

**REGULAR BOARD MEETING - TOWN OF BRIGHTON - FRANKLIN COUNTY, NY**  
**September 13, 2007**

Page 1 of 7

The Regular Town Board Meeting of the Town of Brighton was held on Thursday, September 13, 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 (entered meeting late) and Lydia Wright

**ABSENT:** None

**OTHERS PRESENT:** Amber McKernan - Tax Collector, Mary Ellen Salls - Historian, Nik Santagate - Town Justice, and Elaine Sater - Town Clerk

**RESIDENTS:** Five residents attended

**GUESTS:** None

**APPROVAL OF MINUTES**

- Regular Board August 9, 2007

**Motion made** by David Knapp, **second** by Lydia Wright, **to approve the minutes of the Regular Town Board meeting held on August 9, 2007 as written.**

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

Steve Tucker entered the meeting at 7:09 p.m.

**TOWN CLERK'S REPORT**

**Total Revenue to Supervisor as of August 31, 2007 was \$ 871.86**

2 Sport License

3 Certified Copies

1 Marriage Licenses #01-2007

4 Dog Licenses: 2 Renewals and 2 new

7 Building Permit (#07-20 to 22 and 24 to 27)

2 Donations for Town Park Use

1. Received notification of the 16<sup>th</sup> Annual Local Government Conference for town officials to be held in Potsdam on Tuesday, October 9, registration is \$35 before September 27, \$45 after, and \$60 at the door. Town Clerk's Office will be closed on October 9 to attend the Conference.
2. Received an notice of an Order to Remedy Violation or Correction from the Code Enforcement Officer, issued to Francesco Bennici for 474 State Route 86; Re: Part of the building has collapsed and needs to be torn down or repaired within 30 days.
3. August 30, filed the Discharge of Mortgage for HUD Project #92-11 with the Franklin County Clerk, received completed Discharge on September 11 and mailed a copy to the family
4. September 4, received notification from Foundation Source that a grant is being given to the Town for the Town Hall Restoration Project. Information for Town tax exempt status was faxed to Maryann Dorsey on September 11.
5. There is no primary in the Town on September 18, 2007
6. TOWN HALL REQUESTS: Republican Party - September 10, 2007 at 7 p.m.
7. TOWN PARK REQUESTS: UEA of NIMO - Saturday, August 25, 12 to 7 p.m.; Paul Smith's College Rugby - Saturday, September 15 at 3 p.m., Saturday, September 29 and October 13 at 12 noon, Jessen/Carlson families - Saturday, September 22 at 12:30 p.m.

**SUPERVISOR'S CORRESPONDENCE/FINANCIAL REPORT**

**1. Financial Report:**

- a. Distributed the Financial Report as of August 31, 2007 to Board members. Total cash on hand as of September 12 is \$468,765.06. Interest from CLASS investments for August 2007 was \$1,937.59; total for year-to-date is \$16,454.33. Balances of CLASS Accounts are: General \$270,640.42 and Highway \$144,185.41.

**REGULAR BOARD MEETING - TOWN OF BRIGHTON - FRANKLIN COUNTY, NY**  
**September 13, 2007**

Page 2 of 7

**b. Budget Amendments:**

**GENERAL FUND BUDGET AMENDMENT #2-2007**

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

**WHEREAS, speed limit signs were purchased for the Vosburgh Road**

**THEREFORE BE IT RESOLVED that the following amounts be and the same hereby are transferred:**

**\$21.00 from Account No. A1990 (Contingency)**

**as follows:**

**\$21.00 to Account No. A3310.2 (Traffic Signs)**

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

**General Fund Budget amendment #2-2007 declared duly adopted.**

**HIGHWAY FUND BUDGET AMENDMENT #1-2007**

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

**WHEREAS, black top was purchased to complete paving the Tebbutt Road,**

**THEREFORE BE IT RESOLVED that the following amounts be and the same hereby are transferred:**

**\$3,508.00 from Account No. DA5130.2 (Machinery Capital Outlay Heavy)**

**as follows:**

**\$3,508.00 to Account No. DA5112.2 (Improvements Capital Outlay)**

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

**Highway Fund Budget amendment #1-2007 declared duly adopted.**

- c. Budget for 2008:** Requests for tentative budgets were distributed to all department heads, need to be returned to Bookkeeper by September 20. Any projects for departments next year need to be discussed at the budget meetings.

