

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

August 9, 2007

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The Regular Town Board Meeting of the Town of Brighton was held on Thursday, August 9, 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 7:07 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, Steve Tucker and Lydia Wright

**ABSENT:** None

**OTHERS PRESENT:** Donald Oliver - Superintendent of Highways, Amber McKernan - Tax Collector, Mary Ellen Salls - Historian, and Elaine Sater - Town Clerk,

**RESIDENTS:** One

**GUESTS:** None

## APPROVAL OF MINUTES

- Regular Board July 12, 2007

**Motion made** by David Knapp, **second** by Lydia Wright, **to approve the minutes of the Regular Town Board meeting held on July 12, 2007 as written.**

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

## TOWN CLERK'S REPORT

Total Revenue to Supervisor as of July 31, 2007 is \$274.21

2 DEC Sports Licenses

4 Certified Copies

13 Dog Licenses: 2 New and 11 Renewals (2 Retro Licenses)

5 Building Permit (#07-15 to 19)

4 copies from FOIL Request

1. Received letter, dated July 19, 2007 from the NYS Department of Transportation, Re: Update on zoning information in the Town of Brighton. Sent fax reply on July 24, 2007 that there is no change to the zoning information for the Town.
2. Purchased a fax machine for the Town Hall. Disposed of the old one in the trash as it had no value.
3. The Town Clerk's Office will be closed on Thursday, August 16. The Clerk will be attending a training class in Saranac Lake.
4. TOWN HALL REQUESTS: Democrat Committee - Thursday, September 6, 7:00 p.m.
5. TOWN PARK REQUESTS: None

## SUPERVISOR'S CORRESPONDENCE/FINANCIAL REPORT

### 1. Financial Report:

a. Distributed the Financial Report as of July 31, 2007 to Board members, total cash on hand as of July 31 is \$557,293.48. Interest from CLASS investments for July 2007 was \$2,041.90; total for year-to-date is \$14,516.74. Balances of CLASS Accounts are: General \$294,433.13 and Highway \$193,455.11.

b. **CSEA RENEWAL OF DENTAL AND VISION BENEFITS:** Received notice of price increases for Dental and Optical insurance from CSEA

## RESOLUTION # 65

### AUTHORIZATION TO RENEW AGREEMENT WITH CSEA FOR EMPLOYEE BENEFITS

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

**WHEREAS**, the Town of Brighton provides Dental and Vision benefits to the full-time Highway employees, and

**WHEREAS**, the Town entered into an agreement on June 12, 1991 with CSEA Employee Benefit Fund,

**NOW THEREFORE BE IT RESOLVED**, that the Town Board authorizes the Supervisor to sign a renewal

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agreement with CSEA for Dental and Vision benefits as follows:

**Dutchess Dental Plan: from January 1 to June 30, 2007, \$73.68; from July 1 to December 31, 2007, \$85.32**

**Silver 12 Vision Plan: From January 1 to June 30, 2007, \$16.55; from July 1 to December 31, 2007, \$16.96**

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

**Resolution #65 declared duly adopted.**

- c. **DISCHARGE OF MORTGAGE HUD PROJECT #92-11:** Received request from a property owner to discharge a mortgage for a HUD Project from 1992.

**RESOLUTION # 66**

**AUTHORIZATION TO DISCHARGE A MORTGAGE FOR HUD PROJECT #92-11**

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

**WHEREAS**, the Town of Brighton secured by mortgage, dated September 30, 1993, a Town of Brighton Housing Rehabilitation Program loan, in the amount of Forty-one thousand dollars \$41,000 and such mortgage was recorded in Liber 434 of Mortgages starting at page 169 in the Office of the Clerk of the County of Franklin, and

**WHEREAS**, the mortgage contains a provision that the mortgagor will abide by all terms of a certain "Note and Mortgage", and

**WHEREAS**, the terms of the Note and Mortgage have been met including the completion of five years of the date of the mortgage on the 30<sup>th</sup> day of September 1998, to end without repayment of the principal or accrued interest, and

**NOW THEREFORE, BE IT RESOLVED**, that the Supervisor of the Town is authorized to sign and issue a Discharge of Mortgage for HUD Project #92-11, a mortgage dated the 30<sup>th</sup> day of September 1993 in the amount of \$41,000 as recorded in Liber 434 of Mortgages starting at page 169 in the Office of the Clerk of the County of Franklin.

