

The Regular Meeting of the Town Board of the Town of Brighton was held Thursday, November 14, 2002, at 7:00 p.m. at the Brighton Town Hall, Paul Smiths, NY, with the following:

PRESENT: Council Members: Alicia Bodmer (Deputy Supervisor)
Linda Dobson
John Quenell
Steve Tucker

ABSENT: Supervisor (Vacant)

OTHERS PRESENT: Elaine Sater-Town Clerk, Nik Santagate-Justice, Tom Willis-Historian, and Donald Oliver- Superintendent of Highways

RESIDENTS: There were several residents present

GUESTS: Elizabeth Kochar-Saranac Lake Senior Center and Ruth Woodward-Franklin County Association of Seniors

Meeting was Called to Order by Deputy Supervisor Alicia Bodmer at 7:05 p.m.

APPROVAL OF MINUTES:

Motion made by Alicia Bodmer to accept the minutes of the Regular Monthly Meeting for the Town of Brighton Board dated October 10, 2002, as written, second by Linda Dobson, Aye 3, Abstain 1 (Bodmer), Vacant 1(Supervisor)

Motion made by Alicia Bodmer to accept the minutes of the Special Meetings (Budget Workshops) for the Town of Brighton Board dated October 15, 22, 26, 29, and November 2, 2002, as written, second by John Quenell, Aye 4, Vacant 1 (Supervisor)

Motion made by Alicia Bodmer to accept the minutes of the Special Meeting (HUD) for the Town of Brighton Board dated October 18, 2002, as written, second by Linda Dobson, Aye 4, Vacant 1 (Supervisor)

TOWN CLERK REPORT

Total Revenue to Supervisor as of October 31, 2002 was \$1,134.00

7 DEC Sport Licenses
3 Certified Copies
4 Dog License
8 Building Permits (BRI2002-38 to 45)
7 Copies on Copier
1 Park Use Donation

1. Correction to last month's report: Deputy Supervisor received \$381.08; total collected by Town Clerk was \$878.95
2. October 12, 2002, faxed a Public Notice to the Adirondack Daily Enterprise, Re: Special Meeting of the Town Board for 2003 Tentative Budget discussions on October 15, 2002 at 6:00 pm.
3. October 15, 2002, faxed a Public Notice to the Adirondack Daily Enterprise, Re: Special Meeting of the Town Board for HUD matters on October 18, 2002 at 6:00 pm and Special Meeting of the Town Board for 2003 Tentative Budget discussions on October 22, 2002, at 6:00 pm and October 26, 2002, at 8:30 am; published on October 18, 2002.
4. October 26, 2002, faxed a Public Notice to the Adirondack Daily Enterprise, Re: Special Meeting of the Town Board for 2003 Tentative Budget discussions on October 29 at 6:15 pm and November 2, 2002 at 8:30 am.
5. November 2, 2002, faxed a Public Notice to the Adirondack Daily Enterprise, Re: Public Hearing for 2003 Preliminary Budget on November 15, 2002 at 6:30 p.m. and Special Meeting of the Town Board on November 18, 2002, at 6:30 pm to approve the 2003 Final Budget; published on November 7, 2002
6. Notices for all the above meetings were posted on the Town Clerk's Sign Board, in three Post Offices, and at local businesses
7. Election Day was held on November 5, 2002. Three hundred and two (302) residents voted on the machine and 16 absentee ballots were mailed out by Franklin County. There were also some paper ballots turned in due to address changes. The Board of Elections impounded the results of the election so the official results of the election were delayed. There were 323 total votes of which Robert Tebbutt received 152 votes and Willie Sheridan received 148 votes, 21 people did not for Supervisor
8. Received Notice of Application for Restaurant Wine Liquor License dated October 17, 2002, from Sodexho America LLC (Paul Smiths College-Student Union Building)
9. Received Notice of Renewal of Liquor License dated October 21, 2002 from Meacham Lake Inn
10. Received notice of new 911 Addresses for the Town: Town Hall is 12 County Route 31 and Highway Garage is 17 County Route 31; the Park is 15 County Route 60.
11. November 14, 2002, received a Certificate of Completion for Continuing Judicial Education Program for Honorable Dominick Santagate for 2002
12. Town Hall Schedule: Food Pantry: Nov 14
13. Park Schedule: None

SUPERVISOR'S REPORT AND CORRESPONDENCE

FINANCIAL BUSINESS AT HAND:

