

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

October 11, 2007

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The Regular Town Board Meeting of the Town of Brighton was held on Thursday, October 11, 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 7:02 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:** Elaine Sater - Town Clerk

**RESIDENTS:** Five Paul Smith College students from the Watershed Class and two residents attended

**GUESTS:** Gordy Crossman, Franklin County Legislature

## 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 September 13, 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 September 30, 2007 was \$11,698.51

8 Sport Licenses

1 Certified Copy

4 Dog Licenses: 3 Renewals and 1 new

4 Building Permits (#07-23 and 28 to 30)

11 copies from FOIL requests

1. September 25-26, attended a meeting of the New York State Town Clerks's Association in Ellicottville; NYS Department of Racing and Wagering Board gave a briefing on "Games of Chance" and "Bingo". Raffle tickets cannot be sold in a town unless that town has a "Local Law" authorizing it. The Town of Brighton has no "local law" authorizing "Bingo" or "Games of Chance"; therefore raffle tickets and other "Games of Chance" cannot be sold in the Town. "Texas Hold 'Um" or any other poker game is illegal in the State.
2. Tentative Budget for 2008 was distributed to the Board on September 27, 2007. Notice of the Budget meetings for October 18 and 25 at 6 p.m. was posted on October 2 in the Town's post offices and on the Town Clerk's Sign Board. Notice was published in the Adirondack Daily Enterprise on Oct 2 and 11.
3. Received two "Order to Remedy Violation or Correction" from the Code Enforcement Officer for Bennici and Fuller
4. TOWN HALL REQUESTS: NONE
5. TOWN PARK REQUESTS: NONE

## SUPERVISOR'S CORRESPONDENCE/FINANCIAL REPORT

### 1. Financial Report:

- a. Distributed the Financial Report as of September 30, 2007 to Board members. Total cash on hand as of October 11 is \$453,831.72. Interest from CLASS investments for September 2007 was \$1,595.47; total for year-to-date is \$18,049.80. Balances of CLASS Accounts are: General \$241,665.39 and Highway \$144,755.91.

### b. Budget Amendment:

## GENERAL FUND BUDGET AMENDMENT #3-2007

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

**WHEREAS, the payment for the Code Enforcement Officer was higher than budgeted,**

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

**\$1,200.00 from Account No. A1990 (Contingency)**

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as follows:

**\$1,200.00 to Account No. A3620.4 (Public Safety- Administration)**

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

**General Fund Budget Amendment #3-2007 declared duly adopted.**

**2. Correspondence:**

- a. **ACNA-DCA GRANT FOR DIANE LEIFHEIT:** Received a letter from Diane Leifheit dated October 10, 2007, requesting the Town be a conduit for a grant from the Arts Council of the Northern Adirondacks (ACNA) Developing Community Arts (DCA) for a painting project to produce four large scale portraits of people of the area called "Faces of Community". She is asking for \$5,000. Board asked for Diane Leifheit to come to the meeting and answer questions concerning the project.

**RESOLUTION #72**

**AUTHORIZATION TO BE A CONDUIT FOR ACNA DCA GRANT FOR DIANE LEIFHEIT FOR \$5,000**

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

**WHEREAS**, Diane Leifheit is a resident and artist in the Town of Brighton and is proposing a project called "Faces of Community" to produce four large scale portraits of people of the area along with a writer who will tell their stories, and **WHEREAS**, the Arts Council of the Northern Adirondacks has grants available through the Developing Community Arts Program, and

**WHEREAS**, the Town of Brighton is a local government in the State of New York that can act as a conduit for the funds,

**NOW THEREFORE BE IT RESOLVED** that the Supervisor be authorized to sign a letter of agreement for the Town of Brighton to serve as a conduit for Diane E. Leifheit in the application to the Arts Council of Northern Adirondacks (ACNA) under the Developing Community Arts (DCA) Program. The Town will be the entity to sign the contract with ACNA and receive the grant funds. The Town will be responsible to transfer only the grant funds to Diane E. Leifheit to provide the services outlined in the application and the contract, and **BE IT FURTHER RESOLVED** that Diane E. Leifheit will be responsible for completing the application with all required documentation, completing the project as described, completing the project and submitting the required reports and submit them by January 15, 2009, keeping the DCA grant Coordinator informed of the progress of the project, informing the ACNA of open studio dates and the opening night and reading, giving proper credit for the funding source for this project and that of the sponsor the Town of Brighton.

