

**The Regular Town Board Meeting of the Town of Brighton was held on Thursday, November 13, 2003, at 7:00 p.m. at the Brighton Town Hall, Paul Smiths, NY, with the following:**

**PRESENT:** Supervisor Robert Tebbutt

Council Members: Alicia Bodmer  
John Quenell  
Steve Tucker

**ABSENT:** Council Member Linda Dobson

**OTHERS PRESENT:** Elaine Sater - Town Clerk, Nik Santagate – Justice, and Tom Willis - Historian

**RESIDENTS:** There were 5 residents present

**GUEST:** None

**Meeting was Called to Order** by Supervisor Robert Tebbutt at 7:02 p.m.

***APPROVAL OF MINUTES***

**Motion made** by Alicia Bodmer **to accept the Minutes of the following meetings of the Town of Brighton Board as written: Special Meeting October 2, 2003, Regular Meeting October 9, 2003, Special Meetings for Budget - October 14, 21 and 30,** second by John Quenell, Aye 3, Abstain 1 (Bodmer), Absent 1 (Dobson).

***TOWN CLERK'S REPORT***

Total Revenue to Supervisor as of October 31, 2003, was \$526.83

10 DEC Sport Licenses  
2 Genealogical Requests  
30 Dog Licenses  
5 Building Permits (BRI #03-29 to 33)  
5 Copies on Copier  
33 FOIL Requests  
2 Park Use Donations

1. Requested a Budget Amendment to increase the Election Account A1450.4 by \$450.00, the cost of the Special Election on October 7.
2. October 9 faxed a Public Notice to the Adirondack Daily Enterprise, Re: Special Meeting of the Town Board for 2004 Tentative Budget discussions on October 14 and 21, 2003, at 4:30 pm.
3. October 23 faxed a Public Notice to the Adirondack Daily Enterprise, Re: Special Meeting of the Town Board for 2004 Tentative Budget discussions on October 28, 2003, at 4:30 pm, meeting was cancelled
4. October 28 faxed a Public Notice to the Adirondack Daily Enterprise, Re: Special Meeting of the Town Board for 2004 Tentative Budget discussions on October 30 at 4:30 p.m.
5. Notices for all the above meetings were posted on the Town Clerk's Sign Board, in three Post Offices, and at local businesses.
6. October 30 faxed a Public Notice to the Adirondack Daily Enterprise, Re: Public Hearing for 2004 Preliminary Budget on November 6, 2003 at 7 p.m. On October 31 Council Member John Quenell and Supervisor Robert Tebbutt changed the date of the Public Hearing to Monday, November 10, 2003, since the paper needed a three-day notice to publish the Public Notice. The Public Notice was published on Monday, November 3.

**John Quenell** commented that he has no authority to change meeting dates.

7. October 30 received Certificate of Completion for Continuing Judicial Education Program for 2003 from Justice Santagate
8. Election Day was held on November 4, 2003. Two hundred ninety (290) residents voted on the machine and there were 4 written ballots. Franklin County Board of Elections mailed out twenty-three (23) absentee ballots, 12 were received by Election Day. The unofficial results of the Election were as follows: Supervisor: Robert Tebbutt, Council Members: David Knapp and Lydia Wright, Superintendent of Highways: Donald Oliver, Town Clerk: Elaine Sater, Tax Collector: Amber McKernan, and Town Justice: Nik Santagate
9. November 6 received notification from the Franklin County Real Property Office for reappointment of Board of Assessment Review (BAR) members. No BAR members needs to be appointed this year. Phillip Delarm, Jr. expires in September 2004, Robert Byno, Sr., expires in 2005, and Jerome Samburgh expires in 2006.
10. November 6 received notification from Niagara Mohawk that an Automated Meter Reading (AMR) system will be installed at the Town buildings for easier electric meter reading. It will also eliminate the estimated reading every other month.
11. Town Clerk's Office will be closed Tuesday, November 25, and Thursday, November 27, and the Town Clerk will be out of Town from November 22 to December 1, 2003.
12. Town Hall Schedule: Food Pantry: Nov 13
13. Park Schedule: None