1. **FX Browne:** Voucher for third quarter testing has been received
2. **Retirement System Bill:** Received from State, needs to be reviewed and added to budget
3. **JL Wood, Inc:** Received a bill for water testing for Feb to Oct, need to contact AE Knapp to determine why we received a separate bill
4. **Association of Towns bill:** Bill will be paid in 2003
5. **BUDGET AMENDMENTS**

RESOLUTION #97

AUTHORIZATION FOR BUDGET AMENDMENT #8 FOR THE 2002 GENERAL FUND

Motion made by Alicia Bodmer to authorize Budget Amendment #8 for the 2002 General Fund to transfer \$4,735.59 of funds from A1990.0 (Contingency Account) as follows:

- \$ 7.94 to A1220.4 (Supervisor CE)
- \$ 574.50 to A1355.4 (Assessor CE)
- \$ 329.46 to A1420.4 (Attorney CE)
- \$ 456.00 to A5010.4 (Highway Admin CE)
- \$3394.69 to A8160.4 (Landfill CE)

Second by Linda Dobson, Aye 4, Vacant 1 (Supervisor)

Roll Call Vote:

Supervisor Vacant
Council Members: Alicia Bodmer Aye
Linda Dobson Aye
John Quenell Aye
Steve Tucker Aye

Resolution #97 declared duly adopted.

RESOLUTION #98

AUTHORIZATION FOR BUDGET AMENDMENT #1 FOR THE 2002 HIGHWAY FUND

Motion made by Alicia Bodmer to authorize Budget Amendment #1 for the 2002 Highway Fund to transfer \$245.03 of funds from DA5142.4 (Snow Removal CE) to DA5112.2 (Capital Improvements), second by John Quenell, Aye 4, Vacant 1 (Supervisor)

Roll Call Vote:

Supervisor Vacant
Council Members: Alicia Bodmer Aye
Linda Dobson Aye
John Quenell Aye
Steve Tucker Aye

Resolution #98 declared duly adopted.

6. **Alpo Property Appraisal Bill:** Need to set up a new capital account to pay this bill of \$900.00

NEW BUSINESS

1. SARANAC LAKE ADULT CENTER-Elizabeth Kochar and Ruth Woodward from Association of Senior Citizens in Franklin County: Elizabeth Kochar has been the Director of the Adult Center for 7 years and Ruth Woodward is the Town of Brighton's representative to the Association of Senior Citizens in Franklin County. They gave a brief overview of what the Saranac Lake Adult Center has available for the residents of Brighton. These include congregate meals, home delivered meals, Case Management and Assistance with various benefit programs, transportation and escort service, recreational activities, health promotion activities such as flu and blood pressure clinics, and educational programs on concerns of the elderly. The Adult Center would like a contribution from the town to help support these programs. Seniors in the Town of Brighton have used these services over the years. The RSVP Program is available for seniors to get involved by volunteering to help with these programs. There is a newsletter from the Adult Center available for \$4.00 a year.

2. EAS CONTRACT: Received Employee Assistance Services Contract for 1 October 2002 to 31 September 2003.

RESOLUTION #99

AUTHORIZATION TO APPROVE THE EAS CONTRACT FOR DRUG TESTING EMPLOYEES

Motion made by Alicia Bodmer to accept the Employee Assistance Services (EAS) Contract from 1 October 2002 to 30 September 2003 for \$35.00 per employee for Drug Testing and Counseling of four Town Employees (\$105.00-2003 Highway Fund, \$35.00-2003 General Fund), second by John Quenell, Aye 4, Vacant 1 (Supervisor)

Roll Call Vote:

Supervisor Vacant
Council Members: Alicia Bodmer Aye
Linda Dobson Aye
John Quenell Aye
Steve Tucker Aye

Resolution #99 declared duly adopted.

3. **FX BROWNE CONTRACT:** One quote received for the post-closure landfill monitoring for 2003

RESOLUTION #100

AUTHORIZATION TO APPROVE POST-CLOSURE LANDFILL MONITORING CONTRACT

Motion made by Alicia Bodmer to approve the FX Browne Contract for \$5,000 Service Fees and \$4,670 for Laboratory Fees for post-closure landfill monitoring for 2003, second by Linda Dobson, Aye 4, Vacant 1 (Supervisor)

Roll Call Vote:

Supervisor Vacant

Council Members: Alicia Bodmer Aye

Linda Dobson Aye

John Quenell Aye

Steve Tucker Aye

Resolution #100 declared duly adopted.

