

**The Regular Town Board Meeting of the Town of Brighton was held on Thursday, October 9, 2003, at 7:00 p.m. at the Brighton Town Hall, Paul Smiths, NY, with the following:**

**PRESENT:** Supervisor Robert Tebbutt  
Council Members: Linda Dobson  
John Quenell  
Steve Tucker

**ABSENT:** Council Member Alicia Bodmer

**OTHERS PRESENT:** Elaine Sater-Town Clerk, Don Oliver-Superintendent of Highways, Nik Santagate-Justice, Amber McKernan-Tax Collector, and Tom Willis-Historian

**RESIDENTS:** There were 18 residents present

**GUEST:** Roger Smith – Paul Smiths Gabriel’s Volunteer Fire Department

**Meeting was Called to Order** by Supervisor Robert Tebbutt at 7:00 p.m.

***APPROVAL OF MINUTES***

**Motion made** by Linda Dobson **to accept the Minutes of the Regular Town of Brighton Board Meeting on September 11, 2003, as written,** second by Steve Tucker, Aye 4, Absent 1 (Bodmer)

**Motion made** by Linda Dobson **to accept the Minutes of the Public Hearing for Log Trucks on the Keese Mills Road on September 23, 2003, as written,** second by Steve Tucker, Aye 4, Absent 1 (Bodmer)

***TOWN CLERK REPORT***

**Total Revenue to Supervisor as of September 30, 2003, was \$654.30**

7 DEC Sport Licenses  
1 Marriage License  
2 FOIL Requests  
6 Dog Licenses  
4 Building Permits (BRI2003-24 through 27)  
23 copies on the Copier

1. Faxed Public Notice to the Adirondack Daily Enterprise on September 18, 2003, Re: Special Election for Referendum Vote on Tuesday, October 7. Published on September 25 and 30, notices were posted in the three Post Offices and in local business as well as on the Town Clerk’s Sign Board at the Town Hall.
2. Faxed Public Notice to the Adirondack Daily Enterprise on September 18, 2003, Re: Special Meeting of the Brighton Town Board on Thursday, October 2. Published on September 25, special size ad was requested by the Town Supervisor, Robert Tebbutt. Notices were posted in the three Post Offices and in local business as well as on the Town Clerk’s Sign Board at the Town Hall.
3. Attended training for the Town Clerks in Alexandra Bay on September 15, 2003.
4. Tentative Budget for 2004 was passed out to Board Members at the October 2 meeting.
5. Received Notification of Issuance of an explosive license for Edward P. Delarm, Jr. that expires on November 30, 2004
6. Received a letter (attached) dated September 16, 2003, from the State Comptroller’s Office, Re: Follow-up review to Town Audit for the period January 1, 1999 to December 30, 2000. Distributed to Board members. There are three areas mentioned in the letter: items already implemented, areas with limited progress, and areas that no corrective action has been taken.
7. Received notification (attached) from the New York State Office of Parks, Recreation and Historic Preservation, dated September 18, 2003, Re: Brighton Town Hall. The State Historic Preservation Officer (SHPO) has approved the Town Hall to be listed on the State Register of Historical Places. The SHPO has forwarded the nomination to the Keeper of the National Register in Washington D.C. for approval on the National Register.
8. Received a letter dated October 2, 2003 from Bob and Charlotte Hall, they would like to be included in any further mailings the Town sends out. They understand that only people on the Registered Voter List were mailed information from the Town. They enclosed ten 37-cent stamps for the mailings. The August and September Brighton Bulletins were sent to them on October 2.
9. Received a notice from the NYS Office of General Services, Re: On-line Registration for Purchaser Notification Service, The Procurement Services Group is no longer mailing paper copies of contract awards, etc., effective October 15, 2003. They will be available on the Website. Recommend the Town Garage get a computer with Internet access since many items they purchase are on these contracts as well as the CHIPS forms.
10. Special Election was held on October 7, 2003, for a Referendum Vote on Resolution #61-2003 (A resolution authorizing the issuance of up to \$500,000 serial bonds of the Town of Brighton, Franklin County, New York, for acquisition of land and the construction of a Town Highway Garage and Salt Shed.) The resolution was defeated by a vote of 114 no and 104 yes. There were 219 votes cast; one ballot was voided because someone wrote on it other than to mark the ballot.
11. Town Hall Schedule: Friday, October 17, Brownie Troop 70-5:30 p.m. to 7:30 p.m.
12. Park Schedule: Friday, September 26 - North Star Industries, 12:30 to 2:30 p.m.; Saturday, October 11 and 18 - Paul Smith College Rugby Team, 12 noon to 5 p.m.

