

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

June 14, 2007

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The Regular Town Board Meeting of the Town of Brighton was held on Thursday, June 14, 2007 at 7:00 p.m. at the Brighton Town Hall, 12 County Road 31, Paul Smiths, NY, with the following:

## CALL TO ORDER:

Meeting was Called to Order by Supervisor Peter Martin at 7:05 p.m.

“Pledge of Allegiance” to the flag was recited

## ROLL CALL OF OFFICERS

**PRESENT:** Supervisor Peter Martin, Sr.

Council Members: Sheila Delarm, David Knapp, and Steve Tucker (entered meeting at 7:10 p.m.)

**ABSENT:** Council Member Lydia Wright

**OTHERS PRESENT:** Donald Oliver -Superintendent of Highways, Amber McKernan - Tax Collector, Elaine Sater - Town Clerk, and Nik Santagate - Town Justice

**RESIDENTS:** Two

**GUESTS:** Gordy Crossman, Franklin County Legislature

## APPROVAL OF MINUTES

- Regular Board May 10, 2007

**Motion made** by David Knapp, **second** by Sheila Delarm, **to approve the minutes of the Regular Town Board meeting held on May 10, 2007 as written.**

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

## TOWN CLERK'S REPORT

Total Revenue to Supervisor as of May 31, 2007 was \$ 5,185.65

1 Sport License

9 Certified Copies

5 Dog License Renewals and 1 New License

10 Building Permits (#07-05 through 14)

1. Town Clerk's Office will be closed from June 20 to July 4; will reopen on Thursday, July 5.
2. TOWN HALL REQUESTS: Brighton Architectural Heritage Committee, Thursday June 7
3. TOWN PARK REQUESTS: Spencer - Saturday June 9; Adirondack U-19 Rugby - Saturday June 16; Moody Family - Saturday, July 7; Picker family - Sunday, August 5, AMC Rehab Department changed to Friday, August 17, insurance received
4. RECORDS MANAGEMENT: Destruction of 1999 and 2000 records is complete as per the Municipal Records schedule.

## SUPERVISOR'S CORRESPONDENCE/FINANCIAL REPORT

1. **Financial Report:** Distributed the Financial Report as of May 31, 2007 to Board members, total cash on hand as of June 13 is \$619,055.11. Interest from CLASS investments for May 2007 was \$2,250.81; total for year-to-date is \$10,421.68. Balances of CLASS Accounts are: General \$316,926.61 and Highway \$191,863.57.

### 2. Correspondence:

- a. Received a thank-you note from Burnham Financial Services for doing business with them

**Council Member Steve Tucker entered the meeting at 7:10 p.m.**

- b. Received Notice of Public Hearing from County of Franklin Industrial Development Agency, Re: Paul Smiths College Project to obtain bonds not to exceed \$7,000,000 for acquiring a parcel of land in the Town of Brighton, constructing and equipping a 100-bed 40,000 square-foot residential hall. Public Hearing to be held Monday, June 18, 2007 at 10:00 am in the Phelps Smith Administration Building at Paul Smiths College.

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**GUEST SPEAKER:** Gordy Crossman was visiting in the area to discuss several issues. Trying to put money back into this end of the county. The Public Nurses need a better place to work, looking at finding another place for them. Also had a meeting with Essex County Board of Supervisors to discuss North County Community College. The main campus will remain in the Village of Saranac Lake. The Franklin County Treasurer is planning to reduce the budget again by double digits (15.4% in 2006). Discussed fire equipment for Paul Smiths Gabriels Fire Department through grants. There is a grant writer in the County that could help. Senator Schumer is interested in helping fire departments get federal funding for equipment. He will mention taking back the White Pine Bridge to the Legislature. He was impressed how the community came together to get the temporary Gabriels Post Office opened. It shows how a community can come together to get something done.

## DEPARTMENT REPORTS

### 1. ANIMAL CONTROL OFFICER (Tri-Lakes Humane Society): Report submitted prior to meeting

- a. Received 8 phone calls concerning dog matters
- b. Sent three license renewal reminder letter
- c. 2 other issues: Multiple phone calls concerning an aggressive dog and possible neglect case

Other: Free Rabies Clinic by Franklin County was held on Friday, June 8, from 5 to 6 p.m.