4. FOOD PANTRY CONTRACT:

RESOLUTION #101

AUTHORIZATION TO SIGN THE FOOD PANTRY CONTRACT

Motion made by Alicia Bodmer to approve the contract for St Paul's/Assumption Church to use the Town Hall for a food pantry from July 1, 2002 and June 30, 2003, second by John Quenell, Aye 4, Vacant 1 (Supervisor)

Roll Call Vote:

Supervisor Vacant

Council Members: Alicia Bodmer Aye

Linda Dobson Aye

John Quenell Aye

Steve Tucker Aye

Resolution #101 declared duly adopted.

5. CAPITAL PROJECT FUND FOR HIGHWAY GARAGE: Recommendation by the Comptroller's Office a fund should be set up separately from the General Fund to track costs of the new Highway Garage

RESOLUTION #102

AUTHORIZATION TO SET UP A CAPITAL PROJECT FUND FOR NEW HIGHWAY GARAGE

WHEREAS, the Town of Brighton recognizes the need to construct a new Highway Garage and Salt Shed in 2003, and

WHEREAS, the Town recognizes the possibility that the new garage will have to be located on a different site from the present garage, which may necessitate the purchase of a tract of land and which may also involve the rehabilitation of a structure thereon,

NOW THEREFORE BE IT RESOLVED, that the Town of Brighton establish a Capital Project Fund dedicated to the construction of a new Highway Garage and Salt Shed and the possible purchase of land and rehabilitation of a structure, to be initially funded by a loan from the Town's General Fund by an amount not to exceed \$20,000

Motion made by Alicia Bodmer, second by John Quenell, Aye 4, Vacant 1(Supervisor)

Roll Call Vote:

Supervisor Vacant

Council Members: Alicia Bodmer Aye

Linda Dobson Aye

John Quenell Aye

Steve Tucker Aye

Resolution #102 declared duly adopted.

6. DECEMBER MEETING DATE CHANGE:

Motion made by Alicia Bodmer to change the date of the Regular Town Board Meeting from December 12 to December 5, 2002, due to a work conflict, second by Linda Dobson, Aye 4, Vacant 1 (Supervisor)

7. INSURANCE REPRESENTATION:

Motion made by Alicia Bodmer to appoint Jeff Burnham of Lake Placid as the Town of Brighton's Insurance Representation from Blue Cross Blue Shield of Utica-Watertown, second by John Quenell, Aye 4, Vacant 1 (Supervisor)

8. LETTER OF THANKS: Received a letter from Michael Tucker and Lee Freeburg dated 10/31/2002, thanking the Town for their prompt response in correcting the problem on a bad corner on the Hobart Road in Gabriels. Thanks to the Highway for taking care of the problem.

9. CONTRACTING WITH ORGANIZATIONS: The Town must have a signed contract specifying services for the funds given to organizations. Alicia Bodmer has contact Gerry Gilmett for the Snowmobile Club, the Civic Center provides a contract, the Saranac Lake Youth Program has a contract, and Life flight, Fire Department, FREMSA, and Rescue all have contracts. The Town cannot fund the Library building campaign, only services.

OLD BUSINESS:

1. PARK WATER QUALITY-Steve Tucker: Water Tests results were returned and there is no problem with the water. The Department of Health recommends quarterly tests be taken to have a history of the water quality if any problems arise, about \$30.00 per test. Needs to be added to the budget.

2. HIGHWAY GARAGE/SITE RECOMMENDATION-John Quenell: Received an appraisal of the Alpo property at \$110,000 (\$26,000 for the land and \$84,000 for the building). Hot water heating system will cost \$15,000. Waiting for an estimate for the foundation, may not need to be replaced. The Code Enforcement Officer is involved with looking at the building for upgrade requirements

3. LANDFILL CLOSURE LOAN FROM EFC: Full amount due to EFC is \$268,999.85. The total cost of the project was \$320,114.70. The town has been reimbursed for expenses of \$271,535.30 so far and needs to reapply for the final 10%. An amount of \$71,510.73 is owed to the Town's General Fund. A balance of \$39,210.35 is needed to complete the payment to EFC. A payment of \$9,972.00 has already been made from the General Fund. An additional \$1,890 may be reimbursed, it was denied the first time and should be resubmitted. Griffin International will be contacted to request the final reimbursement.