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

**Resolution #72 declared duly adopted.**

- b. Received letter, dated October 2 from the Adirondack Park Agency, dated October 2, 2007, Re: On-site Wastewater grant opportunities are available

**GUEST: Gordy Crossman, Franklin County Legislature:** Discussed what he has accomplished in the past and what he can provide in the future as a County Legislature. He started out teaching Social Studies at Pius X Center in Saranac Lake, he attended Brighton History Day and was impressed with the welcome he received from the people of the Town. His family has always been involved in community service. He was a Village of Malone trustee for 4 years where he was know as a "voice of reason". He has been a Franklin County Legislature for 4 years, he is on the Highway Committee, Chairman of Social Services Committee, member of the Administrative Committee and Public Works and Service Committee. He has worked with the Finance Committee, especially to reduce the budget. In 2007 the cut was 15.4%, for 2008 they are cutting 12.2%. Medicaid and Medicare is financed as follows: 1/2 from the Federal Government, 1/4 from the State, 1/4 from the County. Some states pay half and the counties don't pay anything. The tax dollars need to be spent wisely. He is interested in people's opinion. He would like to see the county provide grant writing help to towns. He also commended the Town for getting the Post Office reestablished in Gabriels, and he was glad to help by getting the County Legislature to support the Town. Things he would like to pursue for the future are lowering taxes even more, supporting North County Community College, and maintaining the infrastructure of the buildings at the County. **Sheila Delarm** asked about the cell towers and high speed broadband in the County.

**Gordy Crossman** said a tower is being looked into for Duane to cover the dead area from there to Paul Smiths College. SUNY Plattsburgh is looking into extending service into the North Country.

**Sheila Delarm** said the Post Office is still an issue and will be discussed later in the meeting.

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**Jeff Leavitt** said the trailer is worn out and leaking, it is not secure in a wind storm.

**Sheila Delarm** asked Gordy Crossman to be on the lookout for issues concerning third-party billing for fire/rescue departments.

## DEPARTMENT REPORTS

1. **ANIMAL CONTROL OFFICER (Tri-Lakes Humane Society):** No Report
2. **ASSESSOR (Doug Tichenor):** Received information on litigation.
3. **CODE ENFORCEMENT OFFICER (CEO) (Ed Lagree):** Report submitted prior to meeting
  - a. Thirty-two building permits have been issued for 2007; 28 permits are still open
  - b. 17 permits are still open from 2006
  - c. 6 permits are still open from 2005
  - d. 5 permits are still open from 2004
  - e. 1 permit is still open from 2003

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

4. **TAX COLLECTOR (Amber McKernan):** Submitted prior to the meeting
  - a. Received 9 phone call regarding tax matters
  - b. Continue to receive request to confirm and update information from mortgaging institutions in anticipation of the coming tax season
  - c. Contacted BAS in regards to on-line payment of taxes. They offer a program which will allow payments of taxes on-line through Global Payments, the NYS contract vendor. There is a cost to the Town for the service.
  - d. Will look into the credit card payment matter more fully and keep the board advised of the findings
5. **TOWN JUSTICE (Nik Santagate):** Report submitted prior to meeting  
Disposed of 39 cases and issued a check in the amount of \$1,780.00 to the Supervisor
6. **HISTORIAN - Mary Ellen Salls:** No 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. Unable to continue on McColloms and Slush Pond roads until a new permit is issued by DEC
    - ii. Salt delivered, sand has been screened
    - iii. Working on equipment for winter
    - iv. Repaired tow chain in sander on 2000 International truck
    - v. Raked dirt roads
    - vi. Crusher run on bad spots on shoulders
    - vii. County shoulder machine will be here on Thursday to complete shoulder work on Tebbutt and Wardner roads
    - viii. Some free grindings from Harrietstown to be used for shoulders remaining will be crusher run.
    - ix. Will attend County Highway Meeting on October 16

**Supervisor Peter Martin** said there will be a meeting with the Highway Department on Thursday, October 18 at 3:30 p.m. to discuss the new DEC permit

- b. **Heating Oil/fuel Contracts:** New companies are getting the delivery contract, Arnold Oil for heating fuel and kerosene and Adirondack Energy for diesel fuel and gasoline
- c. **Decals for Ford Truck:** On hold until determination is made about Public Works Department
- d. **CSEA Contract:** Received proposed contract for 2008; 2007 contract still not signed
- e. **White Pine Road Bridge:** Needs more information

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- f. **Split Rock Road:** Still waiting to here from State to set the guide rail posts
- g. **Sunny Side Road:** Trees were trimmed back
- h. **Town Signs on State Route 86:** The DOT office in Malone has to issue a permit for the Town to put up the signs, **David Knapp** is looking into the process. The State already put up their own Town signs.
- i. **Speed Zone Signs on State Route 86:** Request to increase the speed zone on the Paul Smiths end of State Route 86 to the top of the hill so people can see the sign before they start down the hill.

