

The Regular Meeting of the Town Board of the Town of Brighton was held Thursday, July 13, 2000 at 7:00 p.m. at the Brighton Town Hall, Paul Smiths, NY, with the following:

PRESENT: Supervisor Christopher Leifheit
Council Members: Linda Dobson
John Quenell
Roger Smith

ABSENT: Council Member: Wilhelmina Sheridan

OTHERS PRESENT: Elaine Sater-Town Clerk, Arlene Hogan-Tax Collector, Andy Crary-Deputy Superintendent of Highways, Nik Santagate-Justice, Tom & Pat Willis-Historians

RESIDENTS: There were 10 residents present.

GUESTS: None

Meeting was Called to Order by Supervisor Leifheit **at 7:03 p.m.**

APPROVAL OF MINUTES:

Motion made by Supervisor Leifheit **to accept the minutes of the Regular Town of Brighton Meeting on June 15, 2000**, as written; second by Linda Dobson; Aye 4, Absent 1(Sheridan)

TOWN CLERK REPORT

Total Revenue to Supervisor as of JUNE 30, 2000 was \$ 219.03

1 DEC Sport License
1 Marriage License (1-2000)
9 Genealogical Searches
11 Dog Licenses
3 Building Permits (BRI2000-13 through 15)
11 Copier Use

1. Received letter dated July 5, 2000, Re: Resignation of Wilhelmina Sheridan as Council Member as of July 5, 2000, Town Board can appoint someone until December 31, 2000. Sent letter to the Board of Elections dated July 13, 2000, Re: Resignation of Wilhelmina Sheridan as Council Member, three-year un-expired term for Council Member can go on November ballot.
2. Sent letter dated June 19, 2000 to Franklin County Clerk, Re: Notification of Appointment of Christopher Leifheit as Town Supervisor for the term ending December 31, 2000, one-year un-expired term for Supervisor can go on November ballot.
3. Received Project Notice 2000-29 from the Adirondack Park Agency (APA), Re: Paul Smith's College Library Building, Permit was issued on June 16, 2000
4. Received letter dated June 16, 2000 from the Office of the State Comptroller, Re: Third Notice for Annual Financial Report being late, copies sent to Board Members and Bookkeeper. A "Letter of Approval" for an extension has never been received by Town. Supervisor Leifheit stated Pete Duquette, Bookkeeper, is have trouble getting report completed due to previous bookkeepers changes, Mr. Duquette said he would have report done within two weeks.
5. Received letter dated June 20, 2000 from Tri-Lakes Association of Towns and Villages, Re: Formation of new Association for local area, they would like a point of contact from Town Of Brighton (see Supervisor's Report)
6. Sent copies of newspaper article from the Adirondack Daily Enterprise (ADE) dated June 23, 2000 to all Board Members, Re: Information on Loan Program for Community Enhancement, Linda Dobson has more information on this program (see Business At Hand under Supervisor's Report)
7. June 29, 2000: Received Completed Assessment Role for 2000 from Assessor, Public Notice was published in Adirondack Daily Enterprise on July 1, 2000; 2000 Final Assessment Role is available in the Clerk's Office
8. Received letter dated July 2000 from the Willis-Town Historians, Re: Brighton Year 2000 Project, looking for information and pictures from residents for CD and book. Brighton History Day to be held Sunday, July 23, 2000 at Asplin Christmas Tree Farms in Gabriel's.
9. Received APA Project Notice 2000-160, Re: Application from Hadynski for a Subdivision on Route 86 in Gabriel's, application request was NOT sent to surrounding land owners. Also received MEMO dated July 10, 2000 from Franklin County Industrial Development Agency for same project. No action by Town Board.
10. Destroyed Town and Court Records from 1969 to 1993 by shredding, Highway Department burned them
11. Received phone call on July 13, 2000 from Niagara Mohawk, Re: Director of Outdoor Lighting for the Town Of Brighton is now Sherry Bisnett. She is working out of Canton and can be reached at (315) 267-5313. She will be inventorying all the outdoor lights in the Town Of Brighton to see if the billing matches. Francine LaCroix in Malone is the point of contact of all other utility problems.

Town Hall Schedule: Rainbow Lake Association, Inc.- Saturday, August 12, 9-12 noon.

Park Use: Pilgrim Holiness Church-Friday, July 14, 5 – 8 p.m., Skiff Family-Saturday July 22, 10 – 6 p.m..