***SUPERVISOR REPORT***

1. **FINANCIAL REPORT:** Everything looks on schedule. Balances of Accounts as of October 31, 2003, are as follows: General Fund Balance is \$263,000 and Highway is \$163,000 (attached to these minutes).
2. **BUDGET AMENDMENT #7 for the GENERAL FUND:**

**RESOLUTION #93**

**BUDGET AMENDMENT #7 FOR THE GENERAL FUND**

Motion made by Robert Tebbutt to authorize General Fund Budget Amendment #7 for the transfer of \$7,365.00 in General Funds from Account A1990.0 (Contingency) as follows: \$6,824 to Account A9010.8 (State Retirement), \$41.00 to A1910.4 (Unallocated Insurance), \$25.00 to Account A1110.4 (Justice CE), \$25.00 to Account A1410.4 (Town Clerk CE) and \$450.00 to A1450.4 (Elections CE), second by Alicia Bodmer, Aye 4, Absent 1 (Dobson)

**Roll Call Vote:**

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

**Resolution #93 declared duly adopted.**

**3. PAYMENTS:**

**RESOLUTION #94**

**AUTHORIZATION TO APPROVE ONE-TIME FEES FOR 2003 SERVICES**

Motion made by Supervisor Robert Tebbutt to authorize the payment of one-time fees for services rendered during 2003 for the following: Account A1220.1 - Deputy Supervisor, Alicia Bodmer: \$250, Account A4020.4 - Registrar of Vital Statistics, Elaine Sater: \$200.00, Account A5010.1 – Deputy Highway Superintendent, Andy Crary: \$550, and Account A1320.4 - Budget Officer, Robert Tebbutt: \$250, second by Alicia Bodmer, Aye 4, Absent 1 (Dobson)

**Roll Call Vote:**

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

**Resolution #94 declared duly adopted**

**RESOLUTION #95**

**AUTHORIZATION TO PAY HEALTH INSURANCE BUYOUT FOR TOWN OFFICIALS**

Motion made by Supervisor Robert Tebbutt to authorize the payment of 10% health insurance premium cost buyout (\$709.13 per month) to two elected officials of the Town who were eligible but did not elect health insurance coverage through the Town in 2003, as provided for in the Town's 2003 Budget, such buyout amount to be \$850.96 for each official, second by John Quenell, Aye 4, Absent 1 (Dobson).

**Roll Call Vote:**

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

**Resolution #95 declared duly adopted**

**4. 2004 PRELIMINARY BUDGET: Change to the 2004 Budget**

Motion made by Supervisor Robert Tebbutt to change the 2004 Preliminary Budget to add \$20,000 from the General Fund Balance to A1990 Contingency to cover health insurance increases, second by Alicia Bodmer, Aye 4, Absent 1 (Dobson)

**RESOLUTION #96**

**APPROVAL OF THE 2004 BUDGET**

**WHEREAS**, the health insurance costs for 2004 cannot be calculated, and **WHEREAS**, funds of \$20,000 from General Fund appropriations will be used to cover any increase, **THEREFORE, LET IT BE RESOLVED** that the 2004 Preliminary Budget for the Town of Brighton be adopted with an increase to Account A1990.0 Contingency by \$20,000 to \$45,000 from General Fund appropriations to keep the same tax levy.

Motion made by Supervisor Robert Tebbutt, second by Alicia Bodmer, Aye 4, Absent 1 (Dobson)

**Roll Call Vote:**

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

**Resolution #96 declared duly adopted**

**5. RENEWAL OF INSURANCE FOR TOWN**

**RESOLUTION #97**

**AUTHORIZATION TO RENEW NY MUNICIPAL INSURANCE RECIPROCAL FOR 2004**

**WHEREAS**, a renewal quote has been received from the New York Municipal Insurance Reciprocal

(NYMIR) for the year 2004 with coverage limits the same as those in 2003 and with a total premium cost that is within the amount budgeted for 2004,

**NOW, THEREFORE BE IT RESOLVED** that the Supervisor is authorized to inform the New York Municipal Reciprocal (NYMIR) that the Town of Brighton wishes to renew its insurance for 2004.

