

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

July 13, 2006

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The Regular Town Board Meeting of the Town of Brighton was held on Thursday, July 13, 2006, at 7:00 p.m. at the Brighton Town Hall, 12 County Road 31, Paul Smiths, NY, as follows:

CALL TO ORDER:

Meeting was Called to Order by Supervisor Peter Martin at 7:01 p.m.

PLEDGE TO THE FLAG

ROLL CALL OF OFFICERS

PRESENT: Supervisor Peter Martin, Council Members: Sheila Delarm, David Knapp, Steve Tucker and Lydia Wright

ABSENT: None

OTHERS PRESENT: Amber McKernan – Tax Collector, Nik Santagate - Justice, Elaine Sater - Town Clerk

RESIDENTS: There were 3 residents present and a representative of the media

GUESTS: None

APPROVAL OF MINUTES

Regular Meeting June 8, 2006

Motion made David Knapp, **second** by Steve Tucker, **to accept the minutes of the Regular Town Board meeting held on Thursday, June 8, 2006, as written.**

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

TOWN CLERK'S REPORT

Total Revenue to Supervisor as of June 30, 2006 was \$ 487.98

2 Sport Licenses

1 Marriage License

9 Dog Licenses Renewals and 2 New Licenses

3 Building Permit (#06-14 to 16)

FOIL Requests and 10 Copier Use

1. Attended NYS Department of Environmental Conservation training on June 22 in Ray Brook. There is no increase in Sport Licenses fees this year, new sport licenses to go on sale August 14, 2006.
2. The Final Assessment Role for 2006 has been filed by the Assessor in the Town Clerk's Office and is available for public viewing until September 1, 2006
3. TOWN HALL REQUESTS: Rainbow Lake Water Protection District, Monday, July 26, 1 p.m.
4. TOWN PARK REQUESTS: Baker Family - June 22, 3-6 p.m.; Spencer Family - July 15, 1 p.m.; Dewey/Muncil - July 16, 2-4 pm, Save Saranac Lake Coalition - July 16, 6-9 pm, Elsenbeck Family - July 22, 2-8 p.m., Gerrish Family - August 4, 4-8 p.m.

Steven Tucker said some ball players would be using the ball fields on Saturday.

SUPERVISOR'S CORRESPONDENCE/FINANCIAL REPORT

1. FINANCIAL REPORT:

- a. The Financial Report as of June 30, 2006, was distributed to each Board Member, along with the CLASS Investment balances (GENERAL \$ 320,661.28 and HIGHWAY \$145,506.69) Interest income for this month was \$1,847.05, interest rate is up to 4.9%.
- b. Capital Project Highway Garage: Loan of Funds from General Funds and Extension of Salt Shed grant with DEC until June 30, 2007

RESOLUTION # 65

CAPITAL PROJECT HIGHWAY GARAGE LOAN OF FUNDS

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

WHEREAS, the checking account balance of the Highway Garage Capital Project is \$22,127.25, and

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WHEREAS, vouchers submitted for payment equal \$31,241.01, and

WHEREAS, there will be further expenses for completing the salt shed and demolishing the old garage as part of the Capital Project Highway Garage,

NOW THEREFORE, BE IT RESOLVED, that the Town Board authorizes a loan of General Funds in the amount of \$15,000 to the Capital Project Highway Garage.

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

Resolution # 65 declared duly adopted.

RESOLUTION # 66

CAPITAL PROJECT HIGHWAY GARAGE EXTENSION OF GRANT

Motion made by Supervisor Peter Martin, **Second** by Lydia Wright, **To Wit:**

WHEREAS, a letter of intent to extend the completion of the Highway Garage Project for the grant for construction of a Salt Shed was sent to the Department of Environment Conservation (DEC), and

WHEREAS, the DEC has approved the extension of the grant until June 30, 2007,

NOW THEREFORE, BE IT RESOLVED, that the Town Supervisor be authorized to sign a "First Amendment to Contract C302512" with the Department of Environmental Conservation for the construction of a Salt Shed to extend the date of the completion of the project until June 30, 2007.