The Tri-Lakes Humane Society can be reached at 891-0017 or call 897-2000 after 5 p.m. This information is posted on the website and the Town Clerk's sign board.

### 2. ASSESSOR (Doug Tichenor): No Report

The Town Clerk said the Board of Assessment Review (BAR) met on Thursday, June 7 at 5 p.m. There were four walk-ins and three mailed grievances.

### 3. CODE ENFORCEMENT OFFICER (CEO) (Ed Lagree): Report submitted prior to meeting

- a. Fourteen building permits have been issued for 2007; one permit is completed and a Certificate of Completion (COC) has been issued.
- b. No change for 2006, 2005, or 2003
- c. One building permit completed for 2004, issued one COO, two permits are closed, 6 permits are still outstanding

**Supervisor Peter Martin** said the CEO asked for approval to send a registered letter to a property owner in Canada; the Town will reimburse him for the cost of \$14. He does not need to obtain approval to spend funds to do his job, he can submit vouchers for approval. The CEO is now following the recommendation by the NYS Department of Health to have septic system designs stamped by an engineer before issuing building permits. He is pursuing several issues from the NYS Property Maintenance Code.

### 4. TAX COLLECTOR (Amber McKernan): Submitted prior to board meeting

- a. Sent 3 faxes and received several phone calls during the month of May
- b. Received and balanced the April bank statement
- c. Returned \$50 of petty cash to Supervisor Peter Martin on Thursday, June 14, 2007
- d. Submitted 2007 books and record to the Board for audit. Audit was completed on June 14, 2007 by Council member Sheila Delarm.

### 5. TOWN JUSTICE (Nik Santagate): Report submitted prior to meeting

- a. Disposed of several cases and issued a check in the amount of \$3,935.00 to the Supervisor
- b. There is grant money available for the Justice Court to upgrade the security and safety of the court room. It was \$1 million and has increased to \$5 million. This funding could be applied to the Town Hall Project once the project is underway.
- c. Showed the Board where the Court's copier is stored, they are welcome to use his copier if they need it.

### 6. HISTORIAN - Mary Ellen Salls: No Report

**Supervisor Peter Martin** said Brighton History Day is being planned for two days, Saturday and Sunday, July 7 & 8 at Moody's Farm, (formerly Asplin Tree Farms). Mailing has gone out to people who are on the mailing list.

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**COMMITTEE REPORTS**

**1. HIGHWAY DEPARTMENT - David Knapp and Steve Tucker:**

- a. **Bid opening** on Surplus Equipment and Roofing:
  - i. Roofing Bids:

**RESOLUTION #53**

**AUTHORIZATION TO ACCEPT BID FOR PAINTED METAL ROOFING FROM OLD HIGHWAY GARAGE**

**Motion made** by David Knapp, **second** by Sheila Delarm Tucker, **To Wit:**

**WHEREAS**, a public notice was posted on May 17 on the Town Clerks sign board, and published three times in the Adirondack Daily Enterprise on May 18, 23, and 29 for sealed bids on the painted metal roofing, and

**WHEREAS**, there are 54 sheets of roofing as counted by Donald Oliver and Nik Santagate, and

**WHEREAS**, sealed bid were received by the Town Clerk as follows:

1. Frances Hogan, Rainbow Lake: \$1.25 per sheet or \$67.50 for all
2. Peter Yaglou, Gabriels: \$200.00 for all
3. Michael Patnode, Gabriels: \$101.00 for all
4. Nik Santagate, McColloms/Paul Smiths: \$212.50 for all
5. Doug Swinyer, Vermontville: \$125.00 for all

**NOW THEREFORE, BE IT RESOLVED** that the highest bid for the painted metal roofing from the old garage be accepted from Nik Santagate of McColloms, Paul Smiths for \$212.50.