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

**Roll Call Vote:**

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

**Resolution #97 declared duly adopted**

- COPIER CONTRACT:** John Quenell received quotes for lease contracts on 4 copiers. The old copier cannot be serviced anymore and the lease expires soon.

**RESOLUTION #98**

**AUTHORIZATION FOR NEW COPIER LEASE**

**WHEREAS**, the lease on the copier expires soon, service or parts are no longer available to repair it, and

**WHEREAS**, the following quotes were received for a new lease:

Canon Imagerunner 2000 (Burgess) - \$2,424 plus \$950 per year for service and consumables (except paper)

Kyocera KM-2530 (Lockrows) - \$96 per month for 60 months, includes service and consumables (except paper)

Sharp AR275 (Munn)- \$166.50 per month for 36 months plus 2-cents per copy consumables plus service @ \$75 per hour after first year

**THEREFORE LET IT BE RESOLVED, to authorize a contract with Lockrows of Plattsburgh for \$96.00 per month for 60 months lease to include service and consumables (except paper) for a Kyocera copier Model KM-2530.**

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

**Roll Call Vote:**

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

**Resolution #98 declared duly adopted**

- DONATION OF LAND FROM ALLEN/RICHARDS:** A request for transferring land from Allen to the Town of Brighton has been received. Supervisor Robert Tebbutt will send a letter to the owners to accept the property.

**RESOLUTION#99**

**AUTHORIZATION TO ACCEPT THE DONATION OF LAND FROM ALLEN/RICHARDS**

**WHEREAS**, a small parcel of land (.45 acre) located on County Route 31 at the entrance of the Clark Wardner Road and Grandma’s Pond Road, Tax Map Number 366.-1-7.300, valued at \$1,100, is owned by Joan Wardner Allen and Sally Wardner Richards, and

**WHEREAS**, they wish to donate it to the Town of Brighton because it has two Town Roads crossing it and there is no room to do anything with it, and

**WHEREAS**, the Town of Brighton passed a resolution in October 2001 to accept the land, and

**WHEREAS**, the Attorney for the Town, Scott Goldie, has said a quitclaim deed could be done for \$200 to transfer the property to the Town,

**NOW, THEREFORE, LET IT BE RESOLVED**, that the Supervisor Robert Tebbutt be authorized to instruct the Attorney for the Town, Scott Goldie, to prepare an appropriate quitclaim deed at town expense of \$200 to transfer the property with Tax Map Number 366.-1-7.300 from Allen and Richards to the Town of Brighton.

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

**Roll Call Vote:**

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

**Resolution #99 declared duly adopted**

**8. CONTRACT FOR LANDFILL POST CLOSURE TESTING**

**RESOLUTION #100**

**AUTHORIZATION TO APPROVE CONTRACT FOR 2004 LANDFILL CLOSURE TESTING**

**Motion** made by Alicia Bodmer to authorize Supervisor Robert Tebbutt to sign a contract with FX Brown for Landfill Post-Closure testing for 2004, second by John Quenell, Aye 4, Absent 1 (Dobson)

**Roll Call Vote:**

Supervisor Robert Tebbutt	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Absent

John Quenell	Aye
Steve Tucker	Aye

**Resolution #100 declared duly adopted**

- 9. PLANS FOR NYSDOT REPAVING STATE ROUTE 86:** Resolutions are needed for the Town of Brighton to accept the Department of Transportation's plans for altering Town Roads during the repaving of State Route 86 in the Town of Brighton. The plans will be on file with the Town Clerk for people to review. The resolutions will be proposed in the December or January meeting.
- 10. LETTER FROM NYSDOT ON STATE ROUTE 86 – EASY STREET:** Received letter dated October 31, 2003, from the State of New York Department of Transportation, Re: State Route 86 (Easy Street), the markings are consistent with New York State standards and are most appropriate at this location, at this time. The speeding is an enforcement issue and this department has no authority for enforcement.
- 11. HUD DISCHARGE OF MORTGAGE:** A request to discharge a HUD Mortgage was received from Attorney Robert White.

