next board meeting.

#### **AUDIT OF VOUCHERS:**

#### **RESOLUTION #74**

#### **AUTHORIZATION TO PAY VOUCHERS**

**Motion made by Supervisor Robert Tebbutt, second by Steve Tucker, to wit:**

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

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**PREPAID – ALL FUNDS:** Abstract #2 for Vouchers 2A and 2B for General Funds of \$632.50 and Voucher 2C for Street Lighting Funds of \$53.39.

**GENERAL FUND:** Abstract #6 for Voucher #119 through and including #150 for funds in the amount of \$ 5,519.38.

**HIGHWAY FUND:** Abstract #5 for Voucher #43 through and including #53 for funds in the amount of \$7,195.31.

**CAPTIAL PROJECT HIGHWAY FUND:** Abstract #3 for Voucher #3 through and including #7 in the amount of \$781.12.

**Roll Call Vote:** Aye 4 (Tebbutt, Knapp, Tucker, Wright), Abstain 0, Nay 0, Absent1 (Quenell)

**Resolution #74 declared duly adopted.**

**Motion made** by David Knapp **to Adjourn the Regular Board Meeting at 10:15 p.m.**, second by Lydia Wright, Aye 4 (Tebbutt, Knapp, Tucker, Wright), Abstain 0, Nay 0, Absent 1 (Quenell)

Respectfully submitted,

Elaine W. Sater  
Brighton Town Clerk