

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

**September 14, 2006**

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**The Regular Town Board Meeting of the Town of Brighton was held on Thursday, September 14, 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 7:00 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:** Doug Tichenor- Assessor, Amber McKernan - Tax Collector and Elaine Sater - Town Clerk

**RESIDENTS:** There were 6 residents present

**GUESTS:** None

**APPROVAL OF MINUTES**

- Regular Meeting August 10, 2006

**Motion made** by David Knapp, **second** by Sheila Delarm, **to accept the minutes of the Regular Town Board meeting held on Thursday, August 10, 2006, as written.**

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

- Special Meeting August 14, 2006

**Motion made** by David Knapp, **second** by Steve Tucker, **to accept the minutes of the Special Town Board meeting held on Monday, August 14, 2006, as written.**

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

**TOWN CLERK'S REPORT**

- **Total Revenue to Supervisor as of August 31, 2006 was \$ 879.69**

7 Sport License

50 Certified Copies

2 Marriage Licenses (#02 & 03)

6 Dog License Renewals and 1 Replacement Tag

5 Building Permit (#06-17, 23 to 26)

2 FOIL Requests/145 copies

1. Received notification of the 15<sup>th</sup> Annual Local Government Conference for town officials to be held in Potsdam on Tuesday, October 17, registration is \$35 before September 27, \$45 after, and \$60 at the door.
2. Received a notice dated August 28, 2006, of a Proposed Local Law #1-2006 from the Town of Bellmont, Re: Wind Energy Moratorium. According to Section 2: "The purpose of this local law is to prevent any adverse effects to the health, safety, or welfare of the residents of the Town of Bellmont or to the environment by reason of the construction, placement, and operation of wind energy producing devices or systems prior to the adoption of adequate regulatory standards."
3. Received Resolution #25 from the Town of Franklin, dated April 10, 2006, RE: Amended form of the Intermunicipal Shared Highway Services agreement authorized by the Town Board of the Town of Franklin.
4. Town Clerk's Office will be closed on Tuesday, September 19. Notice was posted on the Town Clerk's sign board and in local Post Offices and businesses on September 7 and provided for publishing on September 7 and 12 in the Adirondack Daily Enterprise.
5. **TOWN HALL REQUESTS:** Brighton Conspiracy Food Co-op-Saturday, September 23, 8 a.m to 1:30 p.m.
6. **TOWN PARK REQUESTS:** Foster - Saturday, September 23, 12 to 8 p.m.; Paul Smith's College Rugby - Sunday, September 24 and October 15, 12 - 4 p.m.

**SUPERVISOR'S CORRESPONDENCE/FINANCIAL REPORT**

**1. FINANCIAL REPORT:**

- a. The Financial Report as of August 31, 2006, was distributed to each Board Member. CLASS Investment

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balances: GENERAL \$313,294.64 and HIGHWAY \$131,641.95. Interest income for August was \$1,866.22; interest rate is at about 4.9%.

- b. 2007 Budget requests have been sent out to Town Officials and are due back to the Budget Officer by Sep. 20

**2. OTHER:**

- a. Received a letter, dated 9/1/06, from the Franklin County Office of Emergency Services, Re: NIMS courses for Town Officials at Paul Smiths Gabriels Fire House on 9/18/06 at 1900 hrs.
- b. Received request from the Rainbow Lake Association to support their application for a grant through the Lake Champlain Basin Program to maintain the water quality in Rainbow Lake.

**RESOLUTION #74**

**Motion made by David Knapp, second by Sheila Delarm, to Wit:**

**RESOLVED, that the Supervisor be authorized to send a letter of support to the Lake Champlain Basin Program for a grant for the Rainbow Lake Water Quality Protection Program by the Rainbow Lake Association to maintain the water quality of the Rainbow Lake waterway which lies partly in the Town of Brighton.**

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

**RESOLUTION #74 declared duly adopted.**

- c. Received a request from the Franklin Snowmobilers, Inc., for a letter of support for a grant to obtain a new groomer for the snowmobile trails.

