

The Regular Town Board Meeting of the Town of Brighton was held on Thursday, June 12, 2003, at 7:00 p.m. at the Brighton Town Hall, Paul Smiths, NY, with the following:

PRESENT: Supervisor Robert Tebbutt
Council Members: Linda Dobson
John Quenell
Steve Tucker
Alicia Bodmer

ABSENT: None

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

RESIDENTS: There were 4 residents present

Meeting was Called to Order by Supervisor Robert Tebbutt at 7:00 p.m.

APPROVAL OF MINUTES

Motion made by John Quenell **to accept the Minutes of the Regular Town of Brighton Board Meeting on May 8, 2003, as written**, second by Alicia Bodmer, Aye 5

Motion made by Linda Dobson **to accept the Minutes of the Special Town of Brighton Board Meeting on May 23, 2003, as written**, second by Robert Tebbutt, Aye 3, Abstain 2 (Bodmer & Dobson)

Motion made by Linda Dobson **to accept the Minutes of the Public Hearing on May 29, 2003, as written**, second by Robert Tebbutt, Aye 3, Abstain 2 (Bodmer & Tucker)

Motion made by Linda Dobson **to accept the Minutes of the Special Town of Brighton Board Meeting on June 5, 2003, as written**, second by Robert Tebbutt, Aye 3, Abstain 2 (Bodmer & Tucker)

TOWN CLERK REPORT

Total Revenue to Supervisor as of May 31, 2003, was \$811.78

- 3 Sport Licenses
- 1 Genealogical Search
- 8 Dog Licenses
- 9 Building Permit (03-01 through and including 09)

1. Faxed request on May 13 to Adirondack Daily Enterprise, Re: Notice of Special Meeting for June 3, 2003, published on May 22 and posted in three Post Offices, on Town Clerk Sign Board, and in local businesses
2. Faxed request on May 15 to Adirondack Daily Enterprise, Re: Annual Financial Report for 2002, published on May 22 and posted in three Post Offices, on Town Clerk Sign Board, and in local businesses
3. Faxed request on May 24 to Adirondack Daily Enterprise, Re: Meeting on June 3 cancelled and bid on Highway Garage extended to June 12, published on May 29 and posted in three Post Offices, on town Clerk Sign Board, and in local businesses
4. Faxed request on Jun 4 to Adirondack Daily Enterprise, Re: Special Meeting on June 5, posted in three Post Offices and on the Town Clerk Sign Board
5. Park Use Schedule: June 8-Boy Scout Troop 12, June 25 and every 4th Wednesday-Society for Creative Anachronism, June 28 (29 rain date)- Lake Clear Daisy Scouts, Aug 2-McKernan Family, July 12 (Jul 19 rain date)-Town Flea Market
6. Town Hall Schedule: Citizens Committee May 23 and June 10-7 p.m.

SUPERVISOR REPORT

1. **CERTIFICATE OF APPRECIATION:** Presented Robert Byno, Sr. with a Certificate of Appreciation for his wonderful effort and accomplishments in the Town.
2. **FINANCIAL:** Financial Report as of May 31, 2003, was distributed to Board Members. The Highway Garage (A5132.4) account balance in the General Fund is close to depletion due to heavy fuel costs from the severe winter heating needs and \$1,600 is needed to cover the Code Enforcement Officer (A3620.4) contract. Revenue accounts for Interest and Earnings (A and DA 2401) was budgeted at \$8,400 but it appears there will be a shortfall of about \$5,000 as interest is lower than expected this year. Increased revenue from Mortgage Tax (A3005) of \$3000 has offset this some. Revenue from fines and forfeited bails (A2610) are already over the forecast for the entire year. Total funds in General Fund is \$356,990 and Highway Fund \$268,513. The Balance in the Capital Project Account for Landfill Closure is \$29,765; the final payment to Environmental Facilities Corp for the landfill loan is \$28,097.48. The Capital Project Fund for the Highway Garage is \$7304.

RESOLUTION# 51

BUDGET AMENDMENT #2 FOR GENERAL FUND

Motion made by John Quenell **to authorize Budget Amendment #2 to the General Fund: Transfer \$4,000 from A1990.0 Contingency as follows: \$2,000 to A3620.4 Safety Inspector CE and \$2,000 to A5132.4 Town Garage CE**, second by Linda Dobson, Aye 5

Roll Call Vote:

Supervisor Robert Tebbutt	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Steve Tucker	Aye

Resolution #51 declared duly adopted.