**RESOLUTION #101****AUTHORIZATION TO DISCHARGE HUD MORTGAGE PROJECT BRI 92-06**

**Motion made by John Quenell to authorize Supervisor Robert Tebbutt to discharge as paid a HUD Mortgage (Project BRI92-06) dated April 10, 1993, made and executed by Robert Meslin to the Town of Brighton to secure payment of the principal sum of \$10,500.00 and duly recorded in the Office of the Clerk of the County of Franklin, New York, in Liber 434 of Mortgages at page 177 on the 31<sup>st</sup> of January 1994, second by Alicia Bodmer, Aye 4, Absent 1 (Dobson).**

**Roll Call Vote:**

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

**Resolution #101 declared duly adopted**

- 12. HIGHWAY GARAGE PROJECT:** Dave Knapp and Rouse Fountain gave an update on the Highway Garage Project. Ideas from prior meetings were incorporated into the floor plan. David Knapp discussed them with Joe Garso of North Woods Engineering and Mr. Garso created a sketch including these ideas. The sketch is available at the Town Hall for review. A records storage area (12'X12') with separate access was added, the existing rooms were reconfigured using the same dimensions but lowering the roof to one story, a bay was removed from the heated space and was added to the end of the building like a carport. Any of these ideas are still optional and additional forums need to be held to discuss if these plans are suitable. Supervisor Robert Tebbutt said the Highway Committee should meet and discuss this further. Dave Knapp asked about the status of the APA Permit Application. Supervisor Robert Tebbutt said that due to changing the scope of the project, i.e., adding the exact design of the salt shed, the application is on hold and a letter must be sent to the APA asking for an extension. The purchase of the land is going forward and a grant is being pursued for funding the salt shed.
- 13. KEESE MILL ROAD-LOGGING TRUCKS - Alicia Bodmer:** Still waiting to hear from the Attorney for the Town. Matt Fuller, Attorney for the Ross family was in attendance and he wanted to clarify some things he read in the minutes from previous meetings. He does not work for Landvest or Mitchell Logging he represents the Ross LLC. The property owner would like to open communications with the Town and is available if the Town wants to call and ask questions. He left a business card with the Town. A question about building a road for access to the north was asked. Mr. Fuller said the road would have to go over private property and cross a river. They cannot build a bridge for the trucks to use.

**OLD BUSINESS: None****NEW BUSINESS**

**MEETING FOR DECEMBER:** Supervisor Robert Tebbutt proposed that the meeting for December be changed to the 3<sup>rd</sup> week of December and be held at the St. Regis Inn. This meeting will be short and a party for the outgoing and incoming Council Members would be held following the meeting. As soon as a date is made with the restaurant it will be posted.

**REPORTS**

- COURT (Santagate):** During October 66 cases were disposed; \$4,151.50 was sent to the State Comptroller's Office
- HIGHWAY COMMITTEE (Quenell/Oliver):**
  - Purchased materials and installed new deck and steel roof on rotted-out side of the garage's end bay
  - Purchased materials and patched ceiling of break room. Total materials for the roof and ceiling was \$1,559

- c. Cleared out several beaver dams
- d. Did road checks and routine equipment maintenance
- e. Sanded town roads for the first time this season on Veterans' Day , Nov 11.

**Supervisor Robert Tebbutt** said he was asked if the Highway Report could include what they would be working on in the coming month. Another citizen asked if the Highway Department could post outside the garage where they are working each day. The Highway Committee will consider these ideas.