**2. Correspondence:**

- a. SHARED SERVICES:** Received letter from Senator Little's Office, RE: There are grants available for shared services
- b. SARANAC LAKE YOUTH PROGRAM:** Received voucher from the Village of Saranac Lake for a \$1,200 payment for the Saranac Lake Youth Program

**RESOLUTION #68**

**AUTHORIZATION TO PAY VILLAGE OF SARANAC LAKE \$1,200 FOR THE SLAYP**

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

**WHEREAS, there are children in the Town of Brighton that participate in the summer youth program sponsored by the Village of Saranac Lake, and**

**WHEREAS, the Town Board authorized a contract dated August 14, 2003 (Resolution #74) to support the Saranac Lake Area Youth Program,**

**NOW THEREFORE, BE IT RESOLVED that the Supervisor be authorized to pay the Village of Saranac Lake \$1,200 in support of the Saranac Lake Area Youth Program for the calendar year 2007.**

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

**Resolution #68 declared duly adopted.**

- c. NORTH COUNTRY COMMUNITY COLLEGE 40<sup>th</sup> ANNIVERSARY:** Received letter dated August 31, 2007, from North Country Community College (NCCC), RE: Asking support from Town in celebrating NCCC's 40<sup>th</sup> anniversary.

**RESOLUTION #69**

**AUTHORIZATION TO DECLARE OCTOBER 7-13, 2007 AS NCCC WEEK**

**Motion made by Sheila Delarm, Second by Lydia Wright, To Wit:**

**WHEREAS, North Country Community College (NCCC), a unit of the State University of New York was established in 1967 and is celebrating its 40<sup>th</sup> anniversary through out 2007, and**

**WHEREAS, NCCC has conferred approximately 9,500 associate degrees and certificates upon its graduates since it**

**REGULAR BOARD MEETING - TOWN OF BRIGHTON - FRANKLIN COUNTY, NY**  
**September 13, 2007**

Page 3 of 7

inception, including residents from the Town of Brighton, and

**WHEREAS**, NCCC has proven itself to be an integral part of the quality of life, economic growth and innovation in Essex and Franklin Counties, and

**WHEREAS**, NCCC enriches the community with its three strategically located campuses in Saranac Lake, Malone and Ticonderoga, providing an affordable, qualitative and accessible education, and

**WHEREAS**, NCCC is committed to improving the lives and education of residents of Essex and Franklin Counties through its support of numerous events including but not limited to sporting and recreational events, art shows and programs, speaker series, workforce education and partnerships, and

**NOW THEREFORE, BE IT RESOLVED that the Town Board declares the week of October 7-13, 2007 as North Country Community College Week.**

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

**Resolution #69 declared duly adopted.**

**DEPARTMENT REPORTS**

**1. ANIMAL CONTROL OFFICER (Tri-Lakes Humane Society):** July report submitted

- a. There was one dog turned-in
- b. Seven phone calls
- c. Possible court hearing
- d. Sent letters to two dog owners that did not renew licenses

**2. ASSESSOR (Doug Tichenor):**

- a. Would like to consolidate towns in the Saranac Lake Central School District into one assessing unit, still looking into ways to share services with other towns. This would mean one equalization rate, on tax rate for school and county purposes, one Board of Review, one Grievance day, and one central assessment office for all four towns. The towns would have to agree to consolidate. There is a lack of assessors in the area to have one in every town. He has applied for the assessor job in Harrietstown. The following schedule for assessing action in the next three years is as follows:

2008 Town of Franklin data collection

2009 Town of Franklin revaluation to be completed

2010 Towns of Brighton, Santa Clara, and Harrietstown will be updated to 100% with Franklin trended to 100% that year also. This would be the target date to consolidate into one unit.