4. SAND MINE AT HIGHWAY GARAGE: A 10-year contract with Paul Smith College expired in August 2002. Town has been waiting to see what DEC says about the environmental impact for the oil spill, would like to have the Attorney for the Town review the contract before the Town signs it.

RESOLUTION #103

AUTHORIZATION TO SEEK COUNSEL ADVICE

Motion made by John Quenell to send the Paul Smith College Sand Mine Contract to Scott Goldie, Attorney for the Town, to review and render his opinion, second by Alicia Bodmer, Aye 4, Vacant 1 (Supervisor)

Roll Call Vote:

Supervisor	Vacant
Council Members:	Alicia Bodmer Aye
	Linda Dobson Aye
	John Quenell Aye
	Steve Tucker Aye

Resolution #103 declared duly adopted.

COMMITTEE REPORTS:

1. COURT- Nik Santagate:

- A. Disposed 86 cases during October and sent \$4,790.00 to the State Comptroller
- B. Length of Monthly Report to Comptroller's Office was a record 8 pages long and the packet of tickets sent to TSLIP took 3 stamps
- C. A correction to the largest number of tickets record issued on a single incident: 19 (not 11) Vehicle and Traffic tickets and 3 (not 2) penal law tickets to the same individual.
- D. Attended a Domestic Violence Conference in Lake Placid on October 22 and the annual Justice Training on October 26
- E. There will be a Small Claims jury trial on December 13, first one in the Town of Brighton
- F. Expenses are increasing as the activity in the Court increases and the amount of Justice Contractual Expenses should be increased in the 2003 Budget. When Paul Smith College is in session the population of the Town nearly doubles. The age group for that increased population is such that there is a higher percentage of interaction with the Law.

2. HIGHWAY –John Quenell:

- A. Ready for winter, roads have been swept.
- B. Brakes were put on the Pickup Truck

3. INSURANCE - John Quenell: The Town has historically carried an insurance limit of \$50,000 on all town employees, with an additional \$650,000 on the Tax Collector. The audit recommended an increase on limits for the Tax Collector to a total of \$1,000,000 and the Supervisor to \$800,000. Mang Insurance Agency gave a quote of \$600 for the additional coverage. They also expressed an opinion that the limits were excessive and unneeded. Another quote was requested for lower limits as follows: \$250,000 on the Tax Collector, \$100,000 on the Supervisor, and \$10,000 for all other employees as well as a policy to require two signatures on check in excess of \$5,000. The cost per year would be \$686. Keeping the same coverage of \$700,000 on the Tax Collector and \$50,000 on all other employees would cost \$638.

RESOLUTION #104

AUTHORIZATION TO BOND EMPLOYEES AT DIFFERENT LEVELS

Motion made by John Quenell to authorize the Town of Brighton to bond the Tax Collector at \$250,000, the Supervisor at \$100,000 and all other employees at \$10,000 for Employee Dishonesty Insurance with Mang Insurance Agency for an annual premium of \$686, second by Alicia Bodmer, Aye 4, Vacant 1 (Supervisor)

Roll Call Vote:

Supervisor	Vacant
Council Members:	Alicia Bodmer Aye

Linda Dobson Aye
John Quenell Aye
Steve Tucker Aye

Resolution #104 declared duly adopted.

4. INVESTMENTS – Linda Dobson: A draft policy for Investments is ready, just needs NBT Bank's acceptance of the requirements for securing deposits. NBT Bank Albany asked for the information to be forwarded again for their consideration. As soon as this answer is received the policy will be presented to the Board.

5. ASSESSOR-Doug Tichenor: No Report

6. TAX COLLECTOR- Amber McKernan (read by Linda Dobson):

- A. October was a busy month, received on average 4 phone calls per week. Sent one fax and mailed one change of address form after the 911 notices were sent to area residents.
- B. Tax Bill request forms are being sent from TSOs in anticipation of the up-coming tax year
- C. Will be placing an order with Viking for supplies needed for sending out taxes later next month and purchasing stamps
- D. Filed a copy of the resolution limiting the honoring of checks issued by this office to 45 days from date of issue with NBT Bank
- E. October Bank Statement was received and balanced

7. CODE ENFORCEMENT-Ed Lagree: Total of 46 Building Permits issued for 2002 to date, 16 completed; 20 of the 37 remaining permits from 2001 are completed

8. CEMETERY – Linda Dobson: Stacy of Geomatics completed the fieldwork to verify the discrepancies that were found on the map. She will incorporate the changes and deliver the map and bill after this week.