ROLL CALL VOTE: Aye 5 (Delarm, Knapp, Martin, Tucker, Wright), Nay 0

Resolution # 66 declared duly adopted.

2. OTHER:

- a. Letter from NYS Department of State, dated June 22, 2006, RE: Supporting Code Enforcement Officer and Fire Officials in attendance at International Code Conference (ICC) in Orlando, FL and Rochester, NY
- b. Letter from Franklin County Public Health, dated July 3, 2006, RE: Pandemic Flu Awareness, They would like to do a presentation at a Board meeting; will contact Sue Patterson to attend the next Board meeting.
- c. Letter from NYS Department of Public Service, dated June 28, 2006, RE: Mountain Cable Company, LCC has been granted Temporary Operating Authority to operate in the Town until December 28, 2006, to allow for negotiation of the cable franchise renewal.
- d. Letter from Mercy Health Foundation, dated July 5, 2006, Re: Invitation to a reception for a 2006 Art Exhibit on July 25, 2006, from 1:30 to 3:30 p.m. at the Uihlein Mercy Center in Lake Placid. Exhibit is sponsored by the NY Association for Homes and Services for the Aging (NYAHS) and will be open to the public from July 17 to August 2 from 1 to 3 p.m.
- e. Letter from NYS Department of Public Service, dated June 2006, Re: Ways to Reduce Electricity Usage, demand for electricity goes up in the summer. "NY Electricity Outlook - Summer 2006 brochures are available at the Town Hall.

DEPARTMENT REPORTS

1. ANIMAL CONTROL OFFICER (Andy Cray): No Report

Lydia Wright asked about the number of dogs in the Town and when the last census was completed.

Town Clerk said she has issued about 100 licenses in the past year and no census has been done in the past 8 years.

2. ASSESSOR (Doug Tichenor): No Report

3. CODE ENFORCEMENT OFFICER (Ed Lagree) Report given to Board before meeting

- a. Issued 18 Building Permits for 2006, 2 Building Permit is completed
- b. 12 Building Permits are completed, 30 permits are still open from 2005
- c. 2 Building Permits completed, 10 permits are still open from 2004
- d. 1 Building Permit is completed, 1 permit was closed, and 4 permits are still open from 2003
- e. 1 Building Permit is still open from 2002

4. TAX COLLECTOR (Amber McKernan)

- a. Received phone calls regarding taxes

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- b. The petty cash of \$50.00 was not turned over to the Supervisor on June 8 as noted in the June 8 minutes. The Supervisor was not at the previous board meeting and the Deputy Supervisor asked that the funds be turned over directly to the Supervisor. The petty cash funds were returned to the Supervisor on June 26.

5. TOWN JUSTICE (Nik Santagate)

- a. Disposed of 42 cases and issued a check in the amount of \$3,500 to Supervisor Peter Martin
- b. Credit Card Machine - A credit card machine has been obtained; trying to coordinate with an individual to obtain instruction on using the machine and getting it hooked up.
- c. An individual from the Office of Court Administration, Security Division, came to survey the court for security issues. The Office of Court Administration will send a report to the Town Board. A security officer may visit the court occasionally in the future.

6. HISTORIAN (Mary Ellen Salls): No Report

Supervisor Peter Martin said there was a nice article in the Adirondack Daily Enterprise about Brighton History Day being held Sunday, July 16th.

COMMITTEE REPORTS

1. HIGHWAY DEPARTMENT -

- a. **David Knapp** read a report from Superintendent of Highways Don Oliver
 - i. Mowed cemeteries and Town Hall lawn
 - ii. Checked Mt. Pond and Slush Pond Roads with DEC.