**Supervisor Robert Tebbutt thanked the Town Clerk and the Election Inspectors for the hard work they did and recognized it was a long day for them.**

**SUPERVISOR REPORT**

1. **FINANCIAL REPORT:** Balances of Accounts as of September 30, 2003, were given to the Board and are attached to these minutes.

2. **BUDGET AMENDMENTS:**

**RESOLUTION #80 (RESCINDED)**

**BUDGET AMENDMENT #5 FOR THE GENERAL FUND**

**Motion made by Robert Tebbutt to rescind Resolution #80 authorizing Budget Amendment #5 to the General Fund for the transfer of \$1,576.00 from Account A1990.0 Contingency to the Highway Fund Account DA5130.2 Heavy Construction, second by John Quenell, Aye 4, Absent 1 (Bodmer)**

**Roll Call Vote:**

Supervisor Robert Tebbutt	Aye
Council Members: Alicia Bodmer	Absent
Linda Dobson	Aye
John Quenell	Aye
Steve Tucker	Aye

**Resolution #80 declared rescinded.**

**RESOLUTION #84**

**AUTHORIZATION TO APPROVE GENERAL FUND BUDGET AMENDMENT #6**

**Motion made by Supervisor Robert Tebbutt to authorize approval of Budget Amendment #6 to the General Fund for a transfer in the amount of \$550.00 from Account No. A1990.0 Contingency as follows: \$545 to Account No. A5132.41 Water Testing and \$5.00 to Account No. A8810.2 Cemetery Equipment, second by John Quenell, Aye 4, Absent 1 (Bodmer)**

**Roll Call Vote:**

Supervisor Robert Tebbutt	Aye
Council Members: Alicia Bodmer	Absent
Linda Dobson	Aye
John Quenell	Aye
Steve Tucker	Aye

**Resolution #84 declared duly adopted**

**RESOLUTION #85**

**AUTHORIZATION TO APPROVE HIGHWAY FUND BUDGET AMENDMENT #1**

**Motion made by Supervisor Robert Tebbutt to authorize approval of Budget Amendment #1 to the Highway Fund for a transfer in the amount of \$2,000.00 from Account No. DA5130.21 Light Machinery to Account No. DA5130.4 Equipment Repair, second by Linda Dobson, Aye 4, Absent 1 (Bodmer)**

**Roll Call Vote:**

Supervisor Robert Tebbutt	Aye
Council Members: Alicia Bodmer	Absent
Linda Dobson	Aye
John Quenell	Aye
Steve Tucker	Aye

**Resolution #85 declared duly adopted**

3. **HIGHWAY GARAGE ROOF REPAIR:**

**RESOLUTION #86**

**AUTHORIZATION TO EXPEND GENERAL FUNDS NOT TO EXCEED \$1,500 FOR ROOF REPAIR ON THE HIGHWAY GARAGE**

**WHEREAS**, the roof on the back bay of the Highway Garage is in need of repair to make it though the winter, and

**WHEREAS**, the Highway Garage employees volunteered to provide the labor to fix the roof instead of hiring a contractor,

**THEREFORE, LET IT BE RESOLVED** that the Superintendent of Highways, Don Oliver, be authorized to purchase materials needed to fix the roof on the back bay of the Highway Garage Not To Exceed \$1,500.

**Motion made by Supervisor Robert Tebbutt, second by John Quenell, Aye 4, Absent 1 (Bodmer)**

**Roll Call Vote:**

Supervisor Robert Tebbutt	Aye
Council Members: Alicia Bodmer	Absent
Linda Dobson	Aye
John Quenell	Aye
Steve Tucker	Aye

**Resolution #86 declared duly adopted**

4. **CIVIC CENTER CONTRACT FOR 2003**

**RESOLUTION #87**

**AUTHORIZATION TO SIGN CONTRACT WITH SARANAC LAKE CIVIC CENTER**

**WHEREAS**, the Saranac Lake Civic Center, Inc, a not-for-profit corporation was founded for the purposes of promoting activities for the benefit of the greater Saranac Lake area through the use, operation,

development, and maintenance of a Civic Center and to develop a public interest in ice hockey, figure skating, and other recreational activities involving the use of the Center; and

**WHEREAS**, the Town of Brighton wishes to utilize the facilities of the Saranac Lake Civic Center on Ampersand Avenue in Saranac Lake for the activities of the Town of Brighton residents.