RESOLUTION #52

AUTHORIZATION TO EXPEND CAPITAL PROJECT (LANDFILL) FUNDS OF \$28,907.48

Motion made by Alicia Bodmer to authorize a payment of \$28,907.48 from Capital Project (Landfill Closure) Funds to Environmental Facilities Corporation for final payment of the landfill closure loan, second by John Quenell, Aye 5

Roll Call Vote:

Supervisor Robert Tebbutt	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Steve Tucker	Aye

Resolution #52 declared duly adopted

3. HIGHWAY GARAGE PROJECT:

- a. **Meeting and Communications:** Distributed a time line (6/12/03) to show the current schedule of events for the Highway Garage Project. The bid opening was changed from June 12 to June 17, 2003 at 3 p.m. APA permit application date should be changed to reflect 30 days later than when accepted as completed.

Motion made by Supervisor Robert Tebbutt to hold Special Board Meetings on Tuesday, June 17 at 5:15 p.m, to review the Highway Garage Project bids, Thursday, June 19, 2003 at 7 p.m. for public input on the Highway Garage Project, and Monday, June 23, 2003, at 5:15 pm. to discuss financing the Highway Garage Project, second by Alicia Bodmer, Aye 5

- b. **APA Permit:** Not completed yet, hope to be accepted by June 18, 2003. There will be a 30-day public comment period after it is accepted as complete
- c. **DEC:** Will visit on June 19, 2003, to make a determination about the water level problem

OLD BUSINESS:

CITIZENS COMMITTEE REPORT (Pat Willis, Co-Chair): Have held two meetings and minutes of those meetings are submitted for the record (attached to these minutes). Fourteen residents attended the first meeting and eighteen residents attended the second meeting. Discussed questions about the Garage Project, but without any offices. Consensus is we need to study the Town Hall as to space needs and possible alterations in keeping with the historic nature of the building. We have distributed a survey to any interested citizens as to what they would like to see happen with the Town Hall. These are to be summarized by Kevan Moss and summary and questionnaire will be sent to the preservation architects doing the evaluation of the Town Hall. Since the Town received notice from New York State Council on the Arts, that a matching grant of \$1,200 plus \$145 for travel expenses will complete with the town's \$600 the cost for an evaluation by Crawford & Sterns we recommend that the Town pass a resolution hiring Crawford & Stearns.

RESOLUTION #53

AUTHORIZATION TO ACCEPT THE GRANT FROM NYS COUNCIL ON THE ARTS

Whereas, the Town of Brighton recognizes the desirability of having a study by preservation architects of the Town Hall for recommendations as to rehabilitation, better use of interior space, and possible alterations or additions, and therefore on May 8th, 2003, passed resolution #44-2003, "to authorize the Town of Brighton to apply for a matching funds grant of \$1,800 for an architectural feasibility study of the Town Hall where New York State Council on the Arts would contribute \$1,200 and the Town of Brighton would contribute \$600" and

Where as, a letter dated June 3, 2003, to Steve Tucker, Town Board Member, signed by An Van Ingen, Director, Architecture, Planning and Design, New York State Council on the Arts, states:

"I am pleased to inform you that your Technical Assistance request has been approved for \$1,200 plus up to an additional \$145 for in-state travel expense. This letter will serve as a record of our agreement that architect Randy Crawford of the firm Crawford and Sterns will prepare a conditions assessment report of the Brighton town Hall as per his proposal to you dated May 19, 2003"

Therefore, be it resolved, that the Town of Brighton will sign the requested letter of agreement received by Council Member Steve Tucker from the New York State Council on the Arts, engaging the firm of Crawford and Stearns for a conditions assessment of the Brighton Town Hall.

Motion made by John Quenell, second by Linda Dobson, Aye 5

Roll Call Vote:

Supervisor Robert Tebbutt	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye

Steve Tucker Aye
Resolution #53 declared duly adopted

NEW BUSINESS:

1. FOOD PANTRY CONTRACT

RESOLUTION #54

AUTHORIZATION TO ACCEPT FOOD PANTRY CONTRACT

Motion made by Alicia Bodmer to approve the contract for St Paul's/Assumption Church to use the Town Hall for a food pantry from July 1, 2003 to June 30, 2004, second by John Quenell, Aye 5

Roll Call Vote:

Supervisor Robert Tebbutt	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Steve Tucker	Aye

Resolution #54 declared duly adopted.