**ROLL CALL VOTE: Aye 4 (Delarm, Knapp, Martin, Tucker), Nay 0, Absent 1(Wright)**

**RESOLUTION #53 declared duly adopted.**

- ii. Surplus Equipment - 1965 Gallion Roller and 1975 International Dump Truck

**RESOLUTION #54**

**AUTHORIZATION TO ACCEPT BID FOR 1965 GALLION ROLLER**

**Motion made** by David Knapp, **second** by Steve Tucker, **To Wit:**

**WHEREAS**, a public notice was posted on May 17 on the Town Clerks sign board, and published three times in the Adirondack Daily Enterprise on May 18, 23, and 31 for sealed bids on the 1965 Gallion roller, and

**WHEREAS**, sealed bid were received by the Town Clerk as follows:

1. Peter Yaglou, Gabriels: \$555.00
2. Twin "D" Inc, Saranac Lake: \$1,003.00
3. Mike Jock, Malone: \$268.00

**NOW THEREFORE, BE IT RESOLVED** that the highest bid for the 1965 Gallion roller be accepted from twin "D" Inc. of Saranac Lake for \$1,003.00.

**ROLL CALL VOTE: Aye 4 (Delarm, Knapp, Martin, Tucker), Nay 0, Absent 1(Wright)**

**RESOLUTION #54 declared duly adopted.**

**RESOLUTION #55**

**AUTHORIZATION TO ACCEPT BID FOR 1975 INTERNATIONAL DUMP TRUCK**

**Motion made** by David Knapp, **second** by Steve Tucker, **To Wit:**

**WHEREAS**, a public notice was posted on May 17 on the Town Clerks sign board, and published three times in the Adirondack Daily Enterprise on May 18, 23, and 31 for sealed bids on the 1975 International Dump Truck, and

**WHEREAS**, sealed bid were received by the Town Clerk as follows:

1. Peter Yaglou, Gabriels: \$1,255.00
2. Frances Hogan, Rainbow Lake: \$476
3. David A. Snickles, Bloomingdale: \$1,512.00
4. Twin "D" Inc, Saranac Lake: \$1,003.00
5. Jerry Lobdell, Morrisonville: \$1,200.00
6. Jim Hopeck, Mechanicsville: \$ 501.51
7. Nelson Tamer, Cadyville: \$888.88
8. Mike Jock, Malone: \$731.00

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**NOW THEREFORE, BE IT RESOLVED that the highest bid for the 1975 International Dump Truck be accepted from David Snickles of Bloomingdale for \$1,512.00.**

**ROLL CALL VOTE: Aye 4 (Delarm, Knapp, Martin, Tucker), Nay 0, Absent 1 (Wright)**

**RESOLUTION #55 declared duly adopted.**

- b. **Highway Report** submitted prior to meeting
  - i. Put crusher run on Clark Wardner Road and Northbrook Road and raked both
  - ii. Put a cold patch on County Rt 31
  - iii. Mowed the cemeteries and Town Hall lawn three times
  - iv. Picked up supplies for fireplaces at Park
  - v. Raked Tebbutt Road
  - vi. Replaced teeth on the road rake
  - vii. Replaced two tires and rear spring on the Ford Tandem Truck
  - viii. Removed downed tree on Hull Road
  - ix. Removed stony gravel from cemetery
  - x. Checked roads for water and debris after heavy rains
  - xi. Removed metal roofing from old garage
  - xii. NYS Health and Safety Inspector visited the garage
  - xiii. There is grant money available for shared service contracts, would like to go with Harrietstown and Santa Clara to purchase equipment. The grant covers 90% of the cost and the towns pay 10%.

**RESOLUTION #56**

**AUTHORIZATION TO SUPPORT GRANT FOR PURCHASE OF HIGHWAY EQUIPMENT UNDER SHARED SERVICES AGREEMENT**

**Motion made by David Knapp, second by Sheila Delarm, To Wit:**

**WHEREAS**, the towns of Harrietstown, Santa Clara, and Brighton need the same equipment to maintain a small number of roads separately, and

**WHEREAS**, each town cannot afford to purchase all the equipment to maintain the road, and

**WHEREAS**, there is grant funding available if the towns are willing to share services and equipment,

**NOW THEREFORE, BE IT RESOLVED that the Town Board supports the Towns of Harrietstown, Santa Clara and Brighton to pursue a grant for the funding of 90% of the purchase price of a grader and "grade all" with 10% of the cost coming from the three towns. The Town Board supports the Town of Harrietstown to be the lead agency to submit the grant.**