David Knapp said there is a permit being processed for the work on these roads

- iii. Repaired Mt. Pond and Slush Pond Roads with grindings from airport runway project.
- iv. Patched Keese Mills Road
- v. Started mowing roadsides
- vi. Raked dirt roads twice
- vii. Salt shed foundation and walls are completed

David Knapp said they started back filling the salt shed foundation today

- viii. Routine road check

- b. Other - **Supervisor Peter Martin**

BRIDGE ON WHITE PINE ROAD: This bridge belongs to the Town according to a resolution from Franklin County Legislature dated March 16, 1995. He is looking into grant funding to repair it.

David Knapp asked if he could get a list from the County of recommended contractors to do this type of work.

2. PARK & RECREATION - Steve Tucker and Lydia Wright

- a. Dan Spencer has been mowing and weed wacking the fields
- b. Baseball has finished its regular season. They want to have a season ending tournament this weekend.
- c. "Port-a-potty" has been delivered
- d. A crew from Camp Gabriels worked at the park during the week.
- e. Saranac Lake Area Youth Program has started, they have 150 children registered. They are taking children to the beach and other places.

3. INSURANCE - Sheila Delarm and Lydia Wright

- a. NYMIR Claims Office called the Town Clerk with some questions concerning the Claim from the Hogansburg Fire Department, claim is still being processed.
- b. NYMIR sent a letter, dated June 23, 2006, stating that the Franklin Snowmobliers, Inc., insurance company, K&K Insurance, has accepted their tender concerning the snowmobile accident claim of February 19, 2006.

4. INVESTMENTS - Sheila Delarm and Lydia Wright

CLASS accounts continue to do well in interest income.

5. CEMETERY - Steve Tucker and David Knapp:

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Highway Department has mowed the grass.

Supervisor Peter Martin said he saw Lee Foster at the cemetery the other day but he wasn't doing anything, He asked the Board if they knew why he was there. **Steve Tucker** did not know why Lee Foster would be there.

6. TOWN BUILDINGS - Steve Tucker and David Knapp

- a. Highway Salt Shed:** Foundation is completed for salt shed, vouchers have been turned in for payment. Town forces will continue the work to finish the project. A lift will be needed to get the roof on the salt shed.
- b. Town Hall:**
 - i. Restoration Fund: Received an up-date from the Brighton Town Hall Restoration Fund, Tom Willis: Balance as of June 30, 2006 is \$23,025. Received \$2,780 since January 1, 2006. Still have outstanding requests with Weill Charitable Trust and Sellon Residual Charitable Trust. On July 1, applied to Glen and Carol Pearsall Adirondack Foundation, response due in September.
 - ii. Received a letter from the Red Cross addressing the Town Hall as a shelter.

RESOLUTION #67

AUTHORIZATION TO HAVE A RED CROSS SHELTER IN THE TOWN HALL

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

WHEREAS, the Town Hall will be used as command center during a Town disaster, and

WHEREAS, people will have to spend some time in the building during a disaster,

NOW THEREFORE, BE IT RESOLVED, that Supervisor Peter Martin be authorized to sign a "Statement of Agreement concerning the use of the Town Hall as Mass Care Shelters by the American Red Cross".

ROLL CALL VOTE: Aye 5 (Delarm, Knapp, Martin, Tucker, Wright), Nay 0

Resolution #67 declared duly adopted.

OLD BUSINESS

- 1. RETIREMENT HOURS:** Supervisor Peter Martin received all the "Sample Months" for retirement calculations

RESOLUTION #68

AUTHORIZATION FOR RETIREMENT HOURS FOR TOWN POSITIONS

WHEREAS, during a Risk Assessment Survey conducted in December 2005 by the Office of the State Comptroller, it was determined that there was no record of "Sample hours worked per month" to determine number of days per month toward retirement on file for each salaried position in the Town, and

WHEREAS, during a Regular Board meeting on January 12, 2006, the Town Board passed Resolution #32-2006 to designate February 2006 as the "Sample Month" to determine hours worked for each salaried position, and

WHEREAS, the "Sample Month" has been turned-in to the Supervisor for each position,

NOW THEREFORE, BE IT RESOLVED, that the following days per month will be used for each salaried position for calculating retirement based on a 6-hour work day:

Assessor	5.33 days
Code Enforcement Officer	5.33 days
Council Member	3.33 days
Deputy Supervisor	.50 day
Supervisor	13.33 days
Superintendent of Highways	26.67 days
Town Clerk	13.33 days
Court Clerk	2.0 days
Justice	10.17 days
Tax Collector	6.67 days
Housekeeper	1.33 days

ROLL CALL VOTE: Aye 5 (Delarm, Knapp, Martin, Tucker, Wright), Nay 0

Resolution #68 declared duly adopted.