**NOW, THEREFORE BE IT RESOLVED** that the Town of Brighton agrees to subsidize the ongoing expense of providing use of the Civic Center on a year-round basis for said residents for the 2003 calendar year. In return for providing the facilities of the Saranac Lake Civic Center for the above-mentioned purposes, the Town of Brighton agrees to pay the Saranac Lake Civic Center, Inc., the sum of \$1,500.00 for 2003.

**Motion** made by John Quenell, **second** by Linda Dobson, Aye 4, Absent 1(Bodmer)

**Roll Call Vote:**

Supervisor Robert Tebbutt	Aye
Council Members: Alicia Bodmer	Absent
Linda Dobson	Aye
John Quenell	Aye
Steve Tucker	Aye

**Resolution #87 declared duly adopted**

There is a reception at the Saranac Lake Civic Center on October 18, 2003; Board Members are invited.

- 5. BUDGET 2004 WORKSHOP SCHEDULE AND HANDOUT:** Handed out a worksheet for budget workshops and set the schedule for the next two weeks.

**Motion made** by Robert Tebbutt **to schedule two budget workshops on Tuesday, October 14 and 21 at 4:30 p.m. at the Town Hall**, second by John Quenell, Aye 4, Absent 1 (Bodmer)

- 6. FEMA MEETING:** Robert Tebbutt, Ed Lagree and Don Oliver attended a mandatory meeting with FEMA to discuss the Town’s risks.
- 7. SCENIC BYWAY COMMITTEE IDENTIFICATION SIGNS:** John Quenell received a letter from the Wildlife Conservation Society saying the Department of Transportation has contacted the Adirondack North County Association regarding identification signs that could be posted on the Scenic Byway for the Town of Brighton. Copies were given to board members for their review.
- 8. REPORT ON GRANT REQUEST FOR SALT SHED:** Application has been submitted for a salt shed matching grant for \$30,000; the \$30,000 from the Town consists of \$25,000 of in-kind services by the Highway Garage.
- 9. INSURANCE REPORT:** An inspection report (attached) dated August 15, 2003, was received and handed out to board members. The inspector was very critical of the highway garage and had other issues at the playground. Steve Tucker will review the playground issues and report next month.

**NEW BUSINESS:**

**LENGTH OF SERVICE AWARD PROGRAM:** Roger Smith from the Paul Smiths-Gabriels Volunteer Fire Department gave an overview of the Length of Service Award Program for Volunteer Firefighters. There is a problem retaining and attracting volunteers for the Fire Department. To become a firefighter a person must attend 43 hours of basic firefighting training. After April 2004 this will go up to 87 hours. The volunteers only get self-gratification for the service hours they put in to firefighting. There are no benefits for them as volunteers. There has been a lot of negative reaction as well as positive comments for the firefighters. On the average, a volunteer firefighter puts in 354 hours per year, Chiefs put in double the time. It equates to nine 40-hour workweeks. This is time spent training and fund raising as well as responding to calls. To help the membership increase and keep the current members active there needs to be some incentive. Of the 27 people in the department, one is in his late 20’s; one is in his 30’s, one is in his 70’s, and the majority ranges from 40 to 50. These people can’t do this forever; younger people need to be recruited to replace these people. There is a program available called a Length of Service Award Program (LOSAP). This program would pay each member \$20 per month times length of active service years after they reach age 65. There is a buy back program also. The key to this incentive is active service. The firefighter gains a form of retirement from this program. The town benefits by having long-term active and trained fire fighters. The price is about \$60,000 per year for the first 10 years because of the buy back program. After the first 10 years the cost is reduced to about \$30,000 a year since there will not be a buy back program for younger people. The taxpayers decide on this issue; it will go to referendum. Would like to ask the board to get this on this year’s general election ballot.

The Board said it would be too late for this year. Asked if any other Towns are doing this program? This would be a 10% increase to the General Fund.

Roger Smith said there are no towns in Franklin County who are participating.

A public hearing would be held by the fire department to discuss this issue more in detail.

**OLD BUSINESS**

**KEESE MILL ROAD-LOGGING TRUCKS - Alicia Bodmer:** Alicia Bodmer could not attend this meeting but she is working on a Memorandum of Understanding (MOU) with the loggers and is in contact with the Attorney for the Town. Will have more information at the next meeting.

**REPORTS**

1. **COURT (Santagate):**

- a. During September 40 cases were disposed; \$2,306 was sent to the State Comptroller's Office
- b. Attended training on Saturday, October 4, 2003, in Saranac Lake
- c. Asked if his Court Clerk had gotten her raise for 2003 also?