**ROLL CALL VOTE: Aye 4 (Delarm, Knapp, Martin, Tucker), Nay 0, Absent 1 (Wright)**

**RESOLUTION #56 declared duly adopted.**

**c. Other issues**

- i. **Sale of Surplus Equipment - Road Grader:**

**RESOLUTION #57**

**AUTHORIZATION TO ADVERTISE FOR BIDS TO SELL SURPLUS EQUIPMENT - ROAD GRADER**

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

**WHEREAS**, the road grader is old and getting shaky and parts are hard to find, and

**WHEREAS**, there is funding available to purchase newer equipment from shared services agreements,

**NOW THEREFORE, BE IT RESOLVED that the Town Board authorizes Superintendent of Highways Donald Oliver to advertise for bids on the 1967 Cat 120 road grader.**

**ROLL CALL VOTE: Aye 4 (Delarm, Knapp, Martin, Tucker), Nay 0, Absent 1 (Wright)**

**RESOLUTION #57 declared duly adopted.**

- ii. **Highway Garage Project : Removal of old garage building:** Donald Oliver will be attending a meeting with the County Highway Department to discuss the summer work schedule. He will know more after the meeting about scheduling time for demolishing the old garage

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**iii. Town Roads:**

- (1) Brushing was started on the McColloms Road today.
- (2) **Sheila Delarm** said the Sunny Side Road has a big hole in it that needs attention, the pavement is washing away

**iv. White Pine Road Bridge:** Donald Oliver will discuss this at the County Highway meeting. Supervisor Peter Martin has been waiting for the Franklin County engineer to contact him. David Knapp will contact JT Erectors to see if they will look at it.

**v. CSEA Contract:** Still waiting for reply from Highway Department; David Knapp will contact Andy Crary

**vi. Truck Decals:** Still have not contacted individual with information

**vii. Plans for mowing, sweeping, and paving:** Mowing still to be done, paving will probably be in September by County

**2. PARK & RECREATION - Steve Tucker and Lydia Wright**

- a. Port-a-potty has been rented
- b. There were not enough children to form a Brighton baseball team so those interested have to join leagues in Saranac Lake or other towns
- c. Inmates from Camp Gabriel's completed two fireplaces, two more are being made
- d. The Saranac Lake Area Youth Program has been cancelled for the summer due to lack of children signed up; only 53 children signed up by June 1<sup>st</sup>, they need 130 children to pay the \$5,000 rental fee for the Civic Center. The schools are not available due to renovations. There was a parents' meeting on June 13 to discuss raising funds to make up the difference. There are other youth programs in other towns but may not be open to Brighton residents.

**3. INSURANCE/INVESTMENTS - Sheila Delarm and Lydia Wright: Nothing to Report**

**4. CEMETERY - Steve Tucker and David Knapp:**

- a. **Burials:** There have been several burials during May at Mt View Cemetery
- b. **Supervisor Peter Martin** spoke with Brendan Keough from the funeral home about the stones and how to straighten them. Camp Gabriels can do some of the work. Bases need to be put under some of the older stones.

**5. TOWN BUILDINGS - Steve Tucker and David Knapp**

- a. **Town Hall Project:**
  - i. **David Knapp** received the drawings from Cate Blakemore at Crawford and Stearns
  - ii. Notification has been received that Assemblywoman Janet Duprey has awarded the Town \$10,000 for the Town Hall Project.
  - iii. Reviewed a proposal for overseeing the bid and construction phase of the project. Discussion was held concerning the abatement of the asbestos tiles. Bids will be ready for pickup after July 5. David Knapp will contact Crawford and Stearns concerning grant funding for court items.