**RESOLUTION #75**

**Motion made by Steve Tucker, second by David Knapp, to Wit:**

**RESOLVED, that the Supervisor be authorized to send a letter of support to the Franklin Snowmobiler, Inc. for a grant to obtain a groomer for maintaining the snowmobile trails in the Town.**

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

**RESOLUTION #75 declared duly adopted.**

**DEPARTMENT REPORTS**

**1. ANIMAL CONTROL OFFICER (Andy Crary): No Report**

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

- a. There were two lawsuits filed under Article 7 of the Real Property Tax Law. There was also one sent to Small Claims court and has been settled. The size of the property determines which court gets the case. There have been several law suits of this nature in the past. Spoke at length with the Attorney for the Town who is familiar with this type of law suit. The Attorney will probably meet with the State Supreme Court Judge in a pre-trial conference and the judge will ask if it can be settled out of court. It is out of the Assessor's hands at this point. The Board has two options: they can settle or they can go to trial. If it is not settled at the pre-trial conference, the judge will probably ask the Town and the property owner to each get an appraisal. Another town paid \$12,000 to get an appraisal on a large property. The property owners have not shown the Assessor an appraisal to show their property is not valued at what he assessed the property. The Town is the one to make the decision on the assessment even though the school and county collect a larger portion of taxes bases on the assessment.
- b. Received notice of a letter being sent to the Towns by the lake associations. Submitted a rebuttal letter of the letter to the Town Board.

**Supervisor Peter Martin** said he received the letter (no date) from the lake associations today and distributed it to the board for review.

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

- a. Issued 26 Building Permits for 2006, 4 Building Permits are completed
- b. 22 Building Permits are completed, 1 permit has been closed, 19 permits are still open, 5 have been renewed, from 2005

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- c. 3 Building Permits completed, 9 permits are still open, 8 have been renewed, from 2004
- d. 1 Building Permit is completed, 1 permit closed, and 4 permits are still open, 3 have been renewed, from 2003
- e. 1 Building Permit is still open from 2002

#### 4. TAX COLLECTOR (Amber McKernan)

- a. Received calls for tax information
- b. Sent one fax since the last meeting
- c. Requests the Board to audit the 2006 tax books

**Supervisor Peter Martin** set a time for the audit at 6:30 p.m. before the next Regular Board meeting on October 12, 2006

#### 5. TOWN JUSTICE (Nik Santagate) Report by Supervisor Peter Martin

Received the amount of \$5,045 from the Justice

#### 6. HISTORIAN (Mary Ellen Salls): No Report

### COMMITTEE REPORTS

#### 1. HIGHWAY DEPARTMENT

- a. **David Knapp** read the report from Superintendent of Highways Don Oliver
  - i. Shoulder work on Vosburgh Road and Garondah Road
  - ii. Mowed cemeteries twice
  - iii. Trucked blacktop for Franklin and Harriestown
  - iv. Trucked more grindings from airport
  - v. Cut trees on top of sand bank for screening sand
  - vi. Worked on Equipment
    - i. Ordered steel for snow plows
    - ii. Check on cab for tractor, no response
- b. **Garage Project: David Knapp** said Don Oliver is looking into getting someone to set the steel for the salt shed roof.
- c. **Hoffman Road Snowplow Turn-Around:** No further information from Attorney.
- d. **Bridge on White Pine Road:** There may be grants available. **Supervisor Peter Martin** is waiting from replies from different sources concerning the hydraulics.

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

- a. Dan Spencer has been wrapping up the park the summer and getting the park ready for the winter season
- b. **Saranac Lake Area Youth Program (SLAYP):** This program had approximately 190 kids signed up, 160 paid. SLAYP was able to use the school buses already at the Petrova School to take the kids to the beach 3 days a week and to various other activities which were new to the program this year. There is a surplus of \$3000 so they plan to expand the program next year. A concern for next year is that due to construction the Petrova School gym will not be available for rainy days. This will be discussed at the next meeting of SLAYP.
- c. **Lease of Ball Fields: Supervisor Peter Martin** received a message from Steve McFarland, he is ready to discuss the ball field lease with the Town.

#### 3. INSURANCE - Sheila Delarm and Lydia Wright

- a. **Hogansburg Fire Department Incident:** The NYMIR report did not reflect the Hogansburg incident because it was received after the close out date of the report. Called Hogansburg Fire Department to see if they received their funds yet. They have to return a paper to NYMIR before the claim will be paid. It should be completed within the next few weeks.
- b. **Medical Insurance Premiums:** Burnham Financial will not be getting any information on medical insurance premiums until mid November; they gave a 10% to 18% increase range for budget purposes. On Tuesday September 26 they are sponsoring an "Employee Benefits Forum" in Plattsburgh for North Country benefits; Lydia Wright is planning on attending. Discussion on partial pay of insurance premiums by beneficiaries needs

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to be held to reduce the cost paid by the Town. This was done in the past but was dropped when the Town changed insurance companies.

**4. INVESTMENTS - Sheila Delarm and Lydia Wright**

**Supervisor Peter Martin** met with the Municipal Financial Advisor at NBT Bank; interest rates on CD's are up for short term certificates.