**Supervisor Peter Martin** received a letter from the Town of Harrietstown addressing this same issue

- b. Equalization Rate: The Town is currently at 86%. Discussion was held on "selective assessing" or "sales chasing". The equalization rate keeps assessors from raising assessments only on new sales.
- c. STAR Rebate Program: Does not have an assessing function, but all the questions go to the assessor
- d. Will need a Data Collector to help with assessing in the future, the county not being as helpful as in the past
- e. There are three programs available for assessing: 1) have a sole assessor, 2) have the county do the work, or 3) consolidate the assessing units
- f. Article 7 Litigation: An appraiser will cost about \$11,300 for the three parcels in litigation, will get a company to submit a quote for the court
- g. Conservation Easements by Chateaugay Woodlands are partially paid (33%) by the State of New York

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

- a. Twenty-eight building permits have been issued for 2007; 25 permits are still open
- b. Nine permits were completed from 2006, 1 was closed; 15 permits are still open
- c. Five permits were completed from 2005, 6 permits are still open
- d. One permit was closed for 2004; 5 permits are still open
- e. No change for 2003; one permit is still open

**Supervisor Peter Martin** said the new dorms for Paul Smiths College have been conditionally approved by the APA

**4. TAX COLLECTOR (Amber McKernan):** Read report

- a. Received several phone calls from mortgaging institutions verifying payment information in anticipation of the coming collection season; no faxes were sent.

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

**September 13, 2007**

Page 4 of 7

- b. Munitrax emailed information on its credit card program. Will review the information closely and get questions answered. It will be emailed to the Town Clerk for distribution to the Board
- c. The office will be closed from October 3 to 10. A voice message will be left to that effect.

- 5. **TOWN JUSTICE (Nik Santagate):** Report submitted prior to meeting  
Disposed of 40 cases and issued a check in the amount of \$3,405.00 to the Supervisor
- 6. **HISTORIAN - Mary Ellen Salls:** Nothing to report

**COMMITTEE REPORTS**

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

- a. **Report from Don Oliver, Superintendent of Highways,** submitted prior to the meeting
  - i. Doing routine road work
  - ii. Getting ready for sand screening
  - iii. Doing routine equipment maintenance
  - iv. Mowed cemeteries for the last time
  - v. Old garage is demolished and taken to landfill
  - vi. Worked on shoulders of the Wardner Road
- b. **Decals for Ford Truck:** David Knapp spoke with Ned Lemieux and is waiting for a mock-up for the decals
- c. **CSEA Contract:** Received contract back from the CSEA representative; Board will review for next meeting
- d. **White Pine Road Bridge: Supervisor Peter Martin** waiting for more information, working with DOT
- e. **Split Rock Road:** Guide rails were delivered to be installed. The County is supposed to help the Highway Department set the rails.
- f. **McCulloms:** Work was started on the shoulders but not on the trees
- g. **Slush Pond Road:** Work on the Slush Pond Road was halted because DEC has an issue with the size of trees being cut back
- h. **Snow Plowing Complaint - Tebbutt Road: David Knapp** drafted a letter to Mr. Busch for the Board to review. **Sheila Delarm** asked if Superintendent of Highway Don Oliver responded to this complaint. **David Knapp** indicated that he did not respond. She said she is embarrassed that the Town is taking so long to reply to Mr. Busch's complaint. **David Knapp** said he did not have an address to mail a response because Mr. Busch is not a land owner in the Town. He asked the Code Enforcement Officer to find an address for him. There was no written communication from Mr. Busch, he came to a board meeting with his complaint and did not leave an address.

**Motion made by Lydia Wright, second by Supervisor Peter Martin, to approve the wording of the letter in response to Mr. Busch's complaint of snow plowing on the Tebbutt Road as follows:**

**"After expressing your concerns at the June 14, 2007 meeting of the Brighton Town Board regarding snow removal along the Tebbutt Road and the intersection of your driveway, please note that this issue will be considered by the Highway Department throughout the upcoming snow removal season."**

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

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

- a. Steve Tucker is reviewing budget with Dan Spencer
- b. The port-a-potty will remain until the end of October after Rugby is over.

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

- a. Received a second request for information on a dependent of Forrest Pennington. Sheila Delarm will contract him to take care of this request.
- b. Robert Tebbutt's name is still appearing on the account as contact. Insurance company has been notified several times to change it; Sheila Delarm will contact the company again.
- c. Refund has been received for the 2006 Health Insurance premiums: \$106.60 for General and \$1,596.81 for Highway

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

**September 13, 2007**

Page 5 of 7

d. Received information on HIPAA (Privacy Act) from the insurance company

**4. CEMETERY - Steve Tucker and David Knapp:** A couple of families reserved plots. There were no burials  
**Supervisor Peter Martin** said that a crew from Camp Gabriels was straightening headstones in Mt. View Cemetery on September 12