SUPERVISOR'S REPORT AND CORRESPONDENCE:

BUSINESS AT HAND

1. **LANDFILL CLOSURE** Project Status: Project is at a standstill waiting for an agreeable land access easement contract with the landowner. Supervisor Leifheit met with the owner for two hours on July 9 and discussed problems. Specifically the rent, control, and access road were points of concern. The landowner also requests to have full control of the land after the 25-year lease is expired. This may not be possible as

it will be a landfill. The following changes have been made to the agreement (this is a summary, full text is attached to these minutes):

- a. **Rent**–The Town Of Brighton will pay to Lessee to rent an amount equal to the real property taxes due with regard to the Leased Premises, being approximately 9.05 acres or 12% of tax.
- b. **Control**-Lessee shall use the Leased Premises only for activities associated with the proper closure and monitoring of the Sanitary Landfill in accordance with applicable State and Federal laws, rules and regulations.
- c. **Access**-Lesser shall be afforded access to its gravel pit lying to the north of the leased premises via a single (non-loop) road as same presently exists or by an equivalent alternate access route as shown on the referenced plan and being east of the existing gravel road and between the “Limit of Construction” and the Limits of Easement” to be constructed by Lessee at its expense.

RESOLUTION #60

AUTHORIZATION FOR ACCEPTANCE OF LAND ACCESS AGREEMENT FOR LANDFILL

Motion made by Roger Smith to accept the land access agreement for the landfill with Helms Sand & Gravel, Inc. and authorize Supervisor Christopher Leifheit to sign the lease agreement (attached) for a period of 25 years, second by Linda Dobson; Aye 4, Vacant 1

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Aye
VACANT	

Resolution #60 declared duly adopted.

- 2. **HUD Project Status:**
 - a. 1994 HUD GRANT: Thirteen applications were completed, thirteen were approved, six are under construction and seven are closed out.
 - b. The last Project is a rental consisting of an apartment building owned by David Ploof. The Town Board, attorney for the town Janet Bliss, and Friends of the North Country met with him in a Special Meeting on June 27, 2000 and discussed what action he needs to take to finish the building and close out the HUD project. The Town asked Mr. Ploof to give a date when the project should be completed. September 30, 200 is the final date.
 - c. A letter dated July 6, 2000 was sent to Mr. Ploof from Janet Bliss, Re: Confirmation of Agreement between Mr. Ploof and Town Of Brighton Board. Proof of Insurance is still needed, rehab work will commence on June 27, 2000, two residential units are to be ready to rent by July 31, 2000, subject to qualification of the tenants by Friends of the North Country, the two additional units to be ready by September 30,2000, Mr. Ploof needs to provide a receipt from the well driller.
 - d. Town Board will take an active interest in the completion of this project. The Code Enforcement Officer will be asked to check the status of the project also.

- 3. Franklin County Self-Insurance Plan: John Quenell took a check to Malone to pay for the Franklin County Self-Insurance Plan and the town is reinstalled in the program

RESOLUTION #61

AMENDMENT #1 TO 2000 BUDGET GENERAL FUND

Motion made by Supervisor Christopher Leifheit to approve the transfer of General Funds of \$2,588.00 from Account No. A1990.4 CONTINGENCY to General Fund Account No. A9040.8 WORKERS COMPENSATION to provide for the payment made to Franklin County Self-Insurance, second by John Quenell, Aye 4, Vacant 1

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Aye
VACANT	

Resolution #61 declared duly adopted.

- 4. **Lake Champlain Basin Program:** Application has been mailed for the milfoil project on Rainbow Lake, Pat Willis will keep the Town Board posted on the project’s progress
- 5. **Split Rock Road Speed Limit:** Paperwork has been sent out to Franklin County Department of Transportation
- 6. **Adirondack North Country Community Enhancement Program:** Linda Dobson gave an overview on this project. She needs numbers to fill in the blanks for dollar amount to request. A town wide clean-up week will be offered to residents. Town will be divided into 5 areas and the Highway Department will pick up debris and appliances and deliver them to the landfill. Each area will be picked on one day only. Up to \$25,000 can be requested to help fund this project.

RESOLUTION #62

AUTHORIZATION TO SUBMIT APPLICATION FOR \$20,000 TO FUND CLEAN-UP WEEK

Motion made by Roger Smith to authorize Linda Dobson to submit an application to the NYS Division of Housing and Community Renewal (DHCR) to request funds Not To Exceed \$20,000 for Municipal Abandoned Vehicle and Appliance Removal Initiative to remove junk and appliances from local roads and private property in the Town Of Brighton, second by Supervisor Leifheit, Aye 4, Vacant 1

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Aye
VACANT	

Resolution #62 declared duly adopted.

NEW BUSINESS:

1. **Franklin County Youth Bureau:** Received claim forms for 2000 State Aide allocation. Need to be completed and returned. Supervisor Leifheit will check with Diane Leifheit for more information.
2. **Saranac Lake Central School District:** Received letter dated June 22, 2000 from Superintendent of Schools, Paul Doyle, Re: Request letter of support from Town to develop the wooded area north of the High School in Saranac Lake into an additional athletic field.