2. MAINTENANCE-Robert Byno:

- a. **Cemetery at McColloms:** A fence was put up years ago and it is on about 3 ½ feet of Mr. Myatt's property. Would like to have a Camp Gabriels inmate crew move the fence to be on Town property; can be done on Friday, June 13, 2003.
- b. **Cemetery at Mt. View:** There are more rocks piled up on the vacant land from a recent burial and they need to be removed. Residents can come and take them if they wish.
- c. **Park:** Talked to Bob Meslin, he will look at the electrical wiring for the Pavilion
- d. **Camp Gabriels:** Justin Taylor is no longer Superintendent at Camp Gabriels; need to find out who the new one will be.
- e. **Lawn Mower:** A mower has a bent shaft and is not worth repairing, a new one is needed.

RESOLUTION #55

AUTHORIZATION TO PURCHASE A NEW LAWN MOWER

Motion made by John Quenell to authorize Robert Byno, Maintenance, to purchase a new lawn mower, Toro 22" Model 20017, rear wheel drive, from Sturdy Supply & Rental for \$325.00, second by Linda Dobson, Aye 5

Roll Call Vote:

Supervisor Robert Tebbutt	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Steve Tucker	Aye

Resolution #55 declared duly adopted.

3. FLEA MARKET: A flea market will be held at the Town Park on Saturday, July 12, (rain date July 19) from 10 a.m. to 4 p.m. Anyone is welcome to set up a booth, but they need to register by July 10. Vendors can set-up at 9 a.m. The Paul Smith-Gabriels Volunteer Fire Department will sell food. One half the proceeds of sales will go to benefit Roger Smith, former Council Member, for major medical bills.

REPORTS

1. COURT (Santagate):

- a. There were 89 cases disposed (another record) and \$4,975 was sent to the State Comptroller.
- b. There will be a change in the monthly report. Will be sending the Comptroller's Office report through the computer and giving the money directly to the Town. The Town will be billed once a quarter for the State's share.
- c. Court Clerk is getting extremely busy at her full-time job and is not be able to cover court every week. An assistant or substitute Court Clerk is needed to cover the days the Court Clerk is not available, appointed Elaine Sater to be the Substitute Court Clerk.

2. HIGHWAY COMMITTEE (Quenell/Oliver):

- a. Graded and raked Vosburgh-Tebbutt Road and Clark Wardner Road
- b. Steam cleaned plow truck
- c. Held the Rabies Clinic at the Garage on 6/9/03
- d. Cut trees on top of mining area
- e. Will attend the Storm Water Workshop Friday, June 13
- f. County Highway meeting is June 18
- g. Forrest Pennington will be back to work on Monday, June 16

3. INSURANCE/INVESTMENTS (Quenell/Dobson): Nothing to report for Insurance. Balances as of May 31, 2003, for CLASS accounts are \$320,511.69 (Interest of \$255.39) for General and \$246,069.79 (Interest of \$209.40) for Highway. Interest rate is .94%

4. DOG CONTROL OFFICER (Crary):

- a. Rabies Clinic held at Town Garage on June 9 from 5 to 6 pm, a lot of people attended
- b. Recovered two dogs at Paul Smiths College on June 11; called the owners in Lake Clear who picked them up.

5. **ASSESSOR (Tichenor)(Report given by Robert Byno):** Board of Assessment Review met on Thursday, June 5. Two people met with the board.