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

- a. **Town Hall Project: David Knapp** received a bid package today from Crawford and Stearns (C&S). He would like time to review the package, as of now there will have to be a spring start date
- b. **Town Hall Maintenance:**
  - i. **Back Steps:** Railing on back stairs was repaired immediately after the last meeting by David Knapp. Sheila Delarm remarked on the promptness of the repair and thanked David Knapp.
  - ii. **Furnace** was repaired and cleaned for the winter
  - iii. **Railings and sign** outside the Town Hall were painted by the Camp Gabriel's Inmate Crew
- c. **Town Garage:**
  - i. **Roof:** A piece of pipe needs to be ordered to fix the chimney on the roof, trying to find out the manufacturer of the chimney
  - ii. **Gas Shed:** The Camp Gabriel's Inmate Crew painted the building
- d. **Garage Project:** The landscaping needs to be completed in the spring. The salt shed is completed and the grant needs to be completed and submitted to DEC for payment. **Supervisor Peter Martin** will contact DEC for more information.
- e. **Park Building:** Roof needs to be painted

**OLD BUSINESS**

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

- a. Sheila Delarm attended the August 15 FAB meeting. Answers to previous questions were given as follows: The rescue department would have to separate from the fire department for them to hire their own Emergency Medical Technician (EMT); they cannot contract with Towns individually for the same reason; the Town of Harriestown cannot hire an EMT either. The FAB approached the Village of Saranac Lake again with more information on hiring an EMT. The issue of disability insurance was a moot point because all the volunteer EMTs are already covered and the village still has to pay the same amount. On August 27 the Village Board voted to pursue hiring an EMT. Another issue from the FAB was to have Franklin County pass a law addressing the signs for 911 addresses being posted, Essex County already has a law addressing this issue. The tone of the meetings have changed for the better. The Village and the Saranac Lake Volunteer Department have become more amenable to the FAB.
- b. The next date for the FAB was September 5, there was no information on this meeting if it was even held.

**2. ALTERNATE RESCUE SERVICES CITIZENS COMMITTEE(Sheila Delarm):** Request for Proposal (RFP) for Rescue Services were received from two companies. The proposals need to be reviewed by the Board. The proposals are very different. One proposal is for \$57.25 per hour, this equates to \$500,136 for the year. The other proposal has several different options and will be looked at closely.

**3. SIGN FOR PWC'S ON OSGOOD POND (Supervisor Peter Martin):** Sean Reynolds from DEC picked up the "Jet Ski" signs and had two installed on Osgood Pond; he will store the other two for future use.

**4. TIME WARNER CABLE(TWC): Supervisor Peter Martin** contacted Nancy Reich to see if she will conduct a survey in McColloms; she agreed to contact people.

**NEW BUSINESS :**

**1. BRIGHTON CLEAN-UP: Sheila Delarm** was approached by a resident who asked if the Town would do a "Brighten Brighton" Clean up again. Discussion was held on whether the Town could afford to do this again. In

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

**September 13, 2007**

Page 6 of 7

2000 is was done with a grant. People from other towns brought trash and just dumped it for the Town to pick-up.

2. **CAMP REGIS SCHOLARSHIP THANKS: Sheila Delarm** asked if the Town would send a letter of thanks to Camp Regis for providing scholarships to Camp Regis for town residents. Sheila Delarm will draft a letter of thanks for David Knapp to sign.
3. **POST OFFICE IN GABRIELS: Supervisor Peter Martin** spoke with Congressman John McHugh about the need for a building for the Post Office in Gabriels. The Post Office is not moving very fast on this project and he would like to hear from the Town's people on this subject.

**Motion made by Lydia Wright, second by Sheila Delarm, to authorize Supervisor Peter Martin to write a letter to the United State Postal Service District Manager requesting action on a building for a permanent Post Office in Gabriels, and send copies to all the people who received letters in the past, such as Congress members, Senators, House of Representatives, and the press.**

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

***CITIZENS COMMENTS:***

**Amber McKernan - Rainbow Lake Road:** Asked where the Town of Brighton sign is that was removed from State Route 86 during the highway construction.

**David Knapp** said there was a matter of who would put the sign back up to be resolved. The State has jurisdiction and the Town cannot put it back up. He will contact someone from the DOT to get the sign back up.