**RESOLUTION #58**

**AUTHORIZATION TO ACCEPT PROPOSAL TO OVERSEE TOWN HALL PROJECT**

**Motion made by David Knapp, second by Sheila Delarm, To Wit:**

**WHEREAS**, the drawings are ready for the Town Hall Project, and

**WHEREAS**, a proposal has been submitted by Crawford and Stearns to oversee the bidding process and the project, **NOW THEREFORE, BE IT RESOLVED that the Town Board accepts the "Proposal for Services" from Crawford and Stearns to oversee the bidding process for the Town Hall Addition and Restoration Project, provide six (6) observation visits to the project site, and assist in closing out the project on an hourly-plus-expenses basis, with an upset fee of \$13,650, including mileage for trips stipulated and a \$300 allowance for copying costs.**

**ROLL CALL VOTE: Aye 4 (Delarm, Knapp, Martin, Tucker), Nay 0, Absent 1 (Wright)**

**RESOLUTION #58 declared duly adopted.**

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- b. **Furnace at Town Hall:** Contacted Griffith Oil in Rochester, there is no local contact for services. The furnace has been shut off and the water heater turned on for the summer. Will continue to try to get the furnace repaired.
- c. **Town Garage:** Cricket on garage was replaced, need more work done for furnace

### *CITIZENS COMMENTS:*

**Don Busch, Rainbow Lake:** Asked if the Highway Department could stop plowing snow into his driveway at 126 Tebbutt Road. He gave pictures to the Board showing snow banks in his driveway on March 18, 2007, after a heavy wet snow. The other driveways nearby are not blocked with snow banks. He said it looked deliberate. Tebbutt Road is always clear as well as Bay Lane. There is plenty of room around the area to get rid of the snow. He called the Department twice last year and the plowing improved, then it became blocked again.

**Don Oliver** said he would look into the issue, he does not drive the plow on that road. This is where the snow plow has to turn around at the end of the Town road.

### *OLD BUSINESS*

#### **1. FIRE ADVISORY BOARD (FAB) UPDATE( David Knapp):**

- a. The FAB met on May 16, 2007, there are no minutes available from that meeting yet. Discussion was held on a position description for a Emergency Medical Technician (EMT) to be available for 12 hours a day, five days a week. A per diem EMT would cover weekends. Funds of \$50,000 were added to the Village of Saranac Lake budget for this; total budget is \$623,084. Harrietstown is looking into obtaining service from the Tupper Lake Volunteer Ambulance Service to cover the area from Bartlett Carry to the Harrietstown line. David Knapp asked about the separate bill sent to the Paul Smith's Gabriels Fire Department (PSGVFD) for dispatch services. Steve Tucker said he was told this was to cover the drivers who have to get out of bed during the night and then don't get dispatched for fire calls. David Knapp also asked why the 911 dispatch service in Malone was not being used. He was told the dispatch does not work well in this area. He did not get good answers to his questions. Steve Tucker said the Saranac Lake dispatchers cannot give out medical advise like the 911 dispatchers can. Christy Fontana has replaced John Sweeney on the FAB for the Village of Saranac Lake since he resigned as Village Manager. Sheila Delarm went to the 911 dispatch center in Malone and was impressed with how they track calls.
- b. Emergency Calls in the Town: Steve Tucker said the PSGVFD has been told by the Saranac Lake Volunteer Fire Department (SLVFD) that they will not be called any more to respond to medical emergencies due to liability because they are not EMTs. David Knapp asked how the contract for rescue services is enforced. There have been two calls in the Town that were not responded to in a timely manner, a different rescue service arrived on the scene to transport after several calls went out. Discussion was held on who is the next level of authority to resolve response time issues. The Town is getting grief for bring up problems with rescue services. The PSGVFD and SLVFD are having friction because the Town is asking questions. During one rescue call a helicopter responded to a overturned boat because it was already in the air looking for a forest fire, the Town did not call for the helicopter. Sheila Delarm said she is concerned about the number of incidents that seem to be more than coincidental. She said these incidences need to be documented for further action. Supervisor Peter Martin said the Lake Placid Ambulance Service needs a map of the Town so they can respond for mutual aid calls. They had trouble finding the "Rainbow Lake Road" because the dispatcher used the local name for road and not the legal name "County Road 60" as is posted on the road. David Knapp said he would contact Joe Farrell from the Department of Health to find out more information on procedures for filing complaints.