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2. **DISASTER PLAN: Sheila Delarm** said Paul Smiths College or Camp Apple-Jack have not returned her phone calls to discuss the Emergency Disaster Plan. Supervisor Peter Martin talked with the President of Paul Smith's College and said Sheila Delarm can contact the President's office if she doesn't get any response from the office she has been trying to contact. Discussion was held on what to do next. **Sheila Delarm** will provide the Town Clerk with names and addresses of people to receive the draft "Emergency Disaster Plan" for review and input.
3. **RESCUE SERVICES CONTRACT: Supervisor Peter Martin** has had no word from the Village of Saranac Lake concerning a new contract; there is to be a meeting to discuss this further but no one has contacted the Town.
4. **GRANDMA POND'S ROAD: Sheila Delarm** asked if any work has been done with Grandma Pond's Road. The work has not been done, but the Highway Department will work on it when they have time.
5. **HOFFMAN ROAD: Sheila Delarm** asked if the attorney had responded to the Supervisor yet concerning the issue of land ownership on the Hoffman Road. **Supervisor Peter Martin** said he received an e-mail, dated May 19, 2006, from the Attorney for the Town, stating that he spoke with the owner's attorney regarding the ownership of the land where a snowplow turnaround is located. He advised the other party he would send a letter with the Board's acknowledgment concerning the ownership of the land under the road. He would like to be advised as to the Board's position on this matter. **Supervisor Peter Martin** will notify the Attorney to send a letter.
6. **KEESE MILLS ROAD - LOGGING TRUCKS: Lydia Wright** has been contacted concerning the logging trucks on the Keese Mills Road, it appears that some of the trucks are going faster than the 25 mph agreed upon by the logging companies. School is out so there are more people on the road for recreational purposes. **Sheila Delarm** asked for a reminder to be sent to the logging companies. **Supervisor Peter Martin** said he will contact Paul Mitchell Logging to discuss this issue.

NEW BUSINESS:

1. **STORM EMERGENCIES - POWER OUTAGES:** Supervisor Peter Martin received a letter, dated June 16, 2006, from National Grid concerning safety tips for being prepared for storm emergencies. The letter also addresses the restoration procedures that will be followed to re-establish electric service. The number to call for outages is 1-800-867-5222. Copies of the letter will be available at the Town Hall for the public and included in the Town's Disaster Plan.
2. **COMMUNITY ADVISORY BOARD COMMITTEE: Supervisor Peter Martin** attended a meeting on June 22, 2006, at the direction of his supervisor at the Camp Gabriels. Minutes of the Committee meeting were distributed to the Board. Anyone who is interested can attend these meetings; a lot of good information is discussed.
3. **WEBSITE: Sheila Delarm** said the Website needs a "facelift". More pictures are needed to update the site. Discussion was held concerning ways to improve the website. Rainbow Graphics has been updating the website with information sent by the Town Clerk. People are having trouble bringing up the information such as the June 8 minutes and the agenda for this meeting. **The Town Clerk** will notify Rainbow Graphics about these concerns. **David Knapp** will send pictures of the Salt Shed progress for the website. **Sheila Delarm** will take pictures at Brighton History Day.
4. **FOOD PANTRY: Sheila Delarm** has been contacted concerning the Food Pantry. They claim they have no access to a bathroom or the copying machine. The Highway Department is not willing to give out keys to the Highway Garage due to all the tools in the garage. Discussion was held concerning access to Town buildings. The Town Hall is open from noon to 5 p.m. on Food Pantry days. There is no contract with the Food Pantry any more, the one for the use of the Town Hall expired on July 1, 2005. A new contract is needed with the Food Pantry; access to bathrooms and use of the copier need to be addressed in it. **Sheila Delarm** will contact Barb Marshall and ask her to provide a contract for approval.