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

**Resolution #66 declared duly adopted.**

**2. Correspondence:**

- a. **PAID LEAVE:** Received Memorandum, dated July 18, 2007, from the Franklin County Personnel/Civil Service Office, Re: Cancer Screening Leave; effective August 2, 2007, a bill has been signed into law mandating that all units of local government provide its employees with four (4) hours leave per year for breast cancer screening and an additional four (4) hours per year leave for prostate cancer screening. This is paid leave and should not be charged to any other leave category. Female employees will be offered four hours of leave for breast cancer screening and male employees will be offered eight hours of leave for breast and prostate cancer screening. Employers need to develop a procedure to track the time used by employees.
- b. **THANK YOU LETTER:** Received a letter dated July 26, 2007 from the Brighton Architectural Heritage Committee, Re: Thank you for supporting the Brighton History Days; 230 people signed in but more attended.
- c. **COMMUNITY RESIDENTIAL PROGRAM:** Received a letter, dated August 3, 2007, from Sunmount Developmental Disabilities Services Office, Re: Establishing Community Residential Homes; would like the community to review proposed sites for the residential program, establish a site selection committee in the Town, and meet with Jim Tebo, Developmental Disabilities Program Specialist. He will contract the Supervisor in the near future to arrange a meeting.
- d. **CELL TOWER:** Received a letter, dated August 1, 2007, from IVI Due Diligence Services, Inc., Re: Verizon Wireless Communication Tower; Verizon is interested in setting up a "cell" tower at Paul Smiths College. Any input from the community on the identification of historic architectural and archaeological resources within the area of the town where the tower will be located is being requested.

**DEPARTMENT REPORTS**

**1. ANIMAL CONTROL OFFICER (Tri-Lakes Humane Society):** No Report

**2. ASSESSOR (Doug Tichenor):** Report submitted prior to meeting

- a. Filed the Final Assessment Roll on July 1
- b. Received Article 7 certiorari petitions from Michael Humes and George Earle
- c. Contacted Arrow Appraisals, Inc. for price quotes to provide court ready appraisals on three properties. They

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appraise youth camps in other areas.

- d. Visited the Earle property on Spitfire Lake, at his request, to see if there is a possibility of settling without the expense of the full court process; will let the Board know if this is possible.
  - e. No small claims petitions were filed.
  - f. Working on a way to consolidate the assessment units of Brighton, Duane, Santa Clara, and Franklin. Will attend the September Board meeting to discuss this further. Will be attending a meeting with Assemblywoman Janet Duprey to discuss this shared service opportunity. Also contacted the Town of Harrietstown to ask if they would be interested in joining in to obtain one equalization rate for the Saranac Lake School District in Franklin County.
  - g. Thanked the board for reappointing him for another term. Will do his best to maintain as fair an assessment roll as he can.
- 3. CODE ENFORCEMENT OFFICER (CEO) (Ed Lagree):** Report submitted prior to meeting
- a. Nineteen building permits have been issued for 2007; 17 permits are still open.
  - b. Seven permits were completed from 2006, 1 was closed; 19 permits are still open
  - c. Four permits were completed from 2005, 1 Certificate of Completion (COC) was issued; 7 permits are still open
  - d. No change for 2004; 6 permits are still open
  - e. No change for 2003; one permit is still open
- 4. TAX COLLECTOR (Amber McKernan):** Read report
- a. Received 9 phone calls and sent 3 faxes during the month of July
  - b. Received a flyer from a corporation that was formally know as Primary Foil, now known as Munitrax. Attended a presentation by them in 2000 at a Tax Collector seminar in Lake Placid. They provide a service for taxpayers to pay their taxes by credit card. A benefit to the taxpayer would be more rewards on their credit cards if they have such rewards. They would also be able to pay their taxes in installments instead of all one lump sum. There is no charge to the Town for this service, the taxpayer would incur a service charge. The Town would also benefit by getting the penalties instead of the county. Would like to look into this service and see if it would be worth while to offer to tax payers.
  - c. The office will be closed on August 23 and September 7. A voice message will be left to that effect.
- 5. TOWN JUSTICE (Nik Santagate):** Report submitted prior to meeting  
Disposed of 30 cases and issued a check in the amount of \$2,080.00 to the Supervisor
- 6. HISTORIAN - Mary Ellen Salls:**
- a. Sending out information to people who request it
  - b. Sent a letter to the Code Enforcement Officer concerning deteriorating buildings around town. Has not seen any action nor received a response to her letter.

### COMMITTEE REPORTS

- 1. HIGHWAY DEPARTMENT - David Knapp and Steve Tucker:**
- a. **Report from Don Oliver, Superintendent of Highways,** submitted prior to the meeting
    - i. Working on the McColloms Road, will also work on the Mt. Pond Road.
    - ii. Mowed Cemeteries
    - iii. Blacktopped Wardner and Tebbutt Road
    - iv. Taking old garage to landfill
    - v. Helping Harrietstown and Tupper Lake through with shared services
    - vi. Put crusher run on North Brook Road
    - vii. Attended the County Highway meeting, County Superintendent resigned from job
    - viii. Employees are taking vacations
    - ix. Camp Gabriels work crews working on Slush Pond Road cutting brush
  - b. **Decals for Ford Truck:** No further information
  - c. **CSEA Contract:** No word on contract, union representative on vacation
  - d. **White Pine Road Bridge:** Supervisor Peter Martin talked to the DOT about conducting the level 1 survey.