**Supervisor Robert Tebbutt** said he was working with the Bookkeeper and is taking care of it.

2. **HIGHWAY COMMITTEE (Quenell/Oliver):**

- a. Prepared snowplows for the winter season
- b. Piled sand and salt in preparation for winter
- c. Raking Town roads
- d. Patched the roof on the break room of the Highway Garage
- e. Preparing to repair the rotten-out roof on the end bay
- f. Installed a new spring on the LT9000
- g. Performing routing maintenance on the equipment

3. **INSURANCE/INVESTMENTS (Quenell/Dobson):** Nothing to report for Insurance/Investment

**Supervisor Robert Tebbutt** asked the Insurance Committee to take a good look at the insurance report received from the inspector

4. **ASSESSOR (Tichenor): No Report**

5. **TAX COLLECTOR (McKernan):** Received 5 phone calls regarding tax matters and sent 1 fax of receipted tax receiver's stubs. Received 3 notices of escrow status changes.

6. **ANIMAL CONTROL OFFICER (Crary): No Report**

7. **CODE ENFORCEMENT OFFICER (Lagree): No Report**

8. **CEMETERY (Dobson): Nothing to Report**

9. **PARKS AND RECREATION (Tucker):**

- a. Needs paper towel and toilet paper and cleaning supplies.
- b. Needs to take the garbage to the transfer station since there is no room at the Highway Garage dumpster until Wednesday and he doesn't work on Wednesdays.
- c. Removed the mowing deck off the tractor and had the snow blower put on by Sturdy's.
- d. Putting up the snow fence to keep the snowmobiles off the park

**Supervisor Robert Tebbutt** asked Don Oliver to resolve the garbage problem with Dan Spencer.

10. **HISTORIAN (Willis):** Randy Crawford is finishing the report on the Town Hall and will send it next week

11. **IRS SECTION 125 ADMINISTRATOR (Willis): Nothing to Report**

**CITIZENS COMMENTS:**

**Tom McKernan - County Route 60:** Would just like to report that he followed a log truck on the Keese Mills Road out to Bay Pond two weeks ago and the truck did not go over 35 mph the entire distance.

**Ed Rogers - Keese Mills Road:** There are now dump trucks hauling gravel on the Keese Mills Road. This is to put in more logging roads. When the road was paved the Town was going to put in crusher run for the shoulders. The centerline has not been painted on the road yet.

**Don Oliver** said the county does the striping and they have not come by yet. There is no money in this year's budget for crusher run.

**David Hurwitch – Keese Mills Road:** Didn't the loggers say they were going to give the Town notice in writing about the speed limit?

**Supervisor Robert Tebbutt** said he received a letter from Paul Mitchell Logging committing to a 25 mph in the 30 mph zone.

**David Hurwitch:** Asked if he was correct in hearing that the Highway Department said that the log trucks were not increasing the wear or stress to the road and that the chipping away of the edges of the roads was rather due to the construction of the road?

**Don Oliver** said the wing of the snowplow does more damage to the edges of the road than the log trucks.

**Lydia Wright - Keese Mills Road:** The LandVest lawyer is the one who brought this up.

**Willie Sheridan - Wardner Road:** The minutes of the public hearing about the log trucks are very detailed about the discussion.

**Neil Surprenant - Keese Mills Road:** Would like to correct some of the false statements made at the public hearing. These appeared in the local paper and should be corrected. The lawyer from Landvest appeared to be trying to intimidate the board with Federal Regulations and Interstate Commerce. The Logan Airport in Boston has a time restriction for planes flying in and out between midnight and 6 a.m. so the Town should be able to restrict trucks. He has been researching the history of logging on the Keese Mills Road. He has discovered that earlier logging was done by river or railroad, not by trucks on the road. In the 1920's the railroad was used. In the 1930's there was a large fire and no logging has been done for a long time. A chipping operation was done at Ross Park about 15 years ago. The number of trucks for that entire operation was less than two days worth of trucks for the current operation.

**Rouse Fountain - State Route 86:** Logs were hauled out from Paul Smiths College land in the past. Small operations have gone on over the years. He remembers logging operations when he was 18.