**Tom McKernan - Rainbow Lake Road:** Would like to propose that the Highway Department change its name to "Department of Public Works" so the employees can do the maintenance on the property as well as on the roads. They currently mow the lawns in the summer. The steps of the Town Hall need to be shoveled regularly during the winter since many people use the building during the week.

**David Knapp** will investigate this process.

**David Knapp** read a letter from Rouse Fountain, Paul Smiths, dated August 28, 2007, as follows:

"To the Brighton Town Board:

Thoughts on cost savings

I know that members of our town board are as anxious as I am to guide the business of the town in a direction that will provide quality services at the lowest possible cost. That is why I have been surveying Brighton citizens for the past few weeks for ideas that will achieve this end. At this time I would like to share with you a summary of the remarks I have heard.

#1. The cost of rescue service to the town is far too high, especially for what we are getting - response times of 20 minutes, or 30 or 40 minutes and more. If possible we should have our own rescue service right here in town.

#2. We do not need to spend \$20,000 a year for a tax collector. The town can and should combine the town clerk and town tax collector jobs. Or better yet, let the county collect all the property taxes. They already print our tax bills and collect property taxes on state land.

#3. Have the state or county take charge of justice system. Is it really necessary to have a justice in each and every town, no matter how small? Why not have a professionally trained lawyer serve as justice for half a dozen towns, holding court at some geographically central location?

#4. There have to be some Highway Department economies available through combining functions with the County Highway Department. There is already good cooperation between the towns and the county - it should be pushed a lot further. In the meantime, Brighton should consider reducing its Highway Department staff by one person.

#5. As a long-term goal, maybe we should think of doing away with all town governments and replacing them with county government. It's nice to have certain services at the very local level, but can we afford it any longer? The state is on record as encouraging municipal mergers and sharing services. We should actively follow their lead.

#6. Brighton's cash holding are now \$537,000. That seems like a lot. Is there a plan to use these funds, which mainly come from Brighton taxpayers, to help defray future property taxes?

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

**September 13, 2007**

Page 7 of 7

#7. Do we really need an addition on the town hall? It is not going to be free. It is unclear how much the Brighton taxpayer is going to have to pay for the addition. Why hasn't there been a public hearing on the project? Shouldn't it be subject to a vote by the taxpayers in the town, just the way the new highway garage was?

#8. The town should implement significant employee contribution toward health insurance costs.

If you would like to discuss any of the above, please get in touch. I can be reached at 327-3333.

Thank you for your time.

Sincerely, (Signed) Rouse Fountain"

**AUDIT OF VOUCHERS**

**Motion made by Lydia Wright, second by David Knapp, to audit the vouchers**

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

**RESOLUTION #70**

**AUTHORIZATION TO PAY THE TOWN OF SANTA CLARA \$16,174.00 FOR CEO SERVICES**

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

**WHEREAS**, the Town Board authorized an extension of the contract with the Town of Santa Clara for Code Enforcement Officer (CEO) services on February 8, 2007(Resolution #27) , and

**WHEREAS**, the amount for the CEO services is determined by salary, benefits, mileage, and training and is not always equal to the amount in the budget,

**NOW THEREFORE BE IT RESOLVED that the Supervisor be authorized to pay \$16,174.00 to the Town of Santa Clara for Code Enforcement services for 2007 which includes salary, benefits, mileage and training.**

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

**Resolution #70 declared duly adopted.**

**RESOLUTION #71**

**AUTHORIZATION TO PAY AUDITED VOUCHERS AS 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:**

**PRE-PAID: Abstract #9 for Vouchers #9A through #9C for 2007 General Funds in the amount of \$636.67, Voucher #9C for 2007 Street Light Funds in the amount of \$55.44**

**GENERAL FUND: Abstract #9 for Voucher #222 through and including #250 for 2007 funds in the amount of \$28,631.70**

**HIGHWAY FUND: Abstract #9 for Vouchers #81 through and including #92 for 2007 funds in the amount of \$7,171.81**

**CAPITAL PROJECT FUND (HIGHWAY GARAGE): Abstract #32 for Voucher #95 in the amount of \$2,949.10**

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

**Resolution #71 declared duly adopted.**

**ADJOURNMENT**

**Motion to Adjourn at 9:50 p.m. made by Lydia Wright, second by David Knapp, Aye 5, Nay 0**

Respectfully Submitted,

Elaine Sater  
Brighton Town Clerk