RESOLUTION #63

AUTHORIZATION TO SEND LETTER OF SUPPORT TO THE SARANAC LAKE SCHOOL DISTRICT

Motion made by John Quenell to authorize Supervisor Christopher Leifheit to send a letter from the Town Of Brighton Board to the Saranac Lake School District in support of developing the wooded area north of the High School in Saranac Lake into an additional athletic field, second by Roger Smith, Aye 3, Nay 1, Vacant 1

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Linda Dobson	Nay, Home-schooled children are not allowed to participate in athletics in New York State
John Quenell	Aye
Roger Smith	Aye
VACANT	

Resolution #63 declared duly adopted.

3. **Tri-Lakes Association of Towns and Villages:** Received letter dated June 20, Re: A contact person, Supervisor Leifheit volunteered to be the contact person to this organization
4. **Franklin Snowmobilers, Inc:** Received letter no date, Re: Request for financial support, tabled until budget workshop. Supervisor Leifheit will send a letter of acknowledgement and ask for a copy of the 2000 contract. A resolution was made but no voucher has been received to support for 2000.
5. **Videotaping of Town meetings:** Linda Dobson asked if town meetings could be video taped and made available to Adelphia Cable Company for viewing on local station to encourage participation. Equipment is available if needed from Adelphia and two volunteers are needed to run the equipment and record the town meetings. An announcement will be made in the Brighton Bulletin. Linda Dobson will find out more information on process.

Justice Nik Santagate left the meeting at this point.

6. **Rough Riders Request for Special Events Permit:** Larry Westcott submitted a request for a Special Events Permit for Saturday September 9, 2000 to allow the ATV Ruffrider’s Club located out of the Red Tavern on the Red Tavern Road in the Town of Santa Clara to allow a Club sponsored fund raiser/ride permission to cross the Keese Mills Road in the Town Of Brighton from 12:00 noon to 5 p.m. The riders will ride from Route 30 to the Blue Mountain Road. The riders will be directed to ride on the side of the road as much as possible and to ride at a slow speed in single file. Also included in the request is copy of the ATV Law Section 2408 Special Events.
Supervisor Leifheit asked public if anyone from Keese Mills Road wanted to comment. Several persons commented on the current and past problem of ATV’s using the Keese Mills Road. The question was asked what route would be used to get to the Keese Mills Road and does the Club have permission from other towns and property owners to be on that route.
Lee Robert, Ruffrider’s Club, said he talked to the Department of Environmental Conservation and they recommended addressing the Town Board.

Motion made by Roger Smith to grant the Ruffrider’s permission for a Special Events Permit for September 9, 2000 to ride from 12 Noon to 5 p.m., no second received. Motion withdrawn.

Supervisor Leifheit said he would seek legal advice on the Special Events Permit and he asked Mr. Westcott if the Club had permission from Niagara Mohawk to use the power lines. They do not have permission from Niagara Mohawk but the adjoining Towns have opened their roads to ATV’s. Supervisor Leifheit asked for a map to show the route the ATV riders will use to get to the Keese Mills Road from Charley’s Inn in Lake Clear, Town of Harriestown. Mr. Westcott will fax a copy of their map to Supervisor Leifheit. Supervisor Leifheit stated he appreciated the Club approaching the Town to ask permission and he will get a copy of the map to the Town Board when he gets it.

Motion made by Christopher Leifheit to obtain legal advice on the Special Events Permit request before action is taken, second by Roger Smith, Aye 4, Vacant 1

COMMITTEE REPORTS:

1. **HIGHWAY:**
 - a. Working on roadsides, stacking wood in woodshed, working on shoulders on Hull Road, on rainy days painting snowplows and wings.

- b. Need to purchase items and services for the Highway. Discussion was held pertaining to the replacement or repair of the 1989 ford L9000 truck.

RESOLUTION #64

AUTHORIZATION TO SPEND \$1,650.00 TO FIX BRAKES ON 1977 OSHKOSH

Motion made by Supervisor Leifheit to authorize Superintendent of Highways, Don Oliver, to expend Highway Funds of \$1,650.00 to repair the brakes on the 1977 Oshkosh at Bob's Auto & Truck Service, second by John Quenell, Aye 4, Vacant 1

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Aye
VACANT	

Resolution #64 declared duly adopted.