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- e. **Split Rock Road:** The county will help the Highway Department set the rails for the guide rails on the bridge
- f. **Snow Plowing Complaint - Tebbutt Road:** David Knapp obtained Mr. Busch's address and will sent a letter

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

- The lawn mower needs repair. Dan Whitson in Gabriels will do it.

Tom McKernan noted that the light in the parking lot is not functioning properly, needs to be repaired or removed.

**3. INSURANCE/INVESTMENTS - Sheila Delarm and Lydia Wright:**

- a. Training for municipal insurance is being offered on Thursday, August 23, by Burnham Financial Services
- b. The health insurance premiums went down
- c. **Lydia Wright** will look into the Town using the NYS employees insurance policy
- d. **David Knapp** needs more information for vehicles for the NYMIR insurance policy

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

- Burial took place for Stern

**Supervisor Peter Martin** said the larger headstones need foundations before they can be straightened

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

**a. Town Hall Project:**

- i. **Lydia Wright, Kevan Moss, and Crawford & Stearns (C&S)** had a conference call to clear up the questions by Cate Blakemore; the cost of her extra work will be absorbed by C&S.
- ii. **Septic System:** Andy Cray and David Knapp walked the area where the septic system is located. There will not be room for a walkway or driveway over the area.

- b. **Town Hall Maintenance:** Railing on back stairs needs to be tightened. The trap for the sink in the bathroom was replaced by David Knapp.

**OLD BUSINESS**

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

- a. There were no meetings since last month. Sent an email to notify the FAB that the Town was sending out Requests for Proposals for Rescue Services.
- b. The next FAB meeting will be Wednesday, August 15, at 4:30 p.m.

**2. EMERGENCY FIRE ALARMS POLICIES (Supervisor Peter Martin):** Sheila Delarm and Supervisor Peter Martin met with Paul Smith's College staff and one member of the Paul Smith's-Gabriels Volunteer Fire Department (PSGVFD) to discuss the false alarm situation. They will meet again after the fall semester to determine if actions discussed were helpful.

**3. ALTERNATE RESCUE SERVICES CITIZENS COMMITTEE(Sheila Delarm):** Request for Proposal (RFP) for Rescue Services were sent out on July 16. One solicited company declined and one company had some questions that were answered over the phone. She met with Vernon James of the Saranac Lake Volunteer Fire Department/Rescue Service to discuss the reasons the Town was sending out RFPs and asked them to submit one. The PSGVFD is looking into getting first responder status, these are not EMTs. A training will be held in the fall.

**4. SIGN FOR PWC'S ON OSGOOD POND: Supervisor Peter Martin** said the "Jet Ski" signs were completed. He will contact Sean Reynolds from DEC to get them put up on Osgood Pond.

**5. TIME WARNER CABLE(TWC): Sheila Delarm** has no other information on people interested in getting cable installed. She is looking for help contacting the families who are interested in the McColloms area. **Supervisor Peter Martin** will contact Nancy Reich to see if she will conduct a survey.

**NEW BUSINESS : None**

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***EXECUTIVE SESSION:***

**Motion made by Lydia Wright to GO INTO EXECUTIVE SESSION at 8:35 p.m. in accordance with Public Officers Law, Article 7, Section 105, para (d) discussion regarding proposed, pending or current litigation, second by David Knapp, Aye 5 (Delarm, Knapp, Martin, Tucker, and Wright), Nay 0**

**Motion made by Lydia Wright to GO OUT OF EXECUTIVE SESSION at 8:43 p.m., second by David Knapp, Aye 5 (Delarm, Knapp, Martin, Tucker, and Wright), Nay 0**

***CITIZENS COMMENTS: None***

***AUDIT OF VOUCHERS***

**RESOLUTION #67**

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

**Motion made by Lydia Wright, second by David Knapp, To Wit:**

**RESOLVED that the Supervisor be authorized to pay the audited vouchers as listed on the abstracts as follows:  
PRE-PAID: Abstract #8 for Vouchers #8A through #8C for 2007 General Funds in the amount of \$642.35,  
Voucher #8C for 2007 Street Light Funds in the amount of \$56.10**

**GENERAL FUND: Abstract #8 for Voucher #202 through and including #221 for 2007 funds in the amount of \$7,108.34**

**HIGHWAY FUND: Abstract #8 for Vouchers #71 through and including #80 for 2007 funds in the amount of \$63,524.34**

**CAPITAL PROJECT FUND (HIGHWAY GARAGE): Abstract #31 for Voucher #94 in the amount of \$2,147.85**

**CAPITAL PROJECT FUND (TOWN HALL PROJECT): Abstract #7 for Voucher #8 in the amount of \$1,500.00**

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

**Resolution #67 declared duly adopted.**

**ADJOURNMENT**

**Motion to Adjourn at 8:44 p.m. made by David Knapp, second by Lydia Wright, Aye 5, Nay 0**

Respectfully Submitted,

Elaine Sater  
Brighton Town Clerk