9. PARKS & RECREATION-Steve Tucker: Dan Spencer is putting up the fence to keep motorized vehicles off the ice

CITIZENS COMMENTS:

Tracie Santagate-McColloms:

- a. Thank you to Don Oliver and the Highway Department for helping her father put in a culvert and open the bridge back up to his house.
- b. What was the Attorney's opinion on the Asplin land access situation? John Quenell said he heard from the Attorney and the Town does not have a right to access the landfill over Asplin land

Pete Martin-Rainbow Lake Road: Would like to know why Dan Spencer does not have Health Insurance. He does a great job and works hard for the Town. The Town should provide him with some help with insurance. John Quenell said the Town's "defacto" policy was to not give health insurance to part time employees; only to elected officials. The Committee on Compensation recommended that insurance for all part time employees be eliminated. Bring the matter to the Budget Hearing on Friday night.

Tom Willis-Garondah Road:

- a. Would like to compliment the candidates for Supervisor for taking down their signs the day after the election; he appreciates it.
- b. What is the status of the Grant for fixing the stone pillars at the Town Hall? Linda Dobson said the grant was denied in total. There were many requests and only a few were funded.
- c. What is the status of the Adelpia Contract? John Quenell said the contract was on hold. The Town was advised not to renew the contract but to extend it when it expires in January 2003.
- d. Would like to know about the new signs put up by National Grid on the old railroad bed. The signs say no motorized vehicles are allowed on National Grid (NIMO) property. Tickets are being issued. Landowners with right-of-ways are being warned. Alicia Bodmer said the new snowmobile map only shows the section from Charlie's Inn to Gabriels as a trail.

ADDITIONAL BUSINESS:

A. IRS Section 125 Employer's PreTax Plan: John Quenell asked Tom Willis to explain Section 125 of the Internal Revenue Code concerning employee pretax income deductions for certain expenses. Tom Willis said employers are allowed to set up this program for employees who wish to deduct expenses for insurance, childcare, etc before the income is taxed. An example would be for an income of \$2300, \$600 could be deducted before taxes and the income only reflects as \$1,700 so taxes would be lower. This reduces Social Security payments also. The Town needs a written plan to participate in this program. The Town would need an administrator; the plan is irrevocable except for certain reasons (family changes), The plan needs to be in effect by December 31, 2002. Tom Willis did this program for 50,000 Ford employees and it should be manageable for Town employees. The Bookkeeper would have to get involved with the program. There should not be any cost to set up the program. Tom Willis and John Quenell will draft a plan for the next board meeting.

Motion made by John Quenell to accept Tom Willis's offer to volunteer as the IRS Section 125 Plan Administrator for 2003 for the Town of Brighton, second by Alicia Bodmer, Aye 4, Vacant 1 (Supervisor)

B. A Local Law is needed to pay money to employees who want payments in lieu of health insurance.

C. Payment of Vouchers:

RESOLUTION #105

AUTHORIZATION TO PAY ALL VOUCHERS LISTED ON ABSTRACTS

Motion made by Alicia Bodmer to disperse funds for all the vouchers audited by the Town Board and listed on the abstracts attached to these minutes as follows:

ABSTRACT #5-PrePaid: Voucher #11A through and including voucher #11F: \$1,331.73 General Fund, \$2,379.51 Highway Fund, and \$54.69 Street Lighting Fund

ABSTRACT #11-General Fund: Voucher #253 through and including Voucher #283: \$8,331.70

ABSTRACT #10-Trust & Agency (General Voucher #260): \$655.09

ABSTRACT #11-Highway Fund: Voucher #127 through and including Voucher #134: \$9,979.96

Second by Linda Dobson, Aye 4, Vacant 1 (Supervisor)

Roll Call Vote:

Supervisor Vacant

Council Members: Alicia Bodmer Aye

Linda Dobson Aye

John Quenell Aye

Steve Tucker Aye

Resolution #105 declared duly adopted.

Motion made by Linda Dobson to Adjourn the Regular Town Board Meeting at 9:05 p.m., second by John Quenell, Aye 4, Vacant 1 (Supervisor)

Respectfully submitted,

Elaine W. Sater
Brighton Town Clerk