**Tom Willis - Garondah Road:** Has the transfer of property been completed for the Town Hall?

**Supervisor Robert Tebbutt** said he was told it is getting close.

**Gould Hoyt - Keese Mills Road:** Would like to see the "grand list" of total tax base from 1960 to the present.

**Supervisor Robert Tebbutt** said he could fill out a Freedom of Information Letter (FOIL) request for the information.

**Keith Smith - Keese Mills Road:** Asked if the Board was going to follow-up on the letter from the other logger? Wanted to know if the Board should have followed-up before this on the letter.

**Supervisor Robert Tebbutt** said he received the letter from Paul Mitchell on October 2 and was giving the other logger time to get the letter together.

**Gould Hoyt:** It is remarkable that the Town highway crew is up on the roof repairing it. Are they covered by risk insurance?

**Don Oliver** said yes they were covered by insurance.

**Art Robinson - Split Rock Road:** Asked why the Supervisor did not discuss the status of the Highway Garage Project since it was listed on the Agenda but not mentioned.

**Supervisor Robert Tebbutt** said he waited for the citizens to bring it up if it is was something they wanted to discuss.

**Art Robinson:** Asked what the Town Board was going to do now about the project.

**Supervisor Robert Tebbutt** said the Town is divided in half about building the garage according to the referendum vote. The Board has not had time to discuss what to do next. Would like to hear from the citizens about what to do next. The budget is a priority for the next month so there will not be any meetings about the Highway Garage Project.

**David Hurwitch:** Would like to offer an explanation why the vote was no. The budgets for the State and County are increasing with services cuts backs. The cost of fuel, school taxes, firewood, medical care, and cable are all going up. Many residents are on fixed retirement incomes. In Franklin County over 100 people foreclosed on homes this year. The garage is not the problem as much as the economy. This may not be the time to build the new garage.

**Robin Hogan - County Route 60:** The message isn't that half the people are for or against the garage but the design of the building. People are waiting for Plan B.

**Willie Sheridan:** The message from the Citizen's Committee was very clear. The design, the size, the cost, the lack of storage, and public input were the issues. These were all reflected in the minutes of the committee and the board did not address these issues. Until these are addressed people will not vote for the new garage.

**Peter Martin - County Route 60:** The board voted to have 8 people on the Highway Garage Advisory Committee, but when the committee was formed there were only 6 men and no women on it. Was there a reason for this?

**Supervisor Robert Tebbutt** said it would be easier to get six people together. David Knapp was selected because of his construction background and Rouse Fountain was selected because of his equipment background.

**Paul McGivney - County Route 60:** Said if Rouse Fountain thinks the Town needs a new garage than we need it ASAP.

**Supervisor Robert Tebbutt** said the Town is deeply divided on this issue and needs to come up with a Plan B. Everything has to start from ground zero.

**David Knapp - County Route 60:** No one is looking for an answer tonight but the Board should have addressed this issue since it was on the agenda if only to instill confidence as the Town Board. The people needed to hear it from the board.

**Lydia Wright:** Can the purchase of the land be separated from the bond issue? The Town should buy the land without waiting for the bond issue to pass. Can there be a special meeting to take care of these issues?

**Supervisor Robert Tebbutt** said the land purchase and the salt shed need to be separated from the Highway Garage Project so they can get done this year. There is a grant request in for the Salt Shed. He has started working on these issues today. There can be a special meeting to deal with these issues.

**There were no more Citizens' Comments**

**RESOLUTION #88**

**AUTHORIZATION TO PAY VOUCHERS**

**Motion made by Robert Tebbutt to authorize the Supervisor to pay the vouchers as listed on the Abstracts as follows:**

**GENERAL FUND: Abstract #11 for Voucher #252 through and including #277 in the amount of \$7,457.78 and TRUST & AGENCY Funds for \$14.77**

**HIGHWAY FUND: Abstract #11 for Voucher #99 through and including #111 in the amount of \$14,307.43**

**STREET LIGHTING FUND: Abstract #10 for Voucher #10 in the amount of \$53.32**

**CAPITAL PROJECT HIGHWAY GARAGE: Abstract #9 for Voucher #19 through and including #22 in the amount of \$887.51**

Second by Linda Dobson, Aye 4, Absent 1 (Bodmer)

**Roll Call Vote:**

Supervisor Robert Tebbutt	Aye
Council Members: Alicia Bodmer	Absent
Linda Dobson	Aye
John Quenell	Aye
Steve Tucker	Aye

**Resolution #88 declared duly adopted.**

**Motion made by Linda Dobson to Adjourn the Regular Board Meeting at 8:39 p.m.,** second by Steve Tucker, Aye 4, Absent 1 (Bodmer)

Respectfully submitted,

Elaine W. Sater  
Brighton Town Clerk