**RESOLUTION #73**

**AUTHORIZATION TO RELOCATE THE 40 MPH SPEED ZONE ON STATE ROUTE 86 IN PAUL SMITHS**

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

**WHEREAS**, the 40 mph speed zone on the Paul Smith end of State Route 86 starts in the middle of a hill which makes it difficult for drivers to slow down, especially when the road is icy,

**NOW THEREFORE BE IT RESOLVED** that the Supervisor be authorized to send a request to the NYS Department of Transportation through Franklin County to increase the distance of the 40 mph speed zone to the top of the hill known as "Easy Street" at the Paul Smiths end of State Route 86 to warn drivers of a speed zone ahead before they start down the steep hill.

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

**Resolution #73 declared duly adopted.**

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

**Steve Tucker** received a report from the Saranac Lake Area Youth Program (SLAYP). Sixty children attended but none were from this Town. SLAYP is asking for an increase for 2008. The next meeting is on October 16.

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

- a. Notified Burnham to add Forrest Pennington's dependent back onto the health policy and request again that Robert Tebbutt's name be removed as the Point of Contact for the health policies.
- b. Received update on vehicles to be covered by liability insurance from David Knapp

**4. CEMETERY - Steve Tucker and David Knapp: No action**

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

- a. **Town Hall Maintenance: Furnace** was repaired twice in the last two weeks by Griffith Oil, flow valve replaced; water pressure is not constant. Don Oliver recommended that Stratton Plumbing be contacted to repair the furnace since Griffith Oil is no longer the fuel provider.
- b. **Town Hall Project: David Knapp** reviewed the bid package from Crawford and Stearns (C&S) and has the following comments:
  - i. The project sequence will be: 1) construct the addition, 2) relocate all office equipment to the addition so abatement of asbestos can be done by separate contractor 3) resume construction and rehabilitate of main building
  - ii. Applications for grant: This bid package and plans need to be provided to the State Office of Historical Preservation for grant funds from Betty Little's Office.
  - iii. Alternates are as follows: 1) remove stone from back of building 2) construct back entrance on east side of building, 3) Repair/replace porch on front of building 4) Provide pricing for new hand rail 5) Install blown-in insulation in attic.
  - iv. Hazardous Materiel: No provisions in contract for hazardous materiel removal
  - v. Fire alarm system will not be as extensive as noted in the package
  - vi. The existing boiler will remain but be moved. A new well should be drilled so the pump is removed from the furnace room.

**RESOLUTION #74**

**AUTHORIZATION TO ACCEPT BID PACKAGE FROM CRAWFORD & STEARNS FOR TOWN HALL**

**Motion made by Sheila Delarm, second by Steve Tucker, To Wit:**

**RESOLVED**, that the Board accepts the bid package proposed by Crawford and Stearns with clarification of

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certain points for the Rehabilitation and Addition to the Town Hall.

**ROLL CALL VOTE: Aye 5 (Delarm, Knapp, Martin, Tucker and Wright), Nay 0  
Resolution #74 declared duly adopted.**

**OLD BUSINESS**

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

- a. David Knapp and Sheila Delarm attended the October 3 FAB meeting. Ricky Provost, County EMS, attended and discussed concerns about posting E911 signs and concerns with dispatching using only 911 addresses. The dispatchers at the County don't use the local name to direct the responders.

Discussion was held on how to get E911 sign information out to the public and sending a letter of support to the Franklin County Legislature for a local law to determine how E911 address signs will be posted. There are signs available through the Paul Smiths-Gabriels Volunteer Fire Department and information will be made available at the Town Hall.

**RESOLUTION #75**

**AUTHORIZATION TO SUPPORT A LOCAL LAW BY THE FC LEGISLATURE FOR E911 ADDRESS SIGNS**

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

**WHEREAS**, the Franklin County E911 Emergency Management Services dispatch system is using E911 street addresses to dispatch emergency responders, and,

**WHEREAS**, people who respond are not familiar with the E911 addresses because the numbers are not posted on peoples homes or driveways, and

**WHEREAS**, numbers on homes close to county lines are confusing and not consecutive,

**NOW THEREFORE BE IT RESOLVED that the Supervisor be authorized to sign a letter in support of the Franklin County Legislature drafting legislation to require the residents of Franklin County to display their E911 number on a reflective and highly visible sign for passing fire/rescue apparatus.**

**ROLL CALL VOTE: Aye 5 (Delarm, Knapp, Martin, Tucker and Wright), Nay 0  
Resolution #75 declared duly adopted.**

- b. Dave Bickford spoke about the GML Section 122B concerning the 3<sup>rd</sup> party billing for combined fire and rescue departments. Mary Brown is working in Albany with the State Legislature to get this issue resolved; it will be brought up for a vote in November.
- c. Sheila Delarm said the Paul Smiths Gabriels Volunteer Fire Department is sending a letter to request the County dispatch service use the owner name as well as the E911 number for responding to emergencies. According to Ricky Provost 85% of the property has the correct owner's name on it.
- d. A job description is being written for an EMT by the Village of Saranac Lake, the County Civil Service Department needs to approve it also.

