

The Regular Meeting of the Town Board of the Town of Brighton was held on Thursday, July 8, 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, Lydia Wright, and John Quenell

ABSENT: None

OTHERS PRESENT: Elaine Sater - Town Clerk, Don Oliver - Superintendent of Highways, and Nik Santagate - Town Justice

RESIDENTS: There were three residents present.

GUESTS: Jerry Gillmett, County Legislature District #7, and Paul Goodrow, Malone

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 Board Meeting of June 10, 2004, with the following changes: 1) Page 5, Lydia Wright's response, after fifth sentence add: "Mr. Quenell's letter: 'We have not even had a board discussion of the proposed plan details. No one has explained how the project is ultimately to be paid for, in particular, how much of the bill will be paid by our taxpayers.'" 2) Delete sixth sentence - "She said... applications." and replace with: "Lydia Wright said this is not 'rushing forward with grant applications and obligating the Town to spend further funds.'" 3) Lydia Wright's fifth response concerning Resolution #53, third sentence: Add "legal" before "authority", 4) Page 10, Add an attachment: A letter dated 5-31-04, from Jeanne St. John, Re: The Sater-Quenel newspaper article. (Note: The Board received the letter from Supervisor Robert Tebbutt during "Citizens Comments by Peter Martin", regarding discussion of electioneering.); second by Supervisor Robert Tebbutt

Roll Call Vote: Aye 5 (Knapp, Tebbutt, Quenell, Tucker, Wright), Abstain 0, Nay 0

Motion made by John Quenell to accept the Minutes of the Special Town Board Meeting of June 21, 2004, as written, second by David Knapp.

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

TOWN CLERK REPORT

Total Revenue to Supervisor as of June 30, 2004, was \$8,486.87

2 DEC Sport License

2 Marriage Licenses

9 Dog Licenses

11 Building Permits (#04-17 through 27)

4 Copier Use

3 FOIL Requests

1. June 17: Faxed a notice to the Adirondack Daily Enterprise, Re: Special Meeting on Monday, June 21, at 5 p.m. Notice was posted on the Town Clerk's signboard and at three post offices and at local businesses on June 18, 2004.
2. June 24: Received 2004 Final Assessment Role from Assessor Doug Tichenor, Public Notice was published in Adirondack Daily Enterprise on July 1, 2004.
3. Records Management Officer: Received notification from the New York State Archives that the 2005/2006 Local Government Records Management Improvement Fund (LGRMIF) grant deadline has been changed from February 1, 2005, to December 1, 2004. This is the grant that can be used if a new records room is built into the new highway garage.
4. Town Hall Schedule: Rainbow Lake Association – Saturday, July 10 from 8 a.m. to 12 noon, Town Hall Citizens Committee –Tuesday, July 27 at 5:45 p.m., Garondah Road Residents – Saturday, July 31 from 9 a.m. to 12 noon
5. Park Use: None

SUPERVISOR'S REPORT

1. **FINANCIAL REPORT:** A copy of the Financial Report for period ending June 30, 2004, was given to each Board member for review.
2. **INTRODUCTIONS:** Gerry Gillmett, Franklin County Legislature District #7, introduced Paul Goodrow, from Malone. Paul Goodrow is a candidate for the new District #3 of County Legislature of which Brighton is now a part. He handed out a biography on himself and he asked if the Board had any concerns for him to look into. The Board was concerned about the increase in county taxes. Paul Goodrow said he was a retired BOCES employee and was familiar with being fiscally prudent. Art Robertson said he had never seen a County Legislature representative at a Town Board meeting before and he hoped they would come more often.
3. **MAINTENANCE OF PARK BUILDING ROOF:** There is a lot of rust on the park building roof and it needs to be repaired. Discussion was held on whether to refurbish it or replace it. David Knapp will research it further.
4. **MAINTENANCE OF CEMETERY BUILDINGS:** Would like to consider tearing down one building and repairing the other. Superintendent of Highways Don Oliver said the Highway Department has volunteered to do this. David Knapp is waiting for price quotes from a contractor.

RESOLUTION # 83

AUTHORIZATION TO PURCHASE SUPPLIES TO REPAIR ROOF OF CEMETERY BUILDING

Motion made by Supervisor Robert Tebbutt, **second** by John Quenell, **To Wit:**

RESOLVED, that the Highway Department is authorized to purchase supplies to repair the roof on one cemetery building and demolish the block building.