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5. **RETURNED KEYS:** Someone found and removed a set of keys from the back door of the Town Hall; recently the keys were turned in to the Town Clerk by another person. No one in the Town has reported to the Clerk that their keys are missing.

CITIZEN'S COMMENTS

1. **KEESE MILLS ROAD:** Would like to reiterate what Lydia Wright said concerning the logging trucks on Keese Mills Road, recreational activity has increased on the road.

2. **GARAGE PROJECT:** How far over is the Garage Project (Bduget)? Has any revenue been realized from the demolition of the old garage.

David Knapp said there are salvageable parts in the building. He will update the cost statement for the project.

3. **HIGHWAY VEHICLES:** Why are there vehicles still left outside when the new building was built to house all the equipment for safety persons. Maybe a small lean-to is needed to protect the equipment.

David Knapp said that the equipment (roller, grader, and small dump truck) is being used frequently so it is inconvenient to put it inside right now because of the way it all has to be stored to fit.

Lydia Wright asked when the equipment still behind the Town Hall was going to be moved over to the property owned by the Town.

Supervisor Peter Martin said it would be moved when the Highway Department has finished all the work.

4. **PAUL SMITH'S COLLEGE:** Is the lease with Paul Smiths College being renewed?

Supervisor Peter Martin said he has been trying to contact Mr. McFarland to discuss a new lease.

5. **TOWN HALL STEP REPAIR:** A contract was signed last fall for the repair of the steps, no work has been done on the steps. When will the steps be repaired?

David Knapp said the contract was only good for thirty days and the work did not get started before winter. The Board determined it would get done quicker if it was included in the bid package for the whole restoration package. The piers need to be worked on under the porch before the stairs are replaced.

Lydia Wright will contact Crawford & Stearns to determine the status of the bid package.

6. **WEBSITE:** The information for the Tax Collector on the website is incorrect, the Tax Warrant is no longer at \$800,000. People who read that information think they are paying a much larger share of the budget than is true. It needs to be updated to \$1.6 million.

The Town Clerk said the Tax Collector can contact the Webmaster directly to update that information.

There were no further citizens comments

AUDIT OF VOUCHERS

Motion made by Supervisor Peter Martin, Second by David Knapp, to audit the vouchers, Aye 5, Nay 0

RESOLUTION #69

AUTHORIZATION TO PAY VOUCHERS LISTED ON THE ABSTRACTS

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

RESOLVED that the Supervisor be authorized to pay the audited vouchers as listed on the abstracts as follows: PREPAID: Abstract #6 for Voucher #6A through and including #6C for General Funds in the amount of \$675.67 and Voucher #6C for Street Lighting Funds in the amount of \$52.57.

GENERAL FUND: Abstract #7 for Voucher #174 through and including #187 for funds in the amount of \$9,183.63, with the exception of Voucher #185 submitted by the Town Historian for reimbursement in the amount of \$156.00 for postage for the Brighton History Day announcement mailing because it also included a solicitation for funds for the Town Hall Restoration Project and the Town is not allowed by law to solicit funds from the general public.

HIGHWAY FUND: Abstract #7 for Voucher #65 through and including #74 for funds in the amount of \$6,7423.98

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CAPITAL PROJECT- HIGHWAY GARAGE: Abstract #23 for Voucher #76 through and including #78 for funds in the amount of \$31,241.01

ROLL CALL VOTE: Aye 5 (Delarm, Knapp, Martin, Tucker, Wright), Nay 0

Resolution #69 declared duly adopted.

ADJOURNMENT

Motion to Adjourn at 8:40 p.m. **made** by David Knapp, **second** by Sheila Delarm, **Aye 5, Nay 0**

Respectfully Submitted,

Elaine Sater
Brighton Town Clerk