2. **EMERGENCY FIRE ALARMS POLICIES (Supervisor Peter Martin):** Paul Smith's College is willing to schedule a meeting on a day best for the Town at noon time at the café on the College with the PSGVFD to discuss emergency calls. The College will be hiring a housing manager because they expect 1000 students in the Fall. The College has asked PSGVFD to attend orientation to talk about emergency alarms. The College has asked for a list of types of emergency calls the fire department has received so they can address the ones to the College. Supervisor Peter Martin will notify the Board when the date for a meeting is set. Another meeting will be arranged at the end of the fall semester to discuss the results of these changes. A meeting with the lake associations will be set up to discuss alarm systems in houses.

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3. **ALTERNATE RESCUE SERVICES CITIZENS COMMITTEE(Sheila Delarm):** The draft of a Request for Proposal (RFP) for Rescue Services was reviewed. Changes were suggested to be more specific as to the responsibilities of the provider. The holder of a Certificate of Need (CON) is to be determined. The number of calls should be average of 50 not 90. The Town of Brighton will be the only area covered by this RFP, since the nearby towns are pursuing other avenues. Proof of certification and qualifications should be required. Sheila Delarm will e-mail the final draft to the Board members for review. St Regis Falls may be interested in seeing the RFP.
4. **SIGN FOR PWC'S ON OSGOOD POND: Supervisor Peter Martin** said the signs are being worked on at Camp Gabriels. David Knapp contacted Sean Reynolds at DEC and he will get the signs installed after they are finished.
5. **TIME WARNER CABLE(TWC):**
  - a. Supervisor Peter Martin spoke with Scott Goldie, Attorney for the Town who is reviewing the old and proposed cable franchise agreement. He said when there is no competition is not that important to sign a franchise agreement. A Public Hearings still needs to be arranged by TWC.
  - b. Sheila Delarm heard from TWC and they propose \$2,620 per home passed for the installation of cable drops in McColloms, more subscribers over 20 will reduce this installation fee.
6. **DISASTER PLAN: Sheila Delarm** apologized to the Board for printing out the incorrect flyer for the "Pan Flu" presentation. She changed "presents" to "hosts" then printed the incorrect flyer for posting. The attendance at the presentation was small. People told the Town Clerk they were not attending because Robert Eckert was just trying to make money from this presentation. The presentation was free and for the benefit of the people. Robert Eckert volunteered his time and materials for this presentation, he in no way profited from it. David Knapp said he is aware of an organization from Florida that discussed this same subject at a company "retreat" in the area.

**NEW BUSINESS**

**WEBSITE:** Rainbow Graphics cannot change the pictures on the current website so they designed a new website where pictures can be rotated. Pictures from the Brighton 2000 Project will be used. Sheila Delarm will look at the pictures for a McColloms view.

**AUDIT OF VOUCHERS**

**RESOLUTION #59**

**AUTHORIZATION TO PAY AUDITED VOUCHERS AS LISTED ON THE ABSTRACTS**

**Motion made by David Knapp, second by Steve Tucker, To Wit:**

**RESOLVED that the Supervisor be authorized to pay the audited vouchers as listed on the abstracts as follows:**

**PRE-PAID FUNDS: Abstract #6 for Vouchers #6A through #6C for 2007 General Funds in the amount of \$744.63, Voucher #6C for 2007 Street Light Funds in the amount of \$58.13**

**GENERAL FUND: Abstract #6for Voucher #145 through and including #181 for 2007 funds in the amount of \$32,561.12**

**HIGHWAY FUND: Abstract #6 for Vouchers #53 through and including #63 for 2007 funds in the amount of \$7,621.81**

**CAPITAL PROJECT FUND (HIGHWAY GARAGE): Abstract #29 for Voucher #92 in the amount of \$66.30**

**ROLL CALL VOTE: Aye 3 (Delarm, Knapp, Martin), Nay 0, Abstain 1(Tucker - did not audit), Absent 1 (Wright)**

**Resolution #59 declared duly adopted.**

**ADJOURNMENT**

**Motion to Adjourn at 10:23 p.m. made by David Knapp, second by Sheila Delarm, Aye 4, Nay 0, Absent 1 (Wright)**

Respectfully Submitted,

Elaine Sater, Brighton Town Clerk