Roll Call Vote: Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright), Abstain 0, Nay 0

Resolution #83 declared duly adopted.

5. **EASY STREET (STATE ROUTE 86) NO-PASSING ZONE:** John Quenell received a phone call from State Senator Elizabeth Little concerning the no-passing zone petition on July 8, 2004. The Department of Transportation will paint double lines on State Route 86 for a no-passing zone next week. The Board will acknowledge both Senator Little and Lisa Muscatello for this effort.
6. **HIGHWAY GARAGE PROJECT:**
 - a. **Bid Package:** The bid package was not ready by July 1; it will be available for the Board to review on Friday, July 9, 2004. The date of the bid opening is changed to Friday, July 30, 2004, at 3 p.m. Discussion was held on whether the Board should review the bid package first before it is released to the contractors. A bid package will be left at the Town Hall for review by Board members and the public.
 - b. **Salt Shed Grant:** Received a letter dated June 24, 2004, from Erin M. Crotty, NYS Department of Environmental Conservation Re: Grant for the Salt Shed has been approved for \$30,000 and given Project Number 2003WQI6123; details will follow later. The amount of the bond will be reduced by the amount of the grant.
 - c. **Land Purchase:** The Attorney for the Town is working with the APA on the land purchase issue.
7. **LITTER LAW VIOLATIONS:** The three Notices of Violation that were sent to property owners will expire next week. Any action taken will be discussed at the next board meeting.

OLD BUSINESS:

1. **TOWN LAWN MOWING:** The cemeteries are usually mowed once a week during the summer and they have not been mowed in a month. The Town Hall lawn was mowed by the Highway Department. Steve Tucker said he was looking into getting someone to take over the job left vacant by Bob Byno who resigned on June 15. He is waiting for an individual to respond to his request. Dan Spencer is

available to mow the cemeteries but does not want to work with the Camp Gabriels crews. He does not have a vehicle to move the mowers from cemetery to cemetery. Discussion was held on how to proceed to get the cemeteries and Town Hall lawn mowed for the summer – hire an individual or contract it out. Town already has equipment for the job.

Supervisor Robert Tebbutt directed Steve Tucker to tell Dan Spencer to mow the cemeteries until this issue is resolved. He will be paid by the hour.

2. **TOWN HALL PROJECT (Wright):** The contract for Crawford & Stearns to complete the assessment and the drawings for restoration and addition on Town Hall has been received.

RESOLUTION #84

AUTHORIZATION TO HIRE CRAWFORD AND STEARNS TO COMPLETE TOWN HALL CONDITIONS ASSESSMENT AND DRAWINGS FOR RESTORATION AND ADDITION

Motion made by Lydia Wright, **second** by Steve Tucker, **To Wit:**

WHEREAS, the Town Board passed Resolution #53-2003 to hire Crawford and Stearns to complete a conditions assessment for the Town Hall Restoration and Addition Project, and

WHEREAS, the Town Board passed Resolution #52-2004 to apply for a grant from the New York State Council on the Arts, and

WHEREAS, the Town Board passed Resolution #64-2004 to establish a Capital Project Fund, Town Hall Project, Phase 1 and Resolution #65-2004 to amend the 2004 Budget to transfer \$7,500 to the Town Hall Capital Project Fund, and

WHEREAS, the Town Board passed Resolution #66-2004 to select Crawford and Stearns as the low bidder for completing assessment and drawings for the Town Hall Project,

THEREFORE, BE IT RESOLVED, that Supervisor Robert Tebbutt be authorized to sign the Proposal for Services from Crawford and Stearns for Phase I, Design Development and Additional Services, as follows: 1a) Additional conditions assessment, planning session with Committee & Town of Brighton: \$1,400, 1b) Design Development drawings for Town Hall: \$3,000, and 1c) Design Development drawings for addition and exterior of Town Hall: \$2,400, for a total of \$6,800.

Roll Call Vote: Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright), Abstain 0, Nay 0

Resolution #84 declared duly adopted.

NEW BUSINESS: None

REPORTS

1. **COURT (Santagate):**

- a. 58 cases were disposed and \$5,185.00 was sent to the State Comptroller's Office
- b. Performed a wedding and has several pending

David Knapp asked how much of the funds collected by the Justice comes back to the Town.