**5. CEMETERY - Steve Tucker and David Knapp:** Nothing to report

**6. TOWN BUILDINGS - Steve Tucker and David Knapp:** Nothing to report

**OLD BUSINESS**

**1. FOOD PANTRY: Supervisor Peter Martin** received a contract from Barb Marshall for the Food Pantry. The board reviewed it and made changes to correspond more closely to the previous contract. The contract will be retyped and sent back to Barb Marshall for signature. The Certificate of Insurance needs to cover the Town of Brighton in Franklin County not the one in Monroe County.

**2. RESCUE SERVICES CONTRACT: Supervisor Peter Martin** sent out the proposal from the Town for rescue services to Santa Clara and Franklin. He met with Larry Miller at the Town of Harriestown to discuss the proposal. Larry Miller thought the cost per call should be higher for the the village to accept the proposal. There will be another meeting for the towns on Tuesday, September 21 at 3:30 p.m.

**3. DISASTER PLAN:** Letters were sent inviting organizations to the meeting on Monday, September 18, at 6 p.m. for discussing the Town's Disaster Plan. Replies have been received that organizations will be sending representatives.

**NEW BUSINESS:**

- **BUDGET 2007:** There will be Budget Meetings on Thursday, October 19 and 26 at 6 p.m. to discuss the 2007 Preliminary Budget with the Budget Officer.

**CITIZENS' COMMENTS :**

**Pat Willis - Rainbow Lake:**

- a. Thanked the board for supporting the Rainbow Lake Association request for a grant.
- b. Asked about the status of the Town Hall project

**Supervisor Peter Martin** said the NY State Assembly Majority has pulled the funding requested for the Town Hall project. **Lydia Wright** said Crawford & Stearns, Inc. needs more information to clarify some points before the bid packages are available.

**Richard McCormick - Vosburgh Road:**

- a. Commented on the paving job just completed on the Vosburgh Road. He has advised the Town several times that it should extend the paving to the turn-around. The Town stopped the paving at the end of their right-of-way (ROW) but did not continue onto private property where a turn-around has been built for trucks and school buses. He said that in 1979 the Town neglected to extend their ROW beyond his property and he does not know why. He would like the Town to issue easements to cross his property. The Town does not have the right to maintain the road beyond the end of the ROW. He also would like a speed limit of 25 mph on the road and a 5 mph limit on the hill by his house. There is a 35 mph speed limit sign posted at the intersection of the Tebbutt and Vosburgh Roads that is too fast for the paved road. He would like the Town to widen the shoulders to 6 feet for snow plowing purposes. He said there is a 50 foot ROW. He said there is a pile of logs in the ROW that should be removed for safety reasons.

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b. He said he saw a truck with official plates that looked like the Town's pickup truck in the parking lot at Wal-Mart in Plattsburgh. He said all the Town trucks should have the town's decal on them including the pickup truck. **Supervisor Peter Martin** said he spoke with Don Oliver concerning the ROW. The property owners need to submit their requests in writing. The paving cannot be completed until the Town has a right-of-way on the property. Speed limit changes must be submitted to the County after Board approval.

**Amber McKernan - Gabriels:** Asked if there was a time-line for the old garage to be torn down.

**Supervisor Peter Martin** said the Town was beyond the deadline, but he thinks the APA is not very concerned about the deadline. It probably will not be removed this year.

**David Knapp** said there is still salt within the old building and cannot be removed until the salt shed is completed.

**There were no further Citizens' Comments**

**AUDIT OF VOUCHERS**

**Motion to Audit the Vouchers made by Lydia Wright, Second by Sheila Delarm, Aye 5, Nay 0**

**RESOLUTION #76**

**AUTHORIZATION TO PAY VOUCHERS 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:**

**PREPAID: Abstract #8 for Voucher #8A through and including #8C for General Funds in the amount of \$621.77 and Voucher #8C for Street Lighting Funds in the amount of \$56.41.**

**GENERAL FUND: Abstract #9 for Voucher #201 through and including #217 for funds in the amount of \$24,619.90.**

**HIGHWAY FUND: Abstract #9 for Voucher #82 through and including #87 for funds in the amount of \$48,168.05**

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

**Resolution #76 declared duly adopted.**

**ADJOURNMENT**

**Motion to Adjourn at 9:15 p.m. made by Lydia Wright, second by David Knapp, Aye 5, Nay 0**

Respectfully Submitted,

Elaine Sater  
Brighton Town Clerk