**2. ALTERNATE RESCUE SERVICES CITIZENS COMMITTEE(Sheila Delarm):**

- a. **Request for Proposals (RFPs):** RFPs for Rescue Services were reviewed by David Knapp and Sheila Delarm. The proposals were very different but too expensive for the Town to carry alone. Seaway Valley Ambulance Service is asking \$500,136. Annual cost for Northern Ambulance is \$54,775 using volunteers from the Town. The Village of Saranac Lake is asking for \$35,000 for 2008 to provide rescue services.

**Motion made by David Knapp, second by Lydia Wright, to send letters of refusal to Seaway Valley Ambulance Service and Northern Ambulance for their "Request for Proposals" for emergency rescue services for the Town with thanks for the work they put into their proposals.**

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

- b. **Basic Life Service-First Responder (BLS-FR):** In response to getting faster emergency service in the Town, the Paul Smiths-Gabriels Volunteer Fire Department is interested in adding Basic Life Support - First Responder services to their department and would like support from the Town.

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**Motion made by Davie Knapp, second by Lydia Wright, to write a letter of support for Basic Life Support First Responder services through the Paul Smiths Gabriels Volunteer Fire Department for people in the Town of Brighton.**

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

**3. TIME WARNER CABLE (TWC): Supervisor Peter Martin** said he needed more information for Nancy Reich to contact McColloms residents to see who wants service. The letter from Time Warner was copied for him. TWC has not contacted him for a public hearing for the franchise agreement.

**4. POST OFFICE IN GABRIELS:**

- a. Supervisor Peter Martin** is waiting for a sample letter from Congressman McHugh's office
- b. Sheila Delarm** said that the trailer leaks when it rains and Jeff Leavitt said the wind blows the doors open. She also said there is no bathroom in the trailer. It is not acceptable for a permanent Post Office.
- c. On September 26 Sheila Delarm** called Paul Snek from the Real Estate Department. He said the trailer is not a permanent solution to a post office. He is working on a time line for the replacement. Margaret Wier is the area manager. The Post Office Review Board met and the Capital Investment Committee approved a new post office as an FY08 project, next they will look for an alternative site. Sheila Delarm was given the name of Rich Russo to contact in the future.

**NEW BUSINESS:**

**1. FRANKLIN COUNTY HIGHWAY DEPARTMENT:** The Franklin County Highway Department is interested in applying for another shared services grant for a paver and would like the Town's support

**Motion made by Steve Tucker, second by Supervisor Peter Martin, to send a letter of support to the Franklin County Highway Department for a shared services grant for a paver.**

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

**2. WEBSITE:** A new website has been proposed by Rainbow Graphics, Inc.

**RESOLUTION #76**

**AUTHORIZATION TO HIRE RAINBOW GRAPHICS TO CREATE A NEW WEBSITE**

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

**WHEREAS,** the Town's website is in need of updating, and

**WHEREAS,** the person who created the current website is no longer on the Town Board,

**NOW THEREFORE BE IT RESOLVED** that the Board authorizes Rainbow Graphics, Inc., to create a new website for the Town of Brighton and the Town accepts the donation of \$650.00 worth of services for the new website design.

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

**Resolution #76 declared duly adopted.**

**CITIZENS COMMENTS: None**

**EXECUTIVE SESSION:**

**Motion made to GO INTO EXECUTIVE SESSION at 10:10 p.m.** by Supervisor Peter Martin for the purpose of discussing pending litigation in accordance with Section 105, para d of the Public Officer Law, second by Lydia Wright.

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

**Motion made to GO OUT OF EXECUTIVE SESSION at 10:32 p.m.** by Lydia Wright, second by Supervisor Peter Martin.

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

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**AUDIT OF VOUCHERS**

**RESOLUTION #77**

**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 #10 for Vouchers #10A through #10C for 2007 General Funds in the amount of \$643.28, Voucher #10C for 2007 Street Light Funds in the amount of \$59.21

**GENERAL FUND:** Abstract #10 for Voucher #251 through and including #270 for 2007 funds in the amount of \$4,258.93

**HIGHWAY FUND:** Abstract #10 for Vouchers #93 through and including #110 for 2007 funds in the amount of \$21,304.29

**ROLL CALL VOTE:** Aye 5 (Delarm, Knapp, Martin, Wright), Nay 0, Abstain 1 (Tucker)

Resolution #77 declared duly adopted.

**ADJOURNMENT**

Motion to Adjourn at 10:35 p.m. made by Lydia Wright, second by David Knapp, Aye 5, Nay 0

Respectfully Submitted,

Elaine Sater  
Brighton Town Clerk