Nik Santagate said that question has been asked several times, but he does not know how much the Town actually gets back. The quarterly payments are sent directly to the Supervisor. The process will be changing when the new computer is received. The Town will hold the funds until the Comptroller's Office will request an amount to be sent.

Supervisor Robert Tebbutt asked if there were tickets that had not yet been paid.

Nik Santagate said he has several unanswered tickets and outstanding fines that have not been paid that can be "scoff-lawed". The court has been very busy and these are left until last. There is no statute of limitations on Vehicle and Traffic Tickets so the individuals will have to answer sooner or later.

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

- a. Patched roads
- b. Cleaned shoulders on roads to be blacktopped
- c. Installed bridge signs on White Pine Road and welded bridge barrier
- d. Mowed the landfill
- e. Raked dirt roads
- f. Mowed the Town Hall and Highway Garage lawns
- g. Assisted Franklin County with two trucks to haul blacktop

3. **INSURANCE/INVESTMENTS (Quenell):** Nothing to Report
4. **ASSESSOR (Tichenor):** No Report
5. **TAX COLLECTOR (McKernan):** On June 29 received a check from the General Fund in the amount of \$18.37 as per Resolution #81-2004. Check was deposited into the Tax Collector's account on June 30. The account now stands at zero. Received 8 phone calls regarding tax matters.
6. **ANIMAL CONTROL OFFICER (Crary):** No Report
7. **CODE ENFORCEMENT OFFICER (Lagree):** As of June 30, 2004, there are 27 building permits 3 are completed; 19 are still outstanding from 2003 and 3 completed, 9 are outstanding from 2002 and 2 completed; and 5 are outstanding from 2001 and two are closed.
8. **CEMETERY (Tucker):** Nothing to report.
9. **PARKS AND RECREATION (Tucker):** Dan Spencer has received the parts for repairing the bleachers. He has been busy mowing the grass at the park. He ordered new pressure treated wood to replace the horseshoe pits.
10. **HISTORIAN (Willis):** No Report
11. **COMPENSATION AND BENEFITS (T. Willis):** No Report
12. **TOWN HALL CITIZENS' COMMITTEE (P. Willis):** See Old Business #2

CITIZENS COMMENTS:

Rouse Fountain – State Route 86: He said he has been appointed by the County Democrat Party to be the Chair for the Town of Brighton's Democrat Party. Diane Leifheit will continue to assist him.

Kevan Moss – McColloms: Asked if the Town Highway Department had graded the Topridge Road in the last few weeks. She was under the impression that this was not a Town Road.

Don Oliver said the Highway Department spent two hours on the road. He was asked to do it so he did since the property owner is one of the high-end taxpayers in the Town.

Kevan Moss said that McColloms Road is a Town Road that is only 2 miles long and she has not seen it graded in the past 10 years.

Don Oliver said it is not graded on a regular basis because it is a low maintenance road. He looked at it and it is passable. He cannot cut the trees that are on state land to widen the road. It is a dead-end road.

Lydia Wright asked what is the Town's policy on maintaining private driveways.

Don Oliver said people can ask and he will determine if the Town should do the work or not depending on the circumstances. Previous town boards have allowed him to do this.

There were no further comments from the citizens.

AUDIT OF VOUCHERS:

RESOLUTION #85

AUTHORIZATION TO PAY VOUCHERS

Motion made by John Quenell, **second** by Steve Tucker, **To Wit:**

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

PREPAID – ALL FUNDS: Abstract #4 for Vouchers #4A through and including #4D as follows: General Fund in the amount of \$502.77, Highway Fund in the amount of \$320.69 and Street Light District in the amount of \$45.39

GENERAL FUND: Abstract #10 for Voucher #175 through and including #194 for funds in the amount of \$ 9,932.91.

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HIGHWAY FUND: Abstract #7 for Voucher #67 through and including #75 for funds in the amount of \$5,399.44.

Roll Call Vote: Aye 5 (Tebbutt, Knapp, Quenell, Tucker, Wright), Abstain 0, Nay 0

Resolution #85 declared duly adopted.

Motion made by John Quenell **to Adjourn the Regular Board Meeting at 8:10 p.m.**, second by Lydia Wright, Aye 5 (Tebbutt, Knapp, Quenell Tucker, Wright), Abstain 0, Nay 0

Respectfully submitted,

Elaine W. Sater
Brighton Town Clerk