3. **INSURANCE/INVESTMENTS (Quenell/Dobson):** Alicia Bodmer gave an investment Report for Linda Dobson as follows: General Fund has \$241,418.38 and Highway has \$151,696.96 in the CLASS account as of October 31, 2003. John Quenell had nothing to report for Insurance.
4. **ASSESSOR (Tichenor): No Report**
5. **TAX COLLECTOR (McKernan): No Report**
6. **ANIMAL CONTROL OFFICER (Crary): No Report**
7. **CODE ENFORCEMENT OFFICER (Lagree):** September Report showed 28 building permits issued for 2003, 8 are completed. For 2002, 14 permits are outstanding and 13 are completed. For 2001, 10 are outstanding and 4 are completed.
8. **CEMETERY (Dobson):** Alicia Bodmer reported that there have been 2 burials in the past month and the Town Clerk, Elaine Sater, has finished posting the lot numbers on Section 1 and 2 of the Mountain View Cemetery map.
9. **PARKS AND RECREATION (Tucker):** Dan Spencer has been correcting the deficiencies from the NYMIR insurance inspection report of August 15, 2003. Swing chains have been replaced, the knee wall was removed from the monkey bars and new seats have been ordered for the swings. The slide will be removed.

**Supervisor Robert Tebbutt** asked Steve Tucker to write up a response to the Playground deficiencies to send to NYMIR.

10. **HISTORIAN (Willis):**

- a. The report on the Town Hall has been received from Randy Crawford of Crawford and Stearns. The report recommends repairs and additions to the Town Hall. The Citizens Committee for the Town Hall Project should meet again to discuss the recommendations and evaluate the report.

**Supervisor Robert Tebbutt** said she should set up a meeting since she is a Co-Chair of the Citizens Committee.

- b. There is information for a free document evaluation by the New York Documentary Heritage Program. An application needs to be filled out to apply for this service for historical documents. Would like the board to approve applying for this service and would need help filing out the paper work.

**Supervisor Robert Tebbutt** asked for the Board opinion on this, John Quenell said it should be deferred to the Records Management Officer (RMO). The RMO, Elaine Sater, said the records have already been reviewed for retention and archived. Supervisor Robert Tebbutt said Pat Willis should pursue this for the historical documents.

- c. There is information available from the Northeast Document Conservation Center for unrolling and flattening old documents and maps located in the Town Hall vault. The equipment is available for trying this process except for blotting paper, which can be purchased for about \$40. If these documents are flattened they can be stored in the map cabinets. It would cost \$50 to \$100 to have the documents done professionally. The documents could be left rolled up, but damage is done to the documents each time they are unrolled for viewing. Would the board approve this process to be tried and the purchase of the paper?

**Supervisor Robert Tebbutt** said she should go ahead and try it and see what happens.

- d. There is a group trying to save the Fire Tower on St. Regis Mountain. The Board passed a resolution in the past to support saving the tower. There is a petition available for signing if anyone is interested.

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

**CITIZENS COMMENTS:**

**Tom Willis – Garondah Road:**

- a. **Abandoned Buildings:** There is a house with a collapsed porch on the north side of Keese Mills Road. The town has a town law covering abandoned buildings and the Code Enforcement Officer should look at the building.

**Town Clerk, Elaine Sater,** said there are forms available in her office for filing a complaint.

- b. **Transfer of Town Hall Property:** What is the status of the transfer of the property for the Town Hall?

**Supervisor Robert Tebbutt** said the lawyers are working on it. The papers are in Cantwell's Office.

- c. **Trailer Court:** The trailer court has not been in the news lately. Is there any information on the progress of the previous complaints from the residents concerning the water and septic?

**Council Member John Quenell** said there have been no more complaints. The new owner, Bill Decker, is making improvements to the water and septic. The number of tenants has decreased to 3 or 4.

**There were no more Citizens' Comments**

**RESOLUTION #102**

**AUTHORIZATION TO PAY VOUCHERS**

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

**GENERAL FUND: Abstract #12 for Voucher #278 through and including #318 in the amount of \$21,636.62 and TRUST & AGENCY Funds for \$14.77**

**HIGHWAY FUND: Abstract #12 for Voucher #112 through and including #121 in the amount of \$9,121.11**

**STREET LIGHTING FUND: Abstract #11 for Voucher #11 in the amount of \$52.90**

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

**Roll Call Vote:**

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

**Resolution #102 declared duly adopted.**

**Motion made** by Alicia Bodmer **to Adjourn the Regular Board Meeting at 8:35 p.m.**, second by John Quenell, Aye 4, Absent 1 (Dobson)

Respectfully submitted,

Elaine W. Sater  
Brighton Town Clerk