6. **TAX COLLECTOR (McKernan):**
 - a. Sent a card of thanks for the lovely flowers sent by the Town and thanks for good wishes from town residents during recovery from emergency surgery
 - b. During April collected \$30,331.49 from 36 parcels. On April 28 check #391 was issued in the amount of \$.07 as a refund for an overpayment
 - c. Prepared 114 tax bills for the second mailing and sent them out on April 15
 - d. Bank statement for April was received and balanced on May 15, 2003
 - e. During May collected \$20,941.51 from 25 parcels. On May 7 check #392 was issued in the amount of \$25,000 to Bryon Varin, Franklin County Treasurer. This was the fourth payment to the county for a total of \$390,000 as of May 7.
 - f. Received the final reconciliation form from the Franklin county Treasurer's Office, with a request that all accounts be balanced, with a final \$0.00 balance in the tax collector's account, all unpaid bills, the tax roll workbook, all receipted bills as well as the reconciliation form be brought to that office between June 2 and 6.
 - g. During June collected \$5,366.78 from 3 parcels. These were payments postmarked by the 31 May deadline.
 - h. On June 5 turned the books and the necessary paperwork over to the county. On June 6 received the reconciliation form back for signature. It was graciously notarized by the Town Clerk on Saturday June 7 and returned to the county along with check #393 in the amount of \$23,629.41. This is the final payment for tax year 2003 to the treasurer's office. The total amount paid through this office to Franklin County is \$413,629.41.
 - i. There were 60 unpaid tax bills from the private sector and one unpaid by New York State. The total unpaid taxes were in the amount of \$40,420.28.
 - j. The total collected for 2003 by this office was \$922,189.52. The total penalties collected were in the amount of \$2,576.82. There will be an additional \$120.00 coming from the county which represents the \$2.00 second mailing fee charged for each of the 60 unpaid tax bills.
 - k. On June 12 check #394 was issued to Supervisor Robert Tebbutt in the amount of \$1,709.74. This is the final payment of penalties and represents penalties collected after the last board meeting attended on April 10.
 - l. Bank statement for May was received and balanced on June 10
 - m. Two checks remain outstanding. Check #387 issued on March 27 in the amount of \$.67 and check #391 issued on April 28 in the amount of \$.07. After the second of the two checks exceeds the 45-day limit for payment, will issue a check to Supervisor Tebbutt and bring the balance to \$0.00 for the tax collector's account.
 - n. The petty cash funds in the amount of \$50.00 in cash have been returned to Supervisor Tebbutt June 12 and receipted.
 - o. Continue to receive requests for receipts and payment information for 2003 taxes
 - p. On the Town's Financial Report 2003 April-to-Date the Tax Collector's checking account is listed with balances. This should be removed so as not to give the appearance of there being funds available that are not the Town's.

7. **CODE ENFORCEMENT OFFICER (Lagree):**
 - a. Issued 9 building permits for 2003
 - b. Five building permit from 2002 are completed and 22 are outstanding
 - c. There are 14 permits outstanding from 2001

8. **CEMETERY (Dobson):**
 - a. Geomatics Land Surveying delivered the map of Section 3, as well as a disk containing the map. Copies are on file at the Town Hall and I am keeping a copy.
 - b. There was a burial in Section 2 of Mt. View Cemetery on June 11, 2003

9. **PARKS AND RECREATION (Tucker):**
 - a. Park Attendant has had no problem with the rugby players
 - b. Flowers have been planted
 - c. Raking, mowing, and general cleanup of the park area of winter debris
 - d. Will have prices next month to install outlets and lights inside the pavilion and have electricity run to the corner of the park behind the recycle can bins for an outlet for a Christmas tree. Asplin Tree Farm will be donating a live tree.

10. **HISTORIAN (Willis):**
 - a. **Brighton History Day** will be Sunday July 20 at Asplin Tree Farms, from 1-5 p.m. Preview days will be Friday and Saturday from 1 to 4 p.m. Need to use the copier to copy flyers to send out.
 - b. **NY State Historic Register:** Received telephone confirmation that the Town Hall has been put on the State Historic Register.

11. **IRS SECTION 125 ADMINISTRATOR (Willis): Nothing to Report**

CITIZENS COMMENTS:

Robert Byno-Split Rock Road: Bill Decker bought the Evergreen Trailer Park and is doing a good job cleaning it up. Some people are giving him a hard time and not paying their rent. He is trying to evict them.

Tracie Santagate-McColloms: Will the ATV signs be put up again on the Keese Mills Road? Alicia Bodmer has the signs and will get them up.

RESOLUTION #56

AUTHORIZATION TO PAY VOUCHERS

Motion made by Alicia Bodmer to authorize the Supervisor to pay the vouchers as listed on the Abstracts as follows:

GENERAL FUND: Abstract #7 for Voucher #152 through and including #180 for GENERAL Funds in the amount of \$16,034.39 and TRUST & AGENCY Funds for \$14.34

HIGHWAY FUND: Abstract #7 for Voucher #58 through and including #71 in the amount of \$3,524.36

STREET LIGHTING FUND: Abstract #6 for Voucher #6 in the amount of \$48.04

CAPITAL PROJECT HIGHWAY GARAGE: Abstract #5 for Voucher #7 through and including #11 in the amount of \$911.07

CAPITAL PROJECT LANDFILL CLOSURE: Abstract #3 for Voucher #3 in the amount of \$28,097.46

Second by Linda Dobson, Aye 5

Roll Call Vote:

Supervisor Robert Tebbutt	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Steve Tucker	Aye

Resolution #56 declared duly adopted.

Motion made by Linda Dobson to Adjourn the Regular Board Meeting at 8:47 p.m., second by Alicia Bodmer, Aye 5

Respectfully submitted,

Elaine W. Sater
Brighton Town Clerk