RESOLUTION #65

AUTHORIZATION TO EXPEND HIGHWAY FUNDS FOR 170 TONS OF ROAD SALT

Motion made by Roger Smith to authorize Superintendent of Highways, Don Oliver, to expend Highway Funds for 170 tons of Road Salt at State Contract price, second by Linda Dobson, Aye 4, Vacant 1

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Aye
VACANT	

Resolution #65 declared duly adopted.

RESOLUTION#66

AUTHORIZATION TO EXPEND HIGHWAY FUNDS TO REPAIR THE 1989 FORD L9000

Motion made by John Quenell to authorize Superintendent of Highways, Don Oliver, to expend Highway Funds Not To Exceed \$10,000 to repair the 1989 Ford L9000 Snowplow at Bailey Ford (lowest quote), second by Supervisor Leifheit, Aye 4, Vacant 1

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Aye
VACANT	

Resolution #66 declared duly adopted.

Justice Nik Santagate returned to the meeting at 9:00 p.m.

- PARK:** No Report
- CODE ENFORCEMENT OFFICER:** Sent a Notice and Order dated July 12, 2000 to Mr. and Mrs. Callaghan of Port Lyden, NY, Re: Property on Route 86 in Gabriel's is in violation of three New York State Uniform Fire Prevention and Building Code (Executive Law 370-383, NYCRR Part 425 wt seq.) Sections 900.0a, 900.1b, and 1242.8a. The existence of the above violations endanger the public health, safety, and welfare. They are hereby ordered to correct and remedy the violations by August 1, 2000.
- CEMETERY:** There have been a couple of burials. The maps will be discussed at Budget time.
- TAX COLLECTOR:** Books are closed for the year. Presented 2000 book for audit by the Board. Presented the new Supervisor with copies of reports from January through May 2000. There will be no more reports for the year.
- ASSESSOR:** Grievance Day was held on June 1, 2000, one person filed. The 2000 Final Assessment Roll was filed with the Town Clerk on July 1, 2000. Currently assessing two other towns, Brighton will be updated in 2002.
- COURT:** 21 Cases were processed and \$1,389.00 was sent to the State Comptroller. Thank you to jurors who waited for trial to begin and to the new jurors who will be on the jury August 4, 2000.
- INSURANCE:** Check for Franklin County Self-Insurance Plan was taken to Malone. Town is re-installed in program without further penalty.

CITIZENS COMMENTS:

Lionel Schuman-Rainbow Lake: Will Vosburgh Road be paved in the near future? Andy Crary said not for 5 years since CHIPS money was used about 5 years ago and it can only be used once on a road in a 10-year period. There are about 10 roads in the Town totaling 22 miles.

Pat Willis-Rainbow Lake: Has there been any response to the purchase of the Girouard property by New York State? Is State going to appraise land? Supervisor Leifheit is waiting for a call from Les Eggleston of DEC on this subject.

Tracy Santagate-McColloms: Complimented the format of the agenda and the brevity of correspondence, would like to get a copy earlier. Supervisor Leifheit will try to get the agenda out earlier.

Tom Willis-Rainbow Lake: Was rug ever installed in the Park Field House? Yes it was.

-Did Paul Smith College ever clear the trees from the Park? Yes this was done. Supervisor Leifheit will contact Niagara Mohawk, Francine LaCroix, about a tree they need to take down because of wires. He will also send a letter of thanks to Randall Swanson for the work Paul Smith’s College already completed.

-Would like a listing of the Local Laws. Available from Town Clerk, will get copy of it to the Town Board

Roger Smith and John Quenell: Town Board has a vacancy that should be discussed. Position should be filled by appointment until December 31, 2000. Board will present a list of candidates at the next board meeting.

Balances of Accounts as of June 30, 2000 were not available.

RESOLUTION #67-2000

AUTHORIZATION TO PAY ALL VOUCHERS LISTED ON ABSTRACTS

Motion made by Linda Dobson to pay all the vouchers audited by the Town Board and listed on the abstracts attached to these minutes as follows:

ABSTRACT #7 - All Funds: Pre-Paid Voucher #7A through and including Voucher #7E as follows:

General Fund 2000-\$6,958.63, Highway Fund 2000-\$1,271.00

ABSTRACT #7 - General Fund: Voucher #137 through and including Voucher #149 as follows: \$1,324.89

ABSTRACT #7 - Highway Fund: Voucher #84 through and including Voucher #93 as follows: \$21,058.46

ABSTRACT #5 – Street Lighting: Voucher #5: \$51.70

Second by Roger Smith; Aye 4, Vacant 1

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Aye
Vacant	

Resolution #67 declared duly adopted.

Motion made by Linda Dobson to adjourn the Regular Town Board Meeting at 9:50 p.m., second by Supervisor Leifheit; All Aye

Respectfully submitted,

Elaine W. Sater